



TOWN COUNCIL REGULAR MEETING MINUTES OCTOBER 19, 2010 at 6: 30 pm

COUNCIL MEMBERS PRESENT:

Mayor Dean Lambeth
Mayor Pro Tem Chuck Keener
Commissioner Barry Nelder
Commissioner Emilie Swearingen

STAFF PRESENT:

Building Inspector John Batson
Fire Chief Harold Heglar
Police Officer Paul Hubbard
Public Works Director Sonny Beeker
Town Clerk Nancy Avery
Finance Officer Arlen Copenhaver

COUNCIL MEMBER ABSENT:

Commissioner Jim Dugan

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

CALL TO ORDER AND WELCOME

Mayor Dean Lambeth called the meeting to order at 6:30 pm.

INVOCATION

Pastor Tracy Pryor of Covenant Moravian Church delivered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Dean Lambeth led the audience in the Pledge of Allegiance

VOTE TO EXCUSE COMMISSIONER DUGAN FROM THE MEETING

MOTION - Mayor Pro Tem Keener made the motion to excuse Commissioner Dugan from the meeting.

SECOND - Commissioner Nelder

VOTE - Unanimous

INTRODUCTION OF NEW COMMISSIONER EMILIE SWEARINGEN

Mayor Lambeth introduced Emilie Swearingen stating she had been appointed by Council and administered the Oath of Office at a special meeting on October 11, 2010.

Commissioner Swearingen was appointed to fill former Commissioner Fuller's term until the next election in November 2011.

RECOGNITION AND AWARDS

None

APPROVAL OF CONSENT AGENDA

1. Approve Resolution R10-13 Adoption of NHC Multi-Jurisdictional Hazard Mitigation Plan
2. Approve BB&T signature cards removing former Commissioner Tim Fuller as a signatory on checks and authorizing Mayor Lambeth, Mayor Pro Tem Keener, Commissioner Dugan, and Finance Officer Copenhaver as designated signatories for the Town
3. Adopt budget amendment 11-10 receipt of loan funds for purchase of police vehicle
4. Adopt budget amendment 11-11 increase revenue for expense of water connection for Ft. Fisher
5. Approve Resolution R10-14 Adoption of Division of Water Resources/DENR Water Shortage Response Plan
6. Authorize Toys For Tots Marine Corps program to place a collection box in the lobby of Town Hall
7. Appoint Christine Avery and A.E. "Butch" Von Cannon to the Marketing Committee
8. Accept resignation of Jackie Phillips from Community Center Committee
9. Finance Department report – September 2010
10. Fire Department report –September 2010
11. Police Department report – September 2010
12. Building Department report – September 2010
13. Meeting Minutes
 - 9/20/10 Commissioner resignation
 - 9/21/10 Regular
 - 9/29/10 Emergency TS Nicole
 - 10/4/10 Emergency TS Nicole
 - 10/11/10 Commissioner vacancy

MOTION - Commissioner Nelder made the motion to approve the consent agenda with the addition of the following to item 6 by Commissioner Swearingen:

Requested Council members be the first to bring a toy and work with the representative from Toys for Tots to have children of all ages come and meet the Mayor, have their picture taken, and bring toys on the day the box is delivered to Town Hall.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous

ADOPTION OF THE AGENDA

Commissioner Nelder stated he wanted to add a discussion of the parking litigation going on for the Ocean Front Park. Mayor Lambeth suggested when the architect does his presentation this would be discussed.

MOTION - Commissioner Nelder made the motion to adopt the agenda with no changes.

SECOND – Commissioner Swearingen

VOTE – Unanimous

PRESENTATIONS TO COUNCIL

1. Lisle Architecture and Design and Withers and Ravenel – Ocean Front Park pavilion and public rest rooms

David Lisle of Lisle Architecture and Design stated:

- My portion is the buildings and placement on the site for a thirty five hundred square foot pavilion, and a five hundred and fifty square foot separate bathroom building off to the right
- The pavilion will have restrooms, kitchen, multiuse area and break up into three areas with a twenty-four x sixteen foot stage to the right
- The inside walls will be white for demonstrations or pin ups and durable for many uses
- There is a central green space that is slightly depressed for water retention and a gathering space with a tot lot in the upper right side of the park behind the public restroom
- There are areas for community and local archives, anchor, historical plaques, etc
- The tower is used to vent the area
- There is the ability to drop fire station type glass doors in certain areas
- The pavilion is slightly elevated with steps up to two areas, so it is easy to ascend and descend

Mr. Lisle presented a slide show of views of the buildings on the lot from front, back, corner and inside the buildings.

Question and Answer:

Nelder – At the last meeting, there was a rendition handed out that was different from his. Do you have a copy of that ? It looks to me like the pitch on the roof is different.

Lisle –The only area we modified was the front column areas to make it appear smaller to be able to see through it. Your copy is the proportion of the building. What's on screen is a little skinnier and taller.

Audience - What is the price tag?

Lisle – The buildings can be produced for under the \$500,000 budget we were given.

Lambeth – The restrooms are paid for with a CAMA grant.

Audience – I'm concerned with the price tag. In today's economy can we afford it?

Lambeth – We are going after private grants to pay for the rest. We hope to pay for all of it without tax payer's money.

Audience - Has this been approved?

Lambeth – Council approved at the last meeting.

Nelder – I'd like to see that.

Audience – Shouldn't we spread out the building so three separate rooms can be spread out?

Lisle –The goal is to have three separate rooms or one large room. The largest space can handle one hundred fifty people. The stage area can be walled off and two separate other rooms.

Audience –You are not going to get three groups to meet that close together.

Lisle – The likely hood of three groups meeting at same time is slim.

Audience – Have you built a building like this before?

Lisle - Yes and bigger.

Audience – Who's maintaining it?

Lisle –It is being built for easy maintenance, the roof is metal and the building is designed and built to be washed off to clean. The floor is concrete and drains in the building.

Audience – Before designing the building where did you get your design from?

Lisle – From a series of meetings and a goal of a fishing village.

Audience –As a member of the Ocean Front Park (OFP) committee I want to go on Record that we asked people what they wanted to see and a lot of things in the building are not what people wanted. The majority wanted open air, gazebo fishing village type structure with Southport swings, not a building.

Audience – The first architect drawing was like the Beaufort Maritime Museum, long sloping roof, wrap around porch. This is a monster of a building. It should be low profile. I don't understand why there are eighteen foot high walls.

Lisle – Some has to do with grant money for classrooms.

Audience – Why do we have to have three classrooms?

Lambeth – Under PARTF grant it has to be multi-use. We met with the PARTF grant representative and that is what they are looking for as a stipulation of the grant. Progress Energy, who we hope to partner up with, was impressed we could have three meeting rooms.

George Russell of Withers & Ravenel (W&R) stated: I was here from the beginning and helped Michelle James with the PARTF grant. Some elements in the building are there so we could receive grants. To maximize the amount of grant money, we included classrooms and educational work spaces.

Audience –The original drawing doesn't have three rooms. Why can't it be one open room? What is the benefit to the Town to do this?

Russell - \$500,000 from the grant.

Audience - Did we have that requirement when W&R applied for the grant?

Russell – Yes.

Audience– Does the grant dictate what we build? Who’s going to use the classrooms? I don’t like the building.

Lisle – The building can stay open, but \$500,000 is given to you to have the ability to enclose it.

Audience – Why do we need it? We have a perfectly good park (Joe Eakes Park). Why not build there?

Lambeth – We can’t build at Joe Eakes Park because it is not our land.

Audience - How much does it cost for engineering and roll down doors? What is the benefit?

Lisle – It will cost under \$500,000. The doors are \$60,000. We have created a pretty simple roof line and are using the materials we are for low maintenance and longevity as part of the design. The structure has to take one hundred and fifty mph wind and tidal surge.

Audience –Can you deny or confirm a rumor? Has your firm done work for the Mayor?

Lisle –No, we have done work on other projects with him but not for him.

OPF committee member – Is there a copy of the artist rendering? I want everyone to see that.

Audience – We want it reworked. We are not satisfied. Is this in stone?

Lambeth – We (Council) voted to move forward with the preliminary design. We’ve had Six meetings and the OPF committee was there. It’s been discussed.

Swearingen –I was also on the original committee. According to the minutes at the last meeting, Council reached a consensus, but didn’t take a vote. What’s the square footage of the multi purpose area? Is it heated and air conditioned? We did talk about having educational classes there. Say the aquarium is having a class, if not heated or air conditioned we can’t use for five months of the year from December to March. If we use in winter, it will be pretty chilly. The stage is twenty-four feet?

Lisle – one hundred and fifty feet of the building is heated and air conditioned. Yes, the stage is twenty-four feet wide.

Swearingen - The main reason we decided on this was so we could have concerts during the summer and the Christmas show in winter. There is no way you can get a big band on this stage. The band at the seafood festival could hardly fit on the stage. This is no where near this size. I don’t see how we will fit a band. We also wanted to have lights. Where we are going to store equipment? Because its open air, you can’t leave table and chairs out. Where do we store?

Lisle – There is storage above or you can use the multi use area. I make no promises for

things stored at the beach.

Swearingen – Will everyone be able to see if sitting around and with the glass doors?

Lisle – Eight-five percent of the glass door is glass.

Nelder –I want to make sure I understand. The grant money needs matching, it's not all grant money, right? The statement was made that all is built with grant money.

Lambeth – That's correct, not all but two thirds of cost. We have always had a list of private entities to go after to offset cost.

Lambeth – Emilie, your questions about roll down doors, if an event is held there and the wind is blowing from one direction or inclement weather, we can close off that section to continue the event. There is eight feet in front of the stage plus the stage area with steps in front that will facilitate for certain events. If you used the entire space for a band, you have twenty-four feet plus eight feet in front.

Audience – Are those restrooms public?

Lambeth – They will be public restrooms when citizens are using the pavilion.

Audience – Will they be locked when no events?

Lambeth – Yes.

Lambeth – About the rumors. I recused myself from the vote on this architect. We have not exchanged any money.

OFP committee member – I have a question about the back of the building. As an architect and designer, why would you design a building that looks like that? With all the people coming from the aquarium it needs to be a focal point to encourage people to slow down and visit. It has no architectural appeal from the back.

Lisle –The utilities are in the back of the building and there will be landscaping.

Lambeth – What do you suggest since that is commercial property?

OFP committee member –It needs to be architecturally pleasing from the road with dormers, maybe on the highly visible part of the building.

Russell – There will be landscaping chest high and a wall in that area.

Audience – Is there a theme as you envisioned? I think I'm hearing from Allan that it is not feeling like a coastal fishing village feel. It seems to miss that mark on the back side.

Lisle - The idea was for it to be a coastal fishing village feel.

Russell –There is still a lot to be determined for the site. Parking affects a lot that goes on with the site. The site plan has been approved at three separate Council meetings and is on the website, so if anyone wanted to comment they have had an opportunity to do so. The power point shows the general layout. The lawn is not concave but inclined as you go towards the restroom building on the right of the sight. As far as the rest, parking has a lot to do with what goes on in front of site. The tot lot is in the far back right corner with

environmental landscaping and Southport type swings.

Audience – How wide is the walkway? Is there any way to prevent skateboards?

Russell – The walkway is eight feet wide with pervious concrete pavers filled in with pea gravel. This will deter skate boarders because it will be bumpier.

Audience – While we are dispelling rumors, I heard a prominent business owner in Town asked the County Commissioners to make the Town pay back the grant money?

Lambeth – A business owner did send a letter to the County requesting Town pay back grant money. It has been applied to the mortgage already. He will be receiving an answer from the County shortly.

Nelder – I am hearing discourse. The theme isn't right. There is also lot of discussion about the parking situation. Temporary parking was put there that was to be temporary. I'd like to know what W&R knows about the parking.

Russell – I have heard temporary parking on the first twenty feet was meant to be temporary. I have gone through meeting minutes that say temporary parking was only available until November 2008. The minutes say committee members were concerned people would think it would be permanent.

Lambeth - That parking will be taken away. We are waiting on confirmation from grants about the ocean side parking. We will probably be taking away twelve to fourteen spaces. One of the grants wanted an unobstructed view but agreed to leave open if we used pervious pavers.

Audience – Where does this go next?

Lambeth – We have approved the original design. The footprint hasn't been changed. We had to approve that for the storm water grant. Some design elements may be tweaked. The storm water design is ninety-five percent complete. It is a Quonset type hut buried design.

Audience - When will this be shown to the Town in a finished state? Will there be a special meeting?

Lambeth – We should be able to do that when we get a final confirmation from the grant. We are trying to facilitate handicap parking spaces. There will be a special meeting.

Nelder – I keep hearing many times we voted or approved plans. In reading my notes, is a consensus the same thing as a Council vote?

Attorney Canoutas – Yes, you are approving them to go ahead with the plan, not the final plan.

Nelder – So we still have to vote on it to finalize it.

Attorney Canoutas – That's correct.

Tony Gonsalves, SLAP committee chairman – The SLAP committee is not happy about

the design on the public restrooms. It was brought up at the last Council meeting that the entrances should be separate. I don't think it is enough of a facility for people to use. I'm not happy they aren't exhausted electrically. Can we make the facility bigger? If you eliminate some of the entrance area and overhang on back it gives another four foot to build larger.

Lisle – We split the entrances. It is the size we were given on the schematic drawing. There is no problem with looking at it. If you leave open with no door it lets us keep the air flowing. You would have the option of locking up at night. We did increase the size of the building to allow shade overhead for parents of children at tot lot.

Lambeth – The health department statistics say this size will accommodate one hundred men and women a day.

PERSONS TO ADDRESS COUNCIL

1. Wanda Tsangarides, 409 S. Fourth, stated:

- The architect designed a beautiful building, but it is not what I thought.
- It is not beachy and I think it will look out of place and not like Kure Beach.
- I don't understand why Council approved a plan like this?
- Do you really think it looks fishy?
- Who does it benefit? Will it be a source of revenue?
- I know I should have been here before now.

Mayor Lambeth replied that it reminds him of the Fort Fisher ranger station and the Outer Banks. We hope it will draw folks to the B1 district. We would be foolish not to rent it if we can and give up a source of revenue.

2. Archie Tsangarides, 409 S. Fourth, stated everyone answered my questions but unfortunately the wrong way.

3. Art Cline, 1012 Ocean View Estates stated:

- I appreciate the new tennis courts going in. They look great.
- I understand you are putting junior lines on the courts. They are annoying.
- I've been playing for fifty seven years competitively. If the set up is only for juniors it is okay, but if adults are using, it is annoying and takes away from the enjoyment of the game.
- We only have two courts. Making it permanent would be like Carolina Beach making lines permanent. The lines are for kids three years of age.

Mayor Lambeth replied that the striping for juniors makes us eligible for grants too and this is a public facility.

4. Margaret Duffrin, 304 Settlers Lane, stated:

- I want to address the same issue.
- I do use the courts at Kure Beach and have been taking lessons.
- I don't look forward to the extra striping.

5. Dave Duffrin, 304 Settlers Lane, stated:
- With respect to the grants, I have US Tennis Association information from the internet.
 - The lines are for children ages six to ten. I don't know how many kids in Kure Beach are that age.
 - I strongly suggest the number of adults in Kure Beach strongly outnumbers kids.
 - The main advantage for striping is for those that teach tennis.
 - The people that live in Kure Beach and play tennis will suffer for it.
 - I strongly suggest not striping until you better understand the impact.
-

Mayor Lambeth replied that those are public courts and we have to facilitate them as much for the public as possible.

6. Bill Hall, 752 N. Fort Fisher stated:
- I have the same issue. I've been playing for sixty years.
 - The lines are a confusing issue.
 - I always do my research. The recommendation is two sets of lines, not one, based on the age of the children.
 - This is confusing for seniors.
 - The point is if you introduce five sets of boundaries on a court will look like jigsaw puzzle.
 - Paint the courts as they always have been.
7. Dan Bell, 950 General Whiting stated:
- I represent Mike Robertson but I am not here to represent Mr. Robertson tonight. I am here to talk about the park and the parking.
 - I have been gathering information about the grants.
 - The Town has received six acquisition grants totaling \$2,400,000. They have also received two development grants for about \$660,000. The total is just over \$3,000,000.
 - The cost to acquire the park was \$3,800,000. The annual interest payments to BB&T well exceed \$4,000 to \$5,000.
 - The cost of the building is \$500,000 and who knows how much for site development. At least \$5,000,000 if not more.
 - I understand the attempt to get public money and private money to help with this.
 - Given the economy it is likely everyone is tapped out and we won't see another dollar.
 - If so, \$2,000,000 is coming out of the pockets and purses of people of Kure Beach.
 - What are we getting for the project? You have seen the drawings and renditions.
 - Ask yourself who this project is for. Us or the tourists?
 - I doubt that anyone in their right mind is going to think that anyone in Raleigh is going to say 'oh boy' let's go to the Kure Beach park. That's an add on and \$5,000,000 is too much.

- The Land Use Plan (LUP) says the Town is not trying to encourage day trippers. When I talk to people about this, the first thing I hear is that this going to be Tijuana east. I know the stand the Mayor took about bi-lingual signs. I personally am proud to live in a state where the beaches are free, whoever they are. Federal law is tighter than anything about any type of discrimination. Any sort of tricks that offend Hispanics is going to bring a lawsuit by the federal government, so that leaves the \$5,000,000 park for the residents.
- I ask the residents what public place can you think of that wants people to come, like a shopping center, where they don't provide parking for people that are to come.
- It is insanity to not provide parking for the park. How are they going to get to the park? There are a lot of elderly people here that can't physically walk. If the Town takes away the spaces it's one more nail in the coffin of the few businesses that we have here.
- Freddie's, Jack Macks – if you come here on Saturday or Sunday, those spaces are full on both sides of the road. If you want to eat at Freddie's, it's full. There is no room to take anything away.
- When grants were applied for, Council sent a rendering. This particular one went one to CAMA. If you look, all existing parking spaces on the east side of Atlantic are intact and it has parking along the west side into the park. This was represented in order to get grants.
- I am still collecting information because the Town doesn't have complete records of what they got from agencies. I have asked the agencies for information. When you get a grant based on what you applied for I don't think it is right to go back and change it.
- There has been talk that some grants said you have to get rid of all the parking. I believe it is the Heritage Grant which required a conservation easement filed with the County. It sets out all conditions in the section on roads and trails. It reads 'Grantor reserves the right to construct walkways conducive to public access to the beach, and to construct designated, suitable and limited parking for the public to use in the easement area'. This references the east side of the road, not the west. There is nothing in this document or any documents from Heritage that says there has to be an unobstructed view.
- If you want the public to come, you have to have parking.
- I seriously think this project has been hi-jacked by Council, led by the Mayor.
- It is not what we wanted. Don't get the CAMA permit. Re-evaluate.

8. Lore Eccleston, resident, stated:

- There is a lot of parking in Kure Beach. You may have to walk a little bit.
- At the seafood festival, we have to park way out and walk.

Mayor Lambeth commented that as a point of clarification, I was at the Heritage grant meetings with Mayor Montgomery and Nancy Brigham. I was standing there when they said they wanted an unobstructed view.

Jim Vattr, former Commissioner, stated:

- I also overheard conversations when I was in the offices in Raleigh when they talked about those things. Dan may be making the point that for them to talk about it is one thing but it's another thing if it isn't documented.

Mayor Lambeth replied that we won't decide on parking until we have documentation from the grant people.

DEPARTMENT HEAD ITEMS

Administration and Finance

1. Job descriptions for Administration and Finance

Town Clerk Avery presented five job descriptions for Administration and Finance for the positions of Town Clerk/Officer Manager, Finance & Budget Officer, Customer Service Representative and Marketing Coordinator, Finance Specialist, Accounts Receivable Manager and asked Council to adopt the presented job descriptions.

Mayor Pro Tem Keener suggested expanding the ADA requirement to be able to sit for two hours to four hours for the Town Clerk description.

MOTION - Mayor Pro Tem Keener made the motion to adopt the five job descriptions as presented

SECOND – Commissioner Nelder

VOTE – Unanimous

Said job description are herein included as part of these minutes.

2. Contract with Coeco for lease of printer

Town Clerk Avery stated she believes the Town is being overcharged on the current contract with Coeco for the lease of the printer in Town Hall and requested Council authorization to work with the Town Attorney to find a way to withdraw from the lease.

MOTION – Commissioner Nelder made the motion to authorize the attorney to research withdrawing from the Coeco contract for the lease of the printer.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous

Police Department

Police Officer Hubbard requested permission to add handicapped parking spaces in front of the Lutheran Church.

Discussion:

Mayor Pro Tem Keener asked if this needs to go to the SLAP committee.

Tony Gonsalves, SLAP committee, replied that if there are regular spots to be turned into handicap then do so. The committee doesn't need to address.

MOTION – Mayor Pro Tem Keener made the motion to mark some of the existing parking spaces in front of the Lutheran Church as handicap spaces.

SECOND – Commissioner Nelder

VOTE - Unanimous

OLD BUSINESS

1. Interview, discussion and consideration of applicant Sandra Whaley as an alternate on the Board of Adjustment

Commissioner Nelder asked Ms. Whaley how familiar she is with building inspector regulations.

Ms. Whaley replied that I am not as familiar as I am expecting to get. I know the basics about height, etc from getting my own permits.

Mayor Pro Tem Keener stated Ms. Whaley did okay on the last committee she served on and I think she'll learn.

MOTION – Commissioner Nelder made the motion to accept and appoint Sandra Whaley as an alternate to the Board of Adjustment.

SECOND – Commissioner Swearingen

VOTE – Unanimous

2. Discussion and consideration of language for best case scenarios on dealing with condemnations based on suspicion of criminal activity.

Attorney Canoutas stated he presented a draft amendment to the ordinance to Council in their agenda packets for consideration and that adoption requires a public hearing with a ten day notice. Council needs to set a public hearing.

MOTION - Mayor Pro Tem Chuck Keener made the motion to hold a public hearing at the next Council meeting as the first item on the agenda.

SECOND – Commissioner Nelder

VOTE - Unanimous

3. Discussion and consideration of proposed amendment to Chapter 19 Signs
Public hearing held 9/21/10 – no action taken

Town Attorney Canoutas stated that this is a matter of what Council wants to do with the proposed amendment from Planning and Zoning (P&Z).

Discussion:

Mayor Pro Tem Keener - The Pier House, Moran Motel, Trading Post, Jim Ring, Blue Marlin will all be non- conforming if we pass this.

Commissioner Swearingen –I haven't been involved in this, but need to educate myself. Alan (Votta of P&Z), have you considered grandfathering in these signs?

Votta – It has always been discussed. Grandfathering may not be what P&Z recommends. WE considered going up to fifteen years for amortization. Most signs will be replaced in fifteen years. We live in hurricane zone. It started with seven year amortization. What was sent to Council was seven years but if the owner was the same it would be 10 years. At the last meeting we threw around twelve to fifteen years.

Mayor Pro Tem Keener – I didn't know about this until the last meeting. Then I went down and looked at the signs. What is wrong with them?

Votta –It is not an issue with the existing signs, but the existing ordinance has a lot of flaws in it. We were asked to address the sign ordinance and told originally to use the John Sawyer study which is very restrictive. We revised it until we have only six non conforming signs. Back to the Moran Motel sign, there is an avenue to get that grandfathered in as a historical sign. It's been in movies. That's been in there the whole time. If the owner applies to Federal Point Historical and the sign is declared historical, by this ordinance amendment it would be grandfathered.

Mayor Lambeth – One of the things mentioned as a problem by a business owner was that the definition would be interpreted by the Building Inspector.

Votta – Yes we talked about that. We talked about illumination and could we make it a lot more restrictive. Someone has to interpret and that would be our Building Inspector. Craig Galbraith (chair of P&Z) had long discussions with business owners after the last meeting. If you leave what we have that is your choice, but you need to look at what we have. It has some holes in it.

MOTION - Commissioner Nelder made the motion to send the proposed language back to P&Z to make amendments to the sign ordinance to concur with the feedback from the business district at the last open hearing.

SECOND – Commissioner Swearingen

VOTE- Unanimous

The Mayor called for a ten minute break at 8:20 pm.

The Mayor resumed the meeting at 8:30 pm.

NEW BUSINESS

1. Discussion and consideration of notice from the Aquarium at Fort Fisher

The Mayor stated that in the Fiscal Year 10-11 budget, the Town approved a funding request in the amount of \$1000 for the Aquarium at Fort Fisher to host a Surf Festival in June of 2011. The Aquarium will not be able to hold the event due to staffing issues and wants to know if the Town wants the funds returned or may they apply it to another program.

Discussion:

Attorney Canoutas stated the proper thing to do is have it returned since it was earmarked for a special event that won't happen

Commissioner Swearingen– Did they say what else they would spend it on?
Town Clerk Avery replied they said they would use it for other things but weren't specific.

MOTION – Mayor Pro Tem Keener made the motion to return \$1000 to the Town's coffer.

SECOND – Commissioner Swearingen

VOTE - Unanimous

2. Discussion and consideration of Local Government Participation Certification

Mayor Lambeth explained that the NC Department of Commerce, Division of Community Assistance program has deemed New Hanover County eligible to participate in Scattered Site Housing grant to improve housing conditions of very low-income owner occupied households with incomes at or below 50% of median income. The Town must sign a local government participation certificate to participate.

Discussion:

Commissioner Swearingen stated this is HUD money that comes through NC Department of Commerce to rehabilitate their homes. My concern is there are usually other strings attached to this and I am concerned that some of our residents are land poor. HUD regulations may prevent them from participating. I hope we can publicize this enough for homeowners to come forward.

MOTION – Mayor Pro Tem Keener made the motion to participate in the Scattered Site Housing grant program.

SECOND – Commissioner Swearingen

VOTE - Unanimous

3. Discussion and consideration of membership in Water Resources Congress

Mayor Lambeth stated that the Water Resources Congress is dedicated to the wise development and management of NC's water and related land resources for future generations to use and enjoy. Membership is \$250 annually.

Discussion:

Mayor Lambeth stated that the Water Resources Congress is the front runner when we lobby congress for beach re nourishment. The \$250 is very well spent.

MOTION - Mayor Lambeth made the motion to spend the \$250 out of the General Fund for an annual membership to Water Resources Congress.

SECOND - Commissioner Nelder

VOTE - Unanimous

4. Discussion of paid parking

Commissioner Nelder stated we need to start thinking about something in the general direction of paid parking. We are not getting any use of parking away from the beach. Paid parking may be a way to utilize some of the parking that is a block or two away from the beach and they can walk instead of paying for parking. The incentive is to walk instead of paying for parking. It would be especially good if the fee is enough to make revenue off of it.

Mayor Lambeth asked Tony Gonsalves of the SLAP committee if he had any comments. Mr. Gonsalves replied that the Town has had two or three parking studies done and they all said paid parking is not viable. My committee has been looking at other areas such as Joe Eakes Park and the corral. Are you looking at the beach or certain sections of the Town? If it is going to work you have to put it in the entire Town. According to the MPO study, there are approximately 719 spots. This doesn't include Joe Eakes Park. I am meeting with a woman tomorrow from Lanier Parking to help us lay out Joe Eakes Park and the corral for parking. This is a big issue not an overnight decision. Maybe we could look at paid parking downtown by hours and further out paid parking for the day. SLAP was asked to look into this.

Mayor Lambeth asked Mr. Gonsalves to bring back to Council his findings from his meeting with Lanier Parking.

Commissioner Swearingen asked why does it have to be in the entire Town.

Mr. Gonsalves replied that if we are going to pay a parking company, they say all or no parking. This is how they make money.

Commissioner Nelder asked who is going to make money - the parking company or the Town? The problem with Carolina Beach is they are kicking out the parking company and doing it themselves. I just wanted to get the discussion started.

5. Discussion and consideration of rescheduling December Council meeting from Tuesday, December 21 to Tuesday, December 14 due to the holidays

Discussion - none

MOTION – Commissioner Swearingen made the motion to change the December Council meeting from December 21 to December 14 due to the holidays.

SECOND -Commissioner Nelder

VOTE - Unanimous

Mayor Lambeth asked for permission to add item # 6 to the agenda regarding the \$1000 from the aquarium discussed earlier.

MOTION – Mayor Pro Tem Keener made the motion to add item # 6 to the agenda as referenced.

SECOND – Commissioner Nelder

VOTE - Unanimous

MOTION – Mayor Lambeth made the motion to appropriate \$1000 from the aquarium return of funds to the line item for the employee appreciation dinner and any monies not used be returned to the General Fund.

SECOND – Commissioner Nelder

VOTE - Unanimous

CLOSED SESSION

MOTION – Mayor Pro Tem Keener made the motion to go into closed session at 8:46 pm to discuss a legal/personnel matter.

SECOND – Commissioner Nelder

VOTE - Unanimous

MOTION – Mayor Lambeth made the motion to return to open session at 9:05 pm.

SECOND – Commissioner Swearingen

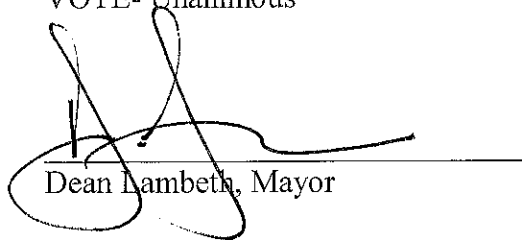
VOTE - Unanimous


ADJOURNMENT

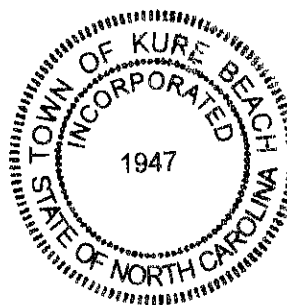
MOTION - Commissioner Nelder made the motion to adjourn at 9:06 pm

SECOND - Commissioner Swearingen

VOTE- Unanimous


Dean Lambeth, Mayor

ATTEST: 
Nancy Avery, 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.

DATE: 10/19/10

2.4 million

TOWN COUNCIL
SIGN IN SHEET

→ 3 million
(→ 3.8 million)

Bell → (EXCUSSED MYSELF)
← From vote →

NAME	ADDRESS
WANDA TSANGARRIS	409 JOYCE KRB 28449
Archie Tsangarris	" " " "
Art Klein	1012 OCEAN VIEW EST KA (NO)
Margaret Duffin	304 Setfiers Ln (NO)
David Duffin	" " " (NO)
Bill Hall	752 N. FORT FISHER KB (NO)
NICK LAY	422 ANCHOR WAY KB.
SANDY LAY	
Phyllis Mozis	811 LARGO WAY
Dan Isell	950 GENERAL WATTING