

**Town of Sunset Beach  
Monthly Council  
Work Session and Regular Meeting  
January 10, 2011**

**MINUTES**

**Members Present:** Mayor Ronald Klein, Mayor Pro-Tem Lou DeVita, Councilman Bob Bobinski, Councilwoman Karen Joseph, Councilwoman Carol Scott, and Councilman Wilson Sherrill.

**Members absent:** None

**Attorney & Staff Present:** Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Donna Rogers, Finance Director; Dustin Graham, Public Works Department Director; Chris Barbee, Fire Department Chief; Lisa Massey, Police Chief and Lisa Anglin, Town Clerk.

**Work Session  
6:45 pm**

Mayor Klein called the Work Session to order; called for agenda amendments and general discussions by the Council.

**Agenda Discussion**

Mayor Klein requested the Council to reschedule the 2009/2010 Auditor Report Presentation for the February 7, 2011 meeting as the presenter is unable to attend due to the inclement weather. Gary Parker requested the Council to consider adding Closed Session Item c. to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee pursuant to NCGS 143-318.11 (a) (6). The Council reached a consensus to place the Auditor Report Presentation on the February 7, 2011 agenda and to add Closed Session Item c. to the January 10, 2011 agenda.

**Pontoon Bridge Video**

Councilwoman Joseph advised that the Town is in receipt of the Pontoon Bridge Video and requested each Council member to review it.

**New Town Website**

Councilwoman Joseph advised that the new Town Website is in the detailing stages and will be ready for the Council to preview in a few weeks.

## **Work Session (Cont.)**

### **Retreat Agenda**

Councilwoman Scott requested Police Chief Massey to research the cost of construction for an air tight evidence room in the police department to prevent odors from escaping to other areas within Town Hall.

### **Special Meeting - Recycling**

Gary Parker informed the Council that the Brunswick County Assistant Manager would like to meet to discuss the Town's specific recycling needs. The Council reached a consensus to call a Special Meeting for Monday, January 24, 2011 at 3:00 pm in the Town Hall Council Chambers for the purpose of meeting with the Assistant Manager to discuss recycling needs.

### **Police Department Drug Bust**

Mayor Klein congratulated Chief Massey and the Police Officers for confiscating 32 pounds of marijuana with an estimated street value of \$250,000 over the Christmas holidays. Chief Massey advised that a routine speeding violation stop resulted in the discovery of seven (7) pounds in the vehicle and further investigation lead Officers to a residence on the island which resulted in the discovery of additional pounds including paraphernalia and plants.

### **Beach Chair Donation Acknowledgement**

Mayor Klein advised that the McGroarty, McNamara, McNamara-Thrasher, Zweidinger, Fleming, Marck, Gruss, Headley and Mitchell families have donated funds to the Town to purchase a Beach Chair in honor of their mother, Greta McGroarty. Donna Rogers, Finance Director advised that a plaque will be placed on the chair and a thank you letter has been mailed to the families.

## **Monthly Meeting 7:00 pm**

### **Call to Order & Pledge of Allegiance**

Mayor Klein called the Monthly Meeting to order at 7:00 pm and the Pledge of Allegiance was recited by those in attendance.

### **Public Comments**

None heard.

### **Minutes Approval**

COUNCILMAN SHERRILL MADE A MOTION TO APPROVE THE DECEMBER 6, 2010 REGULAR COUNCIL MEETING MINUTES. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Departmental Reports**

#### **Administrator**

No Report given.

## **Departmental Reports (Cont.)**

### **Police**

Report submitted in writing and is on file with the Town Clerk. Chief Massey advised the Council that the Police Department was recently involved with the break-up of a theft ring resulting in many stolen items being recovered.

### **Public Works**

Report submitted in writing and is on file with the Town Clerk; no verbal report given.

### **Building Inspections Department**

Report submitted in writing and is on file with the Town Clerk; no verbal report given.

### **Fire**

Report submitted in writing and is on file with the Town Clerk. Chief Barbee advised the Council that the Department responded to 67 calls in December with a total of 940 calls for the year. Concerning the new fire station, Chief Barbee advised that FEMA has released the grant monies, the environmental studies are complete, boring samples are in the process of being collected and the project will be ready for bidding in the next few months.

## **Old Business**

### **Discussion of proposed Golf Cart Ordinance**

The Council discussed and reviewed information concerning a Golf Cart Ordinance. Attorney Isenberg explained the State golf cart laws for State roadways.

