

# 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 Vattr, Commissioner

Michelle James, Town Administrator ▪ Kaysie Pralle, Town Clerk

### EMERGENCY MEETING

JANUARY 20, 2009 1:45 PM

#### COUNCIL MEMBERS PRESENT:

Mayor  
Mayor Pro Tem  
Commissioner  
Commissioner  
Commissioner

Mac Montgomery  
Jim Dugan  
Dean Lambeth  
Barry Nelder  
Jim Vattr

#### COUNCIL MEMBERS ABSENT:

None

#### STAFF PRESENT:

Town Administrator      Michelle James

#### ALSO PRESENT:

Officer Andy Everhart, Kure Beach Police Department  
Jerry Hammill, Representing Kure Beach Businesses

### CALL TO ORDER

An Emergency Meeting of the Kure Beach Town Council was called to order by Mayor Mac Montgomery at 1:45 pm on Tuesday, January 20, 2009. The meeting occurred in the council chambers of the Kure Beach Town Hall. Prior to the meeting, the Island Gazette was notified. Notifying the local newspaper complies with the NC Open Records Law notification requirements for holding emergency meetings.

Mayor Montgomery asked Michelle James, Town Administrator, to take minutes in the absence of the Town Clerk.

Mayor Montgomery explained that he called the Emergency Meeting after the weather began deteriorating earlier in the day. The purpose of this meeting is to decide whether or not to hold the regular council meeting at 6:30 pm and the public hearings already scheduled for 5:00 pm and 6:00 pm tonight.

Mayor Montgomery asked Officer Everhart for an update on the condition of the roads. Officer Everhart said the temperature was steadily dropping and any

moisture on the roads would begin to freeze at nightfall. The outside temperature was 28 degrees. Salting of the Snow's Cut Bridge is slated for some time today. The NC Department of Transportation was unable to give a time as to when their crews would accomplish this task. Officer Everhart agreed the bridges would be given priority by their transportation crews.

Mayor Montgomery announced New Hanover County and the City of Wilmington were closing at 2:00 pm. Carolina Beach government offices and facilities were closing at 3:00 pm. Carolina Beach is also canceling its board of adjustment meeting which was originally scheduled for 6:00 pm this evening.

Mayor Montgomery conveyed he was concerned about holding tonight's meeting when the condition of the roads was expected to worsen. He was also concerned about the businesses which organized their efforts to attend the public hearing on the proposed sign ordinance tonight. He introduced Kure Beach business owner and resident, Jerry Hammill. Mayor Montgomery invited Mr. Hammill to speak at the emergency meeting on behalf of Kure Beach businesses.

Mr. Hammill said the businesses had people lined up to speak tonight at the public hearing, including their attorney, who was identified as Attorney Dan Bell of Kure Beach. He asked Council to hold the public hearing unless they thought the roads would be unsafe to travel. If there is no meeting tonight, he asked for Council to hold the public hearing on the sign ordinance as soon as possible.

ACTION - Commissioner Barry Nelder MADE THE MOTION to cancel the regular council meeting. Commissioner Jim Dugan seconded the motion.

#### DISCUSSION

- Commissioner Lambeth said he thought the notion of canceling a meeting during regular January-type weather was ridiculous.
- Commissioner Dugan said he was in favor of canceling the meeting on behalf of residents who wanted to speak at the public hearing, but may be concerned about traveling to the meeting. "They would be upset if they couldn't get here."
- Commissioner Vatrtr suggested that the meeting is for the public. "We shouldn't have the meeting if people cannot get here safely."

THE MOTION PASSED WITH A VOTE OF FOUR TO ONE with Commissioner Lambeth voting against canceling the meeting.

ACTION - Commissioner Nelder MADE THE MOTION to reschedule the meeting for Monday, February 2 at 6:30 pm. Commissioner Dugan seconded the

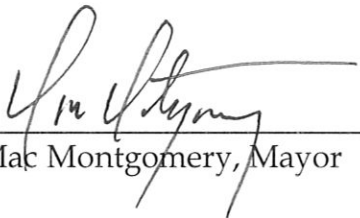
motion. THE MOTION PASSED WITH A VOTE OF FOUR TO ONE with Commissioner Lambeth voting in opposition.


Mayor Montgomery asked if the Council wanted to cancel the public hearings originally scheduled for tonight. It was proposed to cancel the public hearings and reschedule them on Monday, February 2, 2009 beginning at 5:00 pm, as long as Mr. Bell, attorney for the businesses, could attend the meeting. Jerry Hammill called Mr. Bell and confirmed that he could attend the meeting on February 2 at 5:00 pm.

ACTION - Commissioner Nelder MADE THE MOTION to cancel the public hearings and reschedule them for Monday, February 2 beginning at 5:00 pm. Commissioner Dugan seconded the motion. THE MOTION PASSED WITH A VOTE OF FOUR TO ONE with Commissioner Lambeth voting in opposition.

### ADJOURNMENT

ACTION - Commissioner Vatrt MADE THE MOTION to adjourn the meeting at 2:15 pm. Commissioner Nelder 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.