



MINUTES
TOWN OF SUNSET BEACH
Regular Called Meeting, Public Hearing & Work Session
June 4, 2007
6:45 p.m.

Members Present

Mayor Ron Klein
Councilman Ron Watts
Councilman Carl Bazemore
Councilman Bob Bobinski
Councilman Steiner

Members Absent

Councilman Lou DeVita

Others Present

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

6:30 PM Work Session

Mayor Klein instructed all to delete items **e & f** under New Business as they were duplicates of items 2 & 5 in the Public Hearing. He asked if they had all seen the three résumés for the ABC Board. Bazemore informed Fluegel Betty Oakes was in the hospital. Mayor Klein stated Jim Jones was as well, and wished them both a speedy recovery.

Watts asked Fire Marshal Bookout about the proposed ladder truck. Fluegel stated two of the Regency's three buildings were in the city limits already. Bookout stated it absolutely had to be serviced anyway as all three were in our fire district and the Regency actually had better fire standards than most of Sunset's buildings. It has sprinkler systems and a lot of fire retardant materials which other buildings in Sunset do not. We were in desperate need of a ladder truck before the Regency was ever built. Bookout said the ISO Board stated it would have a definite positive impact on Sunset Beach's residents' insurance ratings.

Bobinski asked for clarification on where the Council stood on purchasing property for a boat ramp. He was still inclined toward the old Italian Fisherman lot, but it depended on whether the state (and possibly other agencies) was willing to help match funds as they stated they would with Bill's Seafood.

Mike Isenberg, Town Attorney, told Council he and Mrs. Fluegel had met with Joe Peed. He has called Mr. Isenberg that very morning and stated he had one more person to talk with which was his attorney. Isenberg would inform Council of Mr. Peed's decision after he had spoken with him again.

7:00 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 MAY 7th, 2007.

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

4. PUBLIC HEARING:

a. Amendment to MB-2 #151.216 Permitted Uses & MB-1 #151.211 Permitted Uses

No comments

b. Amendment to Signs #151.112 & 151.116

No comments

c. Amendment to # 150.111 Subdivision Regulations

No comments

d. Amendment to MR-1 #151.148; MB-1 #151.213; MH-2 #151.317; RI-1 #151.332 and MUD #151.393 Height Restrictions

Planning Board Chairman Siebert stated this was mostly clean-up.

e. Amendment to Outdoor Display #151.211; 151.216(G) and 151.241 Permitted Uses

No comments.

f. Amendment to MUD #151.395; & #151.244 Supplementary Districts

No comments. Siebert said this too was mainly clean up of the ordinance.

g. FY 2007-2008 Budget and Tax Rate

Rich Cerrato, 517 Twisted Oak Lane spoke against the budget. See written attachment incorporated by reference and made part of these minutes.

Charlie Nern, resident, objected to the purchase of a fire/ladder truck and land for the boat ramp.

Ron Otten, 408 Egret Dr. asked Council if the budget was correct. Council confirmed it was.

Russ Polizzotti asked for reassurance that the town had an Agreement of Mutual Aid between Ocean Isle Beach and Calabash. Council confirmed the town did have one with Ocean Isle. Mr. Polizzotti then asked why we had to purchase a fire truck if we could use ones belonging to the other towns. Mayor Klein explained the ISO ratings on individual homes. He stated the rules had changed from 2-3years ago and while we could depend on other towns to help, we no longer got ISO points without a ladder truck. Individual homeowners insurance can and will rise without proper fire department equipment.

5. REPORTS:

- a. **Administrator** –Budget Amendment to keep line items in balance.
Motion by Steiner to adopt amendment. Seconded by Bazemore.Motion Carried.
- b. **Police**-see report attached.
- c. **Fire Department** – See report attached.
- d. **Public Works**: See report attached
- e. **Building Inspections**: see report attached

6. NEW BUSINESS:

a. **Petition Requesting Annexation of Parcel 25500010** **“The Regency”& Resolution Directing Clerk to Investigate Petition**

Watts stated he had mixed feelings about annexing the Regency. He felt someone had followed *county* guidelines and now wanted to be in the town. Fluegel stated 2 of the 3 buildings were in the town already.
Motion by Steiner to direct clerk to investigate petition, Seconded by Bobinski. Motion Carried.

b. **Certification of Petition (info only) & Resolution Calling for a Public Hearing**

Clerk had already investigated said petition.
Motion by Bazemore to adopt Resolution Calling for a Public Hearing on July 2nd, 2007, Seconded by Steiner. Motion carried.

c. **Amendment to Chapter 96 “Animals”**

Bobinski felt the wording should be changed to read “...will be terminated in a humane manner”.
Motion by Watts to adopt amendment to Chapter 96 with the suggested wording change, Seconded by Bazemore. Motion carried.

d. **Amendment to #151.113 Signs**

Motion by Watts to call for a public hearing July 2nd, Seconded by Steiner. Motion carried.

e. **Amendment to #151.095 Landscape and Buffer Requirements**

Motion by Watts to call for a public hearing July 2nd, Seconded by Bazemore, Motion carried.

f. Appointment to ABC Board

Motion by Bazemore to appoint Bob Bobinski to the ABC Board. There was discussion of the Council interviewing the other applicants. **Bazemore withdrew motion.** Council set interviews to be held on June 20th, here at Town Hall at 2:00 pm.

7. OLD BUSINESS:

Motion by Watts to adopt items **a through f** below. Seconded by Bazemore. Motion Carried.

a. Amendment to MB-2 #151.216 Permitted Uses & MB-1 #151.211 Permitted Uses

b. Amendment to Signs #151.112 & 151.116

c. Amendment to # 150.111 Subdivision Regulations

d. Amendment to MR-1 #151.148; MB-1 #151.213; MH-2 #151.317; RI-1 #151.332 and MUD #151.393 Height Restrictions

e. Amendment to Outdoor Display #151.211; 151.216(G) and 151.241 Permitted Uses

f. Amendment to MUD #151.395; & #151.244 Supplementary Districts

g. FY 2007-2008 Budget and Tax Rate

Watts spoke to the residents and stressed that the town had 2 budget workshops and a total of four people showed up. The Beacon reporter was at both and wrote about it. Nothing was done “underhanded” and the Council continued on the same path it has been on for the last couple of years. He felt the revenue figures were conservative as one still had no idea what the county would come up with as a final evaluation figure. They (the Council) had even backed off 10 % of the original county valuation.

The fire truck was something they had talked about for the last three years and was into year 2 of putting money into the Unappropriated Fund for future purchase. He felt there was a great need for this truck; it was not to just keep the ISO rating down. He stated they have tremendous amount of reserves in this budget. Some could ridicule that, but felt it would help us in the next couple of years when sewer comes in....there was a lot of re-paving that would have to be done. The Council had worked hard at keeping this reserve and it was to help when they took a major hit from something whether it was from a storm or a major project like paving. He stated the town would be one of the few communities in the area that would be able to back off in the future from the budget.

After yelling out at Council during the meeting and other disruptive actions by Richard Cerrato the Mayor requested him to stop. After yet another interruption, Watts asked Cerrato if he was was trying to get thrown out. Cerrato said he would leave and did.

Watts continued and said there several projects in the budget such as bike paths and bridge lights. That was something everyone felt they needed and they had budgeted for the last couple of years. They may decide they didn't want it. That was something ultimately the community would decide then they could use the money elsewhere where needed.

Yes, he wished the tax rate were lower, but hopefully they would get there in a year or two when they had the reserves they wanted and needed.

Steiner added that a 7.4 mil rate would have only covered the general fund budget. Nothing would have been contributed to reserves and part of the reserves is required by the Local Government Commission. The recommendation is 75 percent. This

was the “Unappropriated Fund Balance” everyone was asking about and they are “just about on that number”. If we ever got a direct hit from a hurricane, 75 percent would be extremely desirable. Everyone knows what Hurricane Katrina did, and we’ve done our best to maintain that needed figure and even go beyond that so we are in excellent shape if we had a disaster. We do not want to be “broke” while trying to get the town back in shape. He explained the process by which the paving would have to be repaired after the sewer tears up the roads. The funds would need to be in place to see this is done. The roads could not all be done at one time as that would cost around 6 million dollars. The Council was putting money aside for the repairs that were inevitably going to be needed. In order to run this government in a responsible manner, not knowing what the valuation would be after the 10,000 or so appeals were settled with the county, this is what the Council had come up with after working on it diligently.

Klein added that the proper reserve funds also affected the ability to go out and get loans whether by bonds or other state channels. The amount in a reserve fund is taken very seriously by the State. Several years ago when the economy was shaky, this town, as well as other towns, got caught off guard with low percentages of monies they would normally get from the state budget. Everyone’s reserves were down so low “we couldn’t have done anything if a disaster had occurred.” This is a process they were trying to keep on top of without having control over the money coming in. The county has to resolve the appeals coming in first.

Steiner also stressed the misconception about public works. Half of their salary is charged to the water fund but they are also public works. This is not a huge department. There are only 3 men and they are the ones who build the beach walkways and do the street repairs and so their services are split. We still have not done all the street repairs or walkways that they wanted to do so we will retain them. In addition they will also be doing the yard debris pick-up (which was previously contracted out) and resulting in significant savings to the town.

Motion by Watts to adopt the FY 2007-2008 Budget and an 11.5 tax rate, Seconded by Bazemore. Motion carried.

8. PUBLIC COMMENTS:

Wayne Smith, Live Oak Dr. spoke to Council about the proposed sewer. He felt it was not fair and was extremely disappointed that the county commissioners wouldn’t talk to him. He felt let down by the county or city he wasn’t sure which. He asked why there were no exceptions to who paid and why they were being assessed 100 percent. Why couldn’t they do bonds to pay for it? He said he wasn’t necessarily opposed to the sewer; it was the way it was forced on everyone. He just wanted open dialog with the county when it came time to determine how they assessed.

Isenberg explained to Mr. Smith that the county could do bonds but would still have to assess 100 percent. It was state statute that dictated.

Steiner stated the county had not completely decided on how they would do this. Isenberg stated the county would have to have a couple more meetings before they could show what cost they are going to assess.

Carol Marchell, Rice Mill Cr., inquired how many defibrilators the town had and where were they.

Mayor Klein responded that the fire department and all the police cars had them and they were all properly trained.

Watts asked to clarify the annual event being planned. He informed the public that the event that volunteers were putting together for Sunset Beach was conceived a couple of years ago. The Mayor thought an annual event for the town and community would be good. Volunteers had signed up to be on the committee and had come up with the beach party theme. Council supported it and provided a budget of \$5,000 the first year. He stressed that the money came from a reduction in the amount that had been appropriated to the Chamber of Commerce`.

Tom Witzler(sp?), Seaside, reported that as a Pastor , his banner promoting an Easter service was ordered removed but the Planetarium was allowed to have a banner on it’s building. He was very upset as to why this was allowed.

Fluegel explained to him that the planetarium was in a special sign district but would be happy to have the Building Inspector meet with him about it.

Chief Massey reported to the residents that Mr. Cerrato's remark that Sunset Beach had more police cars per capita was incorrect. She then quoted statistics on the neighboring towns showing that Sunset indeed had less vehicles. She also explained that she was not ordering a new car but was rotating out an old one that had been wrecked two years ago and had been fixed many times. She tried to rotate out the oldest vehicle from the department every couple of years and did not feel it was an unreasonable request.

Meeting adjourned 8:25.

Adopted this _____ of July, 2007.

Attest:

Kim Cochran, Town Clerk

