

# MINUTES



## TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ▪ Kure Beach, NC 28449

Mac Montgomery, Mayor  
Jim Dugan, Mayor Pro Tem  
Dean Lambeth, Commissioner  
Barry Nelder, Commissioner  
Jim Vatr, Commissioner

Michelle James, Town Administrator ▪ Kaysie Pralle, Town Clerk

### SPECIAL MEETING

JANUARY 2, 2009 3:00 PM

#### COUNCIL MEMBERS PRESENT:

Mayor	Mac Montgomery
Mayor Pro Tem	Jim Dugan
Commissioner	Dean Lambeth
Commissioner	Barry Nelder
Commissioner	Jim Vatr

#### COUNCIL MEMBERS ABSENT:

None

#### STAFF PRESENT:

Town Administrator	Michelle James
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.

Brian Cox, Town of Kure Beach engineer was in attendance.

The Kure Beach Town Council held a Special Meeting on Friday, January 2, 2009 at 3:00 pm for the purpose of interviewing design firm candidates Withers & Ravenel and LS3P for Ocean Front Park.

#### **CALL TO ORDER**

Mayor Montgomery called the meeting to order at 3:03 pm.

He explained that the meeting was originally advertised as a closed meeting, but it will be an open meeting. The second firm to be interviewed was informed that they may not sit in on the first interview. Administrator James completed and distributed a rating sheet for the Council to use to judge their answers to some prior approved questions.

**Withers & Ravenel**

Cindee Wolf & Bob Harnett were the representatives present from Withers & Ravenel.

Mayor Montgomery - Today we are going to get more information to make a decision. We will interview LS3P after this interview. We will use a scale that was designed by Administrator James to weigh the responses to questions from the Town.

Bob - Thanked the Council for having them back and they hope they get the chance to work with the Town.

Mayor Montgomery - Stated that Mayor Pro Tem Dugan will start questioning.

Mayor Pro Tem Dugan - What are your plans for getting a scope of work. Will it include meetings with citizens, committees, council?

Bob - The utilization committee played an important role up to this point and they would like to utilize the committee in the future for support. They will be the steering committee that guides them on where to go. Our role is consultant, but they are partners with the Town in this project. They want to help build a consensus with the committee that will get the ball rolling.

Mayor Pro Tem Dugan - What is a time frame for this?

Bob - Architect could not be here. He can create an image in a couple of weeks for the public to react to. It will most certainly require a variance because of the specifications. They forecast 6-8 months of conceptual planning. Within a month we would have a kick off. After they leave the meeting today, if chosen, they would go back and get the ball rolling. As for public input, that needs to be included in the first month of planning.

Cindee - The Town has had the public very involved up to this point. They would pull that information together and it allow them to put a concept together for the public to see.

Bob - Taking all the good work that has been done so far and work with that is their approach.

Commissioner Lambeth - Maintenance is a huge issue for the Town. Things such as metal roofs, painted surfaces, and shiny finishes that need maintenance are not what the Town is looking for. We do not want a maintenance hog. He questioned how many of Withers & Ravenel's projects went over budget?

Bob - The design fees will be fixed to avoid budget issues is possible. They do a lot of private and public municipal work. He believes that if it is not maintainable, it is not a good design. He is a LEED accredited builder.

Commissioner Vatrt. - Describe your experience working with projects that are funded by federal grants.

Bob - They are working on two PARTF projects right now. The PARTF application that we will put together they will assist us on. They have done several projects with the Clean Water Management Trust Fund. Their firm is very comfortable with those type of projects

Commissioner Vatrt - This project will have a personality of its own. How do you see playing on that aspect to help encourage funding from the public and other sources?

Bob - They will help with funding assistance. They also look for public sponsors. For example, with Nightdale Environmental Park, the land was donated. They did not have a lot of support and Withers & Ravenel helped them write a PARTF grant. It includes walking trails, pavilions, etc. There are going to be a lot of eyes on the park with it being in the middle of the Town. Withers & Ravenel will work closely with the Town to gather the good press that is necessary and vital for gathering public support on this project. They do not think any more than five public meetings will be necessary to accomplish the desired outcome. They suggest having at least two more to keep the public involved and informed.

Commissioner Nelder - We are in the process of a downtown redevelopment plan. What is your view to help enhance the downtown development? Parking is projected to be an issue. How can you help us capture funds? Do you recommend user fees?

Bob - How to bring money in? Issuing user fees for events to help with costs is commonly used. The Town could also pursue donor funding for events and make the Park accessible for private parties.

Commissioner Nelder - The Town does not currently have parking fees. However, he does not want residents to incur fees for the public using the Park.

Cindee - Although visitors are coming from out of town, keep in mind they are most likely coming to spend money in the Town.

Bob – You are a tourist destination. The park will be an attraction in itself. You need to be ready for all the people that will come to Town. You could also advertise “Adopt-a-park” to residents to help lower maintenance costs.

Mayor Montgomery – The Town is going after several funding agencies for funding assistance. Describe your standard process for fees.

Bob – We would be willing to work with you to get the schematic plan that starts the variance process. We would focus on the percentage that you need. Their firm would work with the Town to help in any way.

Mayor Montgomery – Have you ever worked with a contingency grant?

Bob – PARTF does allow architectural and engineering fees from the implementation side not from the land acquisition side. Withers & Ravenel, as a firm, and the principals in particular would be willing to work with the Town to help move forward with that process.

Mayor Montgomery – You are aware that any monies paid from the Town right now are up front and out of the pocket. Is your firm willing to work with us on this process?

Commissioner Lambeth – Questioned how much money would it take to get the ball rolling?

Bob – 15% of the total cost

Commissioner Vatr. – How much do you project the total cost to be?

Bob – Without all the details of the project, he estimates one to two million. He clarified this is an off the cuff number. It could be 1.1 to 1.5 million though. He stated that typically 10% of all construction costs are the fees for Engineer fees. 10% is where their firm would like to be. 12% is where they will most likely be.

Bob – How would staff be involved? At the end of the planning, they would work up a formal presentation to present to the public.

Commissioner Lambeth – Did other municipalities do work on their projects?

Bob – There was another town that had a strong public works group that did electrical work for a project.

Administrator James – The Town is looking at a conceptual and schematic plan. Schematic is actual construction plan. Conceptual is what we would present to public and investors. What is time frame for getting these plans?

Bob – Conceptual plans are a pretty picture of what we would like for the Park to look like. With a schematic we are looking at true details that lead to a final design. The time frame for a schematic design could be within a month so they can initiate the permitting. For full construction documents it would be approximately six to eight months.

Mayor Montgomery – If PARTF, Coastal Management, or Clean Water likes the concept they could preliminarily approve funding.

Bob – Creating the document for PARTF, the Town could use the concept that it has today if you didn't foresee a lot of changes, it would not be bad to use it as it is right now. If you take it one more step with a Consensus, that becomes what you submit to PARTF.

Mayor Pro Tem Dugan. – In the beginning, we were going to give you all the information from the Council and committee meetings for review, but we were looking for you to think outside the box for ideas for the Park.

Bob – He mentioned how they previously talked about Eco friendly materials for the Park. Materials such as pervious pavers, native vegetation, using local materials, recycled materials and potential for onsite water harvesting.

Mayor Montgomery – If you are selected for this project, could you help promote all you just explained to us?

Bob – Absolutely. They are getting good press as a firm.

Commissioner Vatrtr – He pointed out that he is looking for a payment schedule.

Bob – After much discussion between Commissioner Vatrtr and Bob, it was clarified that the first month's pricing would be 12% of the 12% of the total cost of the project.

Mayor Montgomery – Stated that the firm that will be chosen will be voted on by the Town Council. Both firms will be notified of the Council's decision as soon as possible.

### LS3P

Chris Boney and Leanne Lawrance were the representatives present from LS3P. Donna Ray Mitchell was the representative present from Cone Jenest & Stone.

Mayor Montgomery explained that the meeting was originally advertised as a closed meeting, but it will be an open meeting. Administrator James completed and distributed a rating sheet for the Council to use to judge their answers to some prior approved questions. He also introduced Sonny Beeker and Brian Cox.

Mayor Montgomery - From LS3P's point of view, in the design process, at what point will you expect payments? And would you tell me the standard schedule of process?

Chris - Referenced the timeline in their handout. They would bill on a monthly basis. They would negotiate a lump sum fee. Judging from previous projects, they could estimate between \$35,000-\$60,000 to get the project off the ground. The Town would probably look to public consensus for where it wants to be. The Town would need a scope of work, a construction estimate and renderings & marketing materials. Where you get the scope of work depends on what you need. At this time they don't know what you need.

Commissioner Nelder - In reference to the \$35,000-\$60,000, what does that get us?

Chris - You would get a site plan, building plan, and one or two renderings. This would be something you could take to the public. You would have a package deal that would go into details.

Chris - There are three big mistakes that can be made in projects such as this. First of all is going against public opinion. Second is biting off more than you can chew. Third is due diligence.

Mayor Montgomery - How did you come up with the projected costs for the concept that you envision?

Chris - The schedule you have is how to get from point A to point B. If given the go ahead, they would start work on January 12, and have an open house on January 20<sup>th</sup>. They would cover the wall with images for public feedback. The following day they would meet with staff and committee members in the morning to get a consensus on what direction to follow. That afternoon they would speak with the public to get input. A week later they would have a Vision Verification Session to compare results and begin design work.

Commissioner Nelder – What problems if any do you anticipate with CAMA?

Chris – The CAMA line comes up about midway into the property line. We would need a CAMA minor permit.

Commissioner Nelder – Permeable surface area regulates a lot of this issue. You would need to design with that in mind.

Chris – The drawing shows permeable pavers. The boardwalk would allow water passage as well.

LeAnne – You are allowed a certain amount of square footage past the CAMA line for an opened, covered structure.

Mayor Montgomery – Do you have someone on staff that is familiar with Coastal Management rules?

Chris – Donna Ray is the person for this type of issue.

Commissioner Lambeth – The Town is looking for sustainable and low maintenance structures. The maintenance will fall on Public Works.

Mayor Montgomery – Clarified that LS3P designed Veteran's Park. He questioned what measures did they take for maintainability and sustainability in a park that is completely exposed like that one?

Chris – They did not use a lot of wood because will rot. Use masonry products when you can. There are a lot of good plastic products that will help with this issue.

Commissioner Nelder – We are in the process of a downtown redevelopment plan. Would you be able to incorporate business enhancements to help attract more businesses to our downtown to help pay some of our taxes?

Chris – We would love to be able to provide some creative ideas to help attract businesses to the downtown area.

Commissioner Nelder – How do you think we may be able to collect money from users so the burden will not fall on the citizens?

Chris – Short of paying a toll that is a tough thing to do. You could look into metering parking. You could look for sponsoring for a boat exhibit.

Mayor Montgomery - What role will LS3P play in attracting attention to the park?

Chris - We are not an advertising agency, but they could go out to local merchants to get advertising in the region. They have a marketing and graphics department that could assist in helping get the visual marketing of the park.

Commissioner Lambeth - When will you have your conceptual drawing ready to present?

Chris - Based on the proposed schedule, it could be done by January 27<sup>th</sup>. If you need something sooner we would work with you to get it.

Mayor Pro Tem Dugan - We have been gathering public input for about a year. How much more input do you feel is necessary?

Chris - You want to reach out to the public, but not bog it down too much. We might have an initial meeting with Council to gather parameters and then get with the public.

Commissioner Lambeth - We need to have something to present to the public.

Mayor Pro Tem Dugan. - The original outline was gathered from public meetings.

Sonny Beeker - Are we comfortable with what has been gathered in the committee meetings thus far?

Mayor Montgomery - At this point, he feels that we could develop a conceptual design based on what was determined at the committee meetings.

Commissioner Vatr - Clarified that the first 3 months will be the conceptual phase at an estimated cost of \$35,000-\$60,000. What will the second quarter entail? And how many quarters until we can say we are done with the planning stage and ready to move into the implementation phase?

Chris - He sees this project in three phases.

First phase - Conceptual phase which would include a parameter, lump sum and a scope of work.

Second phase - Fundraising phase to help with the cost of the Park.

Third phase - Full design phase which would include construction documents.

Commissioner Vatr - How long to complete design permitting?



Chris - We could be done with the design phase in three to four months. A lot of that will depend on site permitting. It will take six to eight weeks for DENR. CAMA permit will take approx six weeks.

Commissioner Vatrtr - At this point we would be done with the planning phase and moving forward with the implementation phase?

Chris - At that point you would have a building permit and we would release the project for bidding. LS3P can advertise for you and call local contractors to get the word out. They would allow about a month for the bidding. Contractor phase with the selected contractor should take around two to six weeks.

Commissioner Vatrtr - At this point we are talking eight to nine months until we start construction. If the project is 1.5 million, what is the design fee?

Chris - For this project they estimate their fee being in the 11-13% range.

Commissioner Nelder - Do you feel that we will be able to do the project with a CAMA minor permit?

Donna - She used to be a CAMA officer.

Commissioner Nelder - We know that you are not grant writers. You may be able to help us with finding grants to apply for.

Donna - It is really time consuming and takes research to find which grants apply to this project.

Commissioner Vatrtr - In your past projects, how much have you done to help municipalities get money?

Chris - We have not done this in the past, but we are willing to help.

Commissioner Vatrtr - Have you gone after sponsors to help raise money for projects such as this?

Chris - On previous projects we looked to several corporate sponsors for funding. He gave the example of a children's museum.

Mayor Montgomery - What is your evaluation of what we have done thus far?

Chris - You have done a good job so far. You want public input to have an idea of what direction you are going in.

Chris – If you want to go for a LEED certification, it is pricey. You can make it a green project though without the certification. The LEED application process is around \$50,000. He gave several concepts that the Town is currently looking to implement that would be considered green.

Commissioner Nelder – What advantage does green certification get us when looking for money?

Chris – The Wilmington Convention Center has just decided to get their LEED certification to attract outsiders looking to utilize a green convention center. You will be able to have a green project even if it is not certified.

Mayor Montgomery – Why is LS3P the best firm to do this project?

Chris – We care, we are local. We like to do projects with people in the area.

Mayor Pro Tem Dugan. – Do you feel that all the materials for the park can be purchased locally in the region?

Chris – I don't. We certainly want to. Some of the specialty items would probably not come from local sources, but general labor materials would most likely come from local merchants.

Mayor Montgomery – Could a park like this one actually be built for a million dollars?

Chris – They would give us a list of items within that budget, and ask the Council to choose from that list what they would like for the Park. We can do whatever you need us to do.

Mayor Montgomery – Who would be our primary point of contact for this project?

Chris – Confirmed it would be him.

Mayor Pro Tem Dugan – Although we are giving you ideas, we want new ideas that we may not have thought of.

Administrator James – Is there anything that you have thought about since the first interview?

Chris – He pointed out the additional lot at the back of their conceptual drawing.

Mayor Montgomery - Asked the firm if there was anything else they would like to say before their time expires.

Donna - Wanted to point out that they are half civil engineers and half landscape architects. They have the best of both worlds.

Mayor Montgomery - Stated that the Council will make their decision as soon as possible due to time constraints. He reminded everyone that the first grant application is due on February 2<sup>nd</sup> and we intend to go after multiple grants for this project.

Sonny - Pointed out that LS3P made the comment that this is a small project for their firm, but it is a large project for the Town. It will play a huge role in the Town for the next 30-40 years.

## **DISCUSSION**

After the candidates left, the Council discussed their thoughts on each of the firms that interviewed today.

Commissioner Vartt and Commissioner Lambeth both stated their choice for the Town would be Withers & Ravenel.

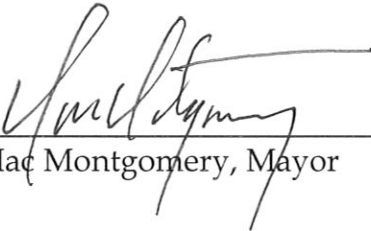
Commissioner Nelder stated he was unsure of his choice at this time.

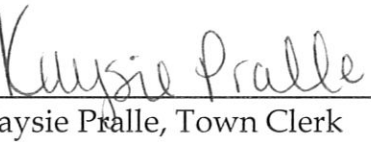
Commissioner Dugan stated that he feels that both could do a good job. There were additional aspects that he liked from LS3P. He pointed out that Withers & Ravenel never mentioned the cost for a LEED certification. He does feel that Withers & Ravenel is able to give more to the project than LS3P.

CONSENSUS - The Council will vote at the January 8<sup>th</sup> meeting and award the contract to one of the firms interviewed today.

**ADJOURNMENT**

ACTION - Commissioner Nelder MADE THE MOTION to adjourn the meeting at 5:30 pm. Commissioner Lambeth seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

  
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Mac Montgomery, 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.