

TOWN COUNCIL SPECIAL MEETING MINUTES OCTOBER 22, 2010 at noon

COUNCIL MEMBERS PRESENT:

