

MINUTES



TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ▪ Kure Beach, NC 28449

Mayor Montgomery Montgomery, Mayor
Mayor Pro Tem Duganugan, Mayor Pro Tem
Commissioner Lambeth Lambeth, Commissioner
Commissioner Nelder Nelder, Commissioner
Commissioner Vatrtatrt, Commissioner

Michelle James, Town Administrator ▪ Kaysie Pralle, Town Clerk

PUBLIC WORKSHOP
JANUARY 8, 2009 4:00 PM

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

None

STAFF PRESENT:

Town Administrator	Michelle James
Police Chief	Dennis Cooper
Fire Chief	Harold Heglar
Building Inspector	John Batson
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.

The Kure Beach Town Council held a Public Workshop on Thursday, January 8, 2009 at 4:00 pm for the purpose of discussing the role and purpose of the Town's committees. This is the first step for defining the budget for the next fiscal year.

CALL TO ORDER

Mayor Montgomery called the meeting to order at 4:00 pm.

ACTION - Mayor Pro Tem Dugan MADE THE MOTION to amend the agenda to include the discussion and approval of hiring of Design Firm for Ocean Front Park. Commissioner Vatrt seconded the motion. A VOTE OF APPROVAL WAS UNANIMOUS.

ACTION - Commissioner Lambeth MADE THE MOTION to award the design contract to Withers & Ravenel as the Design Firm for Ocean Front Park. Commissioner Nelder seconded the motion. A VOTE OF APPROVAL WAS UNANIMOUS.

Commissioner Vatrtr requested that it be relayed to Withers & Ravenel that they would work with NC State University in terms of a design program for Kure Beach's downtown area.

Mayor Montgomery also stated that Withers & Ravenel would be working in conjunction with Environmental Engineering Services Corporation as the Town's engineer.

Commissioner Lambeth stated his concern to address with Withers & Ravenel would be the cost of the project to the Town.

Mayor Montgomery emphasized that every design is subject to Council's approval.

Commissioner Nelder stated that we need prices for stormwater.

ACTION - Commissioner Vatrtr MADE THE MOTION to direct Administrator James and Public Works Director Sonny Beeker to immediately begin contract negotiations with Withers & Ravenel. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Mayor Montgomery opened the workshop and introduced Commissioner Vatrtr as the lead for this workshop.

Commissioner Vatrtr started by stating that the Council needs to determine what are their roles in the Town's committees.

Are they an active participant? Are they an advisor? How much input should they give? Should we give any input?

Mayor Montgomery stated his understanding of Council's role is to act as a "go-between" for the committee and the Council.

Commissioner Lambeth stated his understanding is that liaisons are to be at the meetings to advise committees.

Commissioner Nelder stated Council is not supposed to influence a committee's decisions or actions. They are a "go-between".

Mayor Pro Tem Dugan stated the original intent for Council was not supposed to drive the committee's decisions, it was to provide support.

Commissioner Vatrt questions whether committees should have a beginning, middle and an end? He noticed that several committees were confused about what their role is.

He gave the example of the Citizens Beach Protection Committee whose original mission was to give measurements for the US Army Corps of Engineers. They felt they had the right to budget money for beach renourishment. In today's environment, they realize that is no longer the case. John now does the measurements for the Corps. The committee started getting into legal issues involving fireworks and other issues that were not in line with their intended purpose. They have now begun to refocus on their committee's purpose. They realized their purpose was to educate beachgoer's of the rules, regulations and ordinances of the Town.

Mayor Montgomery disagrees with some of the comments made by Commissioner Vatrt. He agrees that committees should have a beginning and end. He stated committees were created for a particular need of the Town. When that need ends, the committee should as well. He recognized that several committees are ongoing and will not end. He gave the example of the New Hanover County Parks & Recreation Advisory Board which has no authority. Any changes that have anything to do with recreation are routed through that committee. The New Hanover County Parks & Rec. Director sits on that committee as a non-voting member. They only meet when necessary.

