

# MINUTES

## TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ■ Kure Beach, NC 28449



Dean Lambeth, Mayor  
Chuck Keener, Mayor Pro Tem  
Jim Dugan, Commissioner  
Barry Nelder, Commissioner  
Tim Fuller, Commissioner  
Kaysie Pralle, Town Clerk

REGULAR MEETING - CONTINUED  
APRIL 22, 2010 at 12:30 PM

This meeting was continued from the Tuesday, April 20, 2010  
Regular Town Council Meeting.

### COUNCIL MEMBERS PRESENT:

Mayor	Dean Lambeth
Mayor Pro Tem	Chuck Keener
Commissioner	Jim Dugan
Commissioner	Barry Nelder
Commissioner	Tim Fuller

### COUNCIL MEMBERS ABSENT:

### STAFF PRESENT:

Public Works Director	Sonny Beeker
Town Clerk	Kaysie Pralle

Town Attorney A. A. Canoutas was in attendance. There was a quorum of the Town Council present.

### CALL TO ORDER AND WELCOME

Mayor Lambeth called the meeting to order at 12:30 pm. Mayor Lambeth led in the Pledge of Allegiance.

Brian Cox from Engineering Services and Greg Lambert from Withers & Ravenel were in attendance.

1. Ocean Front Park engineering and construction budget and construction schedule (Fuller)
2. Discussion and consideration of the Engineering Services Ocean Front Park Construction Development Administration contract (Dugan/Lambeth)
3. Discussion and consideration of the Withers & Ravenel Ocean Front Park Architectural Design and Engineering Services contract (Dugan/Lambeth)

Items one, two and three are addressed together below as one item of discussion.

Commissioner Fuller - The grants for this project are time sensitive. The deadline is in October.

Commissioner Dugan - We were in discussions regarding the sewer line project. Engineering Services was handling that. I went to each commissioner and the consensus was the Council wanted Engineering Services to handle oversight for the construction, and the architectural work would be handled by another firm. Engineering Services gave two proposals, one for storm water and one for oversight. Withers & Ravenel gave a proposal for the architectural landscape design. At a previous meeting Council voted to accept the Engineering Services Contract for Stormwater Services.

Mayor Lambeth - I have an issue with the price of the Withers & Ravenel proposal.

Greg Lambert - SFLA does their architectural services. \$80,000 of the fee is their services cost. The remaining balance is ours.

Mayor Lambeth - It is the remaining balance that I have a problem with.

Commissioner Fuller - We are trying to come up with a total cost. The construction observation cost is \$25,000 from Withers & Ravenel.

Greg - We will receive bid documents from their architect. We will take that information and advertise for bids, select the contractor and oversee the contractor's work. We have already talked with the permitting agencies. I was surprised at the price.

Commissioner Fuller - How long can we delay signing an architect that will enable you to do your work and still meet deadline.

Brian Cox - For Stormwater it is March. We can file for an extension, but I would not count on it. The sooner this gets handled the better. The permitting process will take four to six months. If we start today, we would be looking at August.

Mayor Lambeth - The design needs to be done before we can get the permits.

Brian - With the PARTF, the completion deadline is October 31, 2012. The materials are important and we need to make it as previous as possible.

Mayor Lambeth - The roof square footage will not change on these two buildings.

Commissioner Fuller - This all comes from Withers & Ravenel, not the architect. We could assume the footprint and move forward without an architect.

Commissioner Fuller - Of the \$54,500, how much would that change for Engineering Services to do the architectural design?

Commissioner Dugan - Would Engineering Services be comfortable with assisting in the selection of an architectural firm?

Brian - Yes.

Commissioner Fuller - Withers & Ravenel would then return with a revised proposal for their services.

Greg - The architecture is for the design of the building.

Commissioner Fuller - How much extra would it be to get proposals from an architect?

Brian - I am not sure.

Alan Votta, P&Z member - If you are going to bid for an architect, you should bid for everything.

Greg - The price for the landscape architecture will come down.

Commissioner Fuller - We are talking about a \$30,000 savings or the potential loss of a \$450,000 grant.

Mayor Pro Tem Keener - If the problem is the permitting they will grant an extension.

Brian - I need a floor plan to begin my work.

Commissioner Fuller - With the design that we own, can we authorize the contract for engineering services? If we authorize the contract with Withers & Ravenel we know it will not be any higher than \$54,500.

Commissioner Fuller - We can negotiate the bid of an architect as a separate item.

Alan Votta - Do you just need the outer dimensions of the building?

Greg - The building footprint will need to stay the same.

Mayor Lambeth - When can you get the numbers to clerk?

Greg - At the latest, Tuesday morning.

Commissioner Dugan - There is an addendum.