MAYOR PRO-TEM DEVITA MADE A MOTION FOR THE COUNCIL NOT TO ADOPT A TOWN GOLF CART ORDINANCE AND TO ABIDE BY THE STATE GOLF CART LAW. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Discussion concerning Speed Limit on SR 1172 (Sunset Blvd) & 1177 (Main Street)**

The Council reviewed information received from NCDOT concerning the studies that will be conducted when considering the request to reduce the speed limit on SR 1172 & 1177. Gary Parker recommended that the Council requests NCDOT to conduct the studies during the summer months since the safety concerns, which prompted Council to make the request, would be more accurately measured then. Council requested that Staff correspond with NCDOT officials to request consideration of seasonal population, green initiatives and residential desires in addition to summertime studies.

### **Sunset Beach Fire Department Fireman's Relief Fund Board Member Appointment**

The Council reviewed the candidate applications received. The Council requested to interview the candidates and scheduled the interviews to be held at 2:00 pm on January 24, 2011 during the Special Meeting called earlier.

**New Business**

**Consideration of Letter for CWMTF Grant**

Gary Parker requested that the Council consider the approval of the letter to accompany the CWMTF grant application. Mayor Klein corrected the letter to read Ronald instead of Robert.

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE LETTER AS CORRECTED. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of a Resolution designating Official for ABC Permit Procedures**

Gary Parker advised that the designated official named currently is Linda Fluegel, which is the retired Town Administrator. Gary Parker explained that this Resolution will designate the position of Town Administrator instead of naming an individual.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE RESOLUTION DESIGNATING THE TOWN ADMINISTRATOR POSITION AS THE OFFICIAL FOR ABC PERMIT PROCEDURES. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comments**

**Carol Santavicca 9109 Forest Drive** – Suggested that the Council reconsider reducing the Sunset Blvd. Causeway speed limit from 45 mph as that speed is not safe for bicyclist or walkers.

**Rich Cerrato 517 Twisted Oak Lane** – Requested information concerning the Town’s plan to fund the 5.22 acre acquisition. Mayor Klein advised that a presentation will be made during the Council Retreat.

**Michael Dickman 224 Baroney Place** – Informed the Council of a Recycling Program in the Town of Oak Island and suggested the Town model that program.

**Closed Session**

COUNCILWOMAN SCOTT MADE A MOTION TO GO INTO CLOSED SESSION TO:

- a. Approve the December 6, 2010 Closed Session Minutes to prevent the disclosure of information that may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session pursuant to NCGS 143-318.10(e); and,
- b. To instruct the public body's staff concerning the position to be taken on behalf of the public body in negotiating the price and other material terms of a proposed contract for the acquisition of the real property owned by Tidal Ventures LLC and located at 206 Sunset Blvd. N Sunset Beach, NC 28468 pursuant to NCGS 143-318.11(a) (5); and
- c. To hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee pursuant to NCGS 143-318.11 (a) (6).

COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Closed Session (Cont.)**

The Council met in Closed Session for approximately 30 minutes.

MAYOR PRO-TEM DEVITA MADE A MOTION TO RETURN TO THE REGULAR MEETING. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

MAYOR PRO-TEM DEVITA MADE A MOTION TO RECONVENE THE REGULAR COUNCIL MEETING. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Klein advised that during the Closed Session the Council approved the December 6, 2010 Closed Session Minutes, instructed the Staff concerning the contract negotiations with Tidal Ventures LLC and was informed by Mr. Parker of a personnel matter made confidential pursuant to NCGS 143-318.11 (a)(6).

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE CONTRACT WITH TIDAL VENTURES, LLC TO PURCHASE THE PROPERTY LOCATED AT 206 SUNSET BLVD. NORTH SUNSET BEACH, NC FOR \$3.4 MILLION SUBJECT TO THE CONDITIONS OF THE CONTRACT AND MODIFICATION OF THE CLOSING DATE TO OCTOBER 30, 2011 AND ALLOWING COUNCIL TO APPROVE THE TERM OF ANY FINANCING. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILWOMAN JOSEPH AND COUNCILMAN BOBINSKI VOTED YES. COUNCILWOMAN SCOTT AND COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

**Adjournment**

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE JANUARY 10, 2011 COUNCIL MEETING. COUNCILMAN BOBINSKI SECONDED THE MOTION. MAYOR KLEIN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Ronald F. Klein, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*