Commissioner Lambeth pointed out that the NHC Parks & Recreation Advisory Board has the Council's ear. If an issue is not approved by the advisory board before going before Council, it will not be approved by Council.

Mayor Montgomery stated the SLAP committee was formed to help develop and carry out the Shoreline Access Plan. At this time he does not feel this committee has a mission.

Commissioner Vatrt clarified that several committees are mandated, such as P&Z, BOA, and the Community Center.

Mayor Montgomery mentioned the Annual Street Festival Committee has a purpose once a year and he feels does not need review.

Commissioner Vatrt feels that the ad hoc committees are where the Council should be focusing. These include Beautification, SLAP, Parks & Rec., Stormwater and ADA.

Commissioner Lambeth pointed out that it is his understanding Parks & Rec. is necessary for grant acquisition.

Commissioner Vatrč clarified that they are all valuable, but need a defined purpose.

Mayor Montgomery stated that Parks & Rec. is an advisory committee. With the exception of P&Z and BOA, none have legal authority. Emergency Management and Damage Assessment act in place of Town government in the event of an emergency. They should be removed from the discussion.

Commissioner Lambeth stated that it is his understanding Parks & Rec. is state mandated to go after State Grants. We have to have that committee to go after state grants.

Mayor Pro Tem Dugan questioned whether the Town is required to have that committee to get State money?

Commissioner Lambeth stated he believes it is required for getting "State" money.

Mayor Pro Tem Dugan also pointed out we are required to have a Community Center.

Commissioner Vatrč questioned if a committee that has a functional role in helping us get grant money, do they go about doing things on their own, or should they be working with Council?

Mayor Montgomery pointed out that Parks & Rec. is performing a function that would normally be done by a staff member. We have been asking this of committees where normally staff should be responsible.

Commissioner Vatrč questioned if we have a committee that is doing great things for the Town, are we as a Council, giving them clear direction of what we expect in the year 2009? If there is no initiatives for them to work on, we need to address this with them on the 15th.

Commissioner Lambeth suggested starting with the Ocean Front Park Committee.

Mayor Pro Tem Dugan stated their function will end when Council approves a final plan for the Park.

Commissioner Lambeth questioned if this is a 7-8 month lifespan?

Commissioner Vatr confirmed this.

Commissioner Vatr stated he has heard from several committees that they are frustrated with their current circumstances. He mentioned that Tony Gonsalves, SLAP Chair, feels he has been sent mixed messages and is frustrated as to whether he should be working on public restrooms. Tony is looking for direction at the January 15 meeting.

Mayor Montgomery pointed out Council needs to give them a clear mission. He stated we still don't have the staff necessary to do all the Town's activities and we need our volunteers.

Mayor Pro Tem Dugan stated the problem is 90% ours. We formed the committees with a function and turned them loose. There has been little focus given to them from Council. If we narrow down what to work on, they can better focus on what to give to Council. They meet every month and have nothing to talk about. So they look for stuff to talk about. They could be on hold and reactivate when necessary. He feels that the ADA committee could be eliminated because of Commissioner Lambeth's presence and attention to ADA needs.

Eric Vann, Stormwater Management Chair, suggested that perhaps we have too many committees. He stated that the Town is also running out of volunteers. He feels as a Committee Chair he is struggling to find something to work on.

Mayor Montgomery questioned Council if we can go down the list alphabetically and question what role do we need each committee? Isn't SLAP & Beach Protection both concerned about what happens on the beach? Could they be combined?

Commissioner Nelder questioned whether the ADA committee is mandated?

Commissioner Lambeth confirmed that he believes it is not.

Commissioner Vatr asked Council to go through this list and cross off the committees that don't need further discussion. The following committees were mentioned: Marketing (mandated), Emergency Management, Damage Assessment, Community Center, Annual Street Festival, and Ocean Front Park.

Commissioner Vatr started with ADA and questioned whether we needed a committee with no mission.

Mayor Montgomery pointed out that the law requires that there be an ADA compliance officer for every organization, which is Sonny Beeker.

Mayor Montgomery feels there should be someone who keeps their eye open for ADA compliance issues.

Sonny Beeker confirmed that the Town's Building Inspector has to follow ADA compliance rules.

Mayor Montgomery recommended Council consider having Gilbert Alphin, ADA Chair, represent the Town on the County's ADA committee.

Administrator James questioned what would be our representative's role at the Town as a member of the county committee?

Mayor Montgomery stated that Gilbert would be our liaison for that committee.

Mayor Pro Tem Dugan read aloud the purpose of ADA committee.

Sonny Beeker confirmed that most of what was just read, Building Inspector Batson is required to do anyway. He stated that if we were to build an addition to Town Hall plans would be submitted to Building Inspector Batson and he would then submit those plans to New Hanover County. The Building Inspector, by law, has to meet ADA requirements.

Mayor Montgomery questioned what is the approach next week for ADA?

Commissioner Vatr stated that it is established today that staff could handle ADA requirements and refer to the committee as necessary. If we are in agreement, there would be a need to redefine Gilbert's role.

Commissioner Vatr addressed the Beautification Committee. Where are they going?

Commissioner Nelder stated he can talk to Ken Withrow, Beautification Chair, about its purpose and direction.

Mayor Montgomery stated what the Beautification Committee mostly does is staff work. They are administering a \$5000.00 contract to landscape and maintain Town Hall. This should be done by Public Works.

Commissioner Lambeth questioned whether there is a contract for the landscaper?

Administrator James confirmed there is no contract.

Commissioner Vatrt questioned if Parks & Recreation and Beautification could be combined?

Mayor Pro Tem Dugan recalled that a group of citizens formed Beautification. They had no focus on parks. Their focus was on medians, Town Hall, entrances to the Town and areas where there could be plantings put throughout the community.

Mayor Montgomery feels the Beautification Committee finds something and railroads it through Council. They currently have no mission unless we give them one. Mayor Montgomery does not like the fact that ideas have to come from the top, down. Direction comes from the top.

Commissioner Vatrt stated that we are the Council and the staff. Where are the ideas going to come from if not from us? As leaders we should initiate the conversation and guide them. They can disagree and request a change of direction.

Commissioner Vatrt questioned should we designate their purpose today, or should we address this at the January 15 meeting?

Mayor Montgomery recommends discussing it January 15.

Commissioner Lambeth read from a document dated February 2007 that was adopted by Council stating that Parks & Rec. is a necessary committee.

Commissioner Nelder recommended notifying each Committee Chair of what they need to prepare for the January 15 meeting to justify their existence.

Mayor Montgomery stated he feels the Beautification Committee has gone beyond the scope of what they were formed to do. They should not be doing work that staff is responsible for. He pointed out that if the grass at Town Hall is not cut, we cannot hold Candace Clark, Beautification Co-Chair, accountable if something doesn't get done.

Commissioner Vatrt clarified Council agrees that there is a need to rethink Beautification Committee's mission for 2009 and have Council review any projects that may be presented.

Mayor Montgomery recalled when they painted signs outside of Town Hall. It turned out very well. However, a few years back they applied and were awarded money from the Urban Forestry Grant to plant Oak trees. The maintenance of the trees now falls on Public Works.

Commissioner Lambeth pointed out the Oak trees were replaced with Palm trees.

Commissioner Vatr stated that Citizens Beach Protection's focus for 2009 is on education for the public. They will come to the January 15 meeting to present their 2009 agenda.

Commissioner Vatr questioned if Council is ok with what the Parks & Recreation Committee is doing?

Commissioner Lambeth pointed out Parks & Rec. runs the recreational activities of the Town.

Mayor Montgomery questioned if it is up to Council to decide whether to approve Parks & Recreation's recommendations.

Commissioner Lambeth stated Parks & Rec. will not oppose direction. They would like direction from Sonny Beeker.

Mayor Montgomery stated that at some point, the Town may authorize a part time position to help with the issues Parks & Rec. currently handles.

Mayor Pro Tem Dugan stated he would be happy to get with Administrator James and develop operating guidelines for committees.

Commissioner Vatr mentioned the SLAP committee as the next topic of discussion.

Commissioner Lambeth stated that at one time they played a very important role for the Town.

Commissioner Vatr questioned if it could combine with another committee?

Mayor Montgomery stated the SLAP committee is at the point now where they are trying to find things to discuss. Only about two days of the year do we have a parking problem. They are interested in the public having access to the beach. We have approached the Wilmington MPO and they are going to conduct a free parking study. At some point we can form a committee to work on the results of this study.

Commissioner Vatr stated if we don't have a beginning, middle and an end for a committee, we should have a plan of where to go after the study is completed.

Mayor Pro Tem Dugan clarified the study will show who was here, how long, and where they went. We already know the parking spaces are filled, we just don't know who fills them.

Commissioner Vatrt mentioned Stormwater Management as the next discussion item.

Mayor Montgomery pointed out that Stormwater Management is a required committee. The Town's Stormwater Ordinance requires we have an advisory committee. What role do they play for the Town? He knows it has a valid role, but does not know what it is.

Commissioner Vatrt recommended the technical issues should go to Sonny Beeker. The education could possibly stay with the committee.

Commissioner Vatrt questioned the staff if they are comfortable with their roles? Do they understand their roles with committees?

Mayor Montgomery pointed out the staff has had several meetings regarding this issue.

Administrator James stated her understanding is that her role is to attend as many meetings as possible.

Commissioner Lambeth stated Administrator James' role is to coordinate the committees to let them know if they are working on the same issue.

Administrator James expressed she feels that there is an expectation of staff from the committees.

Mayor Montgomery stated if we define roles at the January 15 meeting, we are establishing committees advisory role to the Council.

Administrator James pointed out she noticed that the Citizens Beach Protection Committee seems to think Building Inspector Batson works for them.

Mayor Montgomery stated once again that committees are advisory. Committees do not work for anyone and no one works for the committee. Staff does not take direction from the committees. The liaison is responsible for clarifying this.

Building Inspector Batson stated that in regards to the beach renourishment issue, the committees aggravate staff so much; they eventually just go do what they want to do.

Mayor Montgomery pointed out that committees would like to hear from staff what they should be doing.

Sonny Beeker clarified that if Council gives a committee the approval to work on a project, the Liaison should work to make sure only this work is completed.

Administrator James stated this should be in writing and driven by the budget.

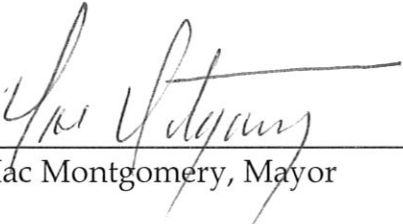
Commissioner Vatr stated in four months we are going to be finalizing 2009-2010 Budget. This issue needs to be part of it. We should direct committees to come up with ideas before May 1 so that Council can decide what projects to approve and how much money to put towards that project.

Mayor Montgomery reminded everyone of the January 15 meeting that starts at 2:00 pm. Committee Chairs are directed to come to the meeting with what their mission is for 2009, a list of projects and the proposed cost of these projects.

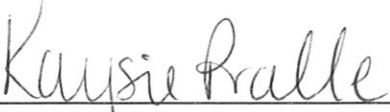
Mayor Montgomery also informed Council that he was contacted by Senator Marc Basnight's office to serve on a committee for offshore drilling. He has accepted a seat on the Offshore Energy Study Committee.

ADJOURNMENT

ACTION - Mayor Pro Tem Dugan MADE THE MOTION to adjourn the meeting at 5:35 pm. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.



Mac Montgomery, Mayor



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.