Greg - Only if we want to pursue a LEED certificate?

Brian - For an additional \$5,000 they will oversee all of the grants. This will be handled separately from the CWMTF and PARTF grants. The CAMA grant was not part of our services.

Mayor Lambeth - The LEED is not a guarantee and there are ongoing issues that will need to be addressed.

Greg - Considering the time constraints it does not seem feasible.

Alan Votta - The new architect might be able to assist with the LEED certification.

Mayor Lambeth - The first funding we are going after is from Progress Energy.

Greg - There are different levels of LEED certification.

**ACTION** - Commissioner Fuller **MADE THE MOTION** to approve the contract with engineering services for \$30,000 for oversight and grant administration. Also, to approve the Withers & Ravenel proposal, less the architectural cost and excluding the construction administration services and other services that would not be required with Engineering Services taking the lead. The amount of that contract would not exceed \$54,500. They will get back to us by Tuesday, April 27, 2010, and authorize the Mayor to administer the contract. We will proceed on the basis that we will meet all construction deadlines, as outlined in the grants. Commissioner Nelder seconded the motion. **THE VOTE OF APPROVAL WAS UNANIMOUS.**

Commissioner Dugan - We need to consider what to do with the park committee. What do we want to accomplish in the future?

**4. Discussion and consideration of parking restrictions for Big Daddy's restaurant (Batson)**

**A. Discussion and consideration of scheduling a Public Hearing**

Council scheduled a special meeting of the Planning and Zoning Commission on Wednesday, April 28, 2010 at 6:30 pm.

**ACTION** - Commissioner Fuller **MADE THE MOTION** to schedule a Public Hearing on Thursday, May 13<sup>th</sup> at 6:30 pm. Commissioner Nelder seconded the motion. **THE VOTE OF APPROVAL WAS UNANIMOUS.**

**5. Intern Corey Mullen**

Commissioner Nelder - He will be working for the Town 5.15 weeks.

Mayor Lambeth - He came to us, not the other way around.

Commissioner Dugan - Does the school have guidelines for pay?

Commissioner Nelder - I am sure we could contact Scott Wade to find out. Building Inspector Batson said he would work him 28 hours a week.

ACTION - Commissioner Nelder MADE THE MOTION that we hire Corey Mullen as temporary help during the summer to assist in his geography internship and qualify him for that and assist in any other areas where help is needed with any department. (His rate of pay will be at \$9.00 an hour.) Commissioner Fuller seconded the motion. THE MOTION FAILED WITH A VOTE OF TWO TO THREE. Mayor Lambeth, Mayor Pro Tem Keener and Commissioner Dugan were opposed.

ACTION - Commissioner Fuller MADE THE MOTION to authorize the zoning enforcement officer to of the inspections department to bring on a summer intern for the geography program at no pay. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

#### **6. Indecent Attire on beach**

Attorney - Added on the existing ordinance "Thong bathing suits or similar attire are specifically prohibited."

ACTION - Commissioner Fuller MADE THE MOTION to approve the amended ordinance. Mayor Lambeth seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

#### **7. Debt Setoff Program**

Mayor Lambeth - This program does not collect anything less than \$50.00 fines. Does Council want to pursue raising the civil citation fine from \$25.00 up to \$50.00?

Attorney - I recommend Council leave the fine amount at the current amount.

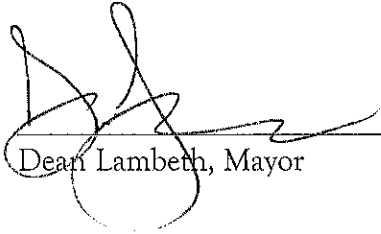
CONSENSUS - The civil citation amount will remain at \$25.00.

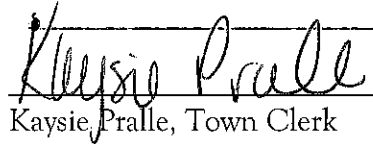
Attorney - Recommended Commissioner Fuller gather up a document that was distributed regarding the former Town Administrator. The items addressed in the document are Closed Session items and if not recollected, it would become a public record.

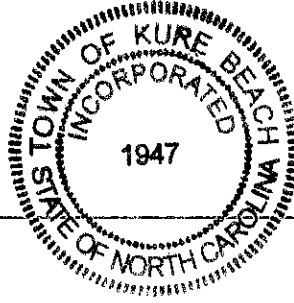
The document was collected from all recipients.

**ADJOURNMENT**

ACTION - Commissioner Fuller MADE THE MOTION to adjourn the meeting at 1:43 pm. Commissioner Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

  
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Dean Lambeth, Mayor

  
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Kaysie Pralle, Town Clerk



NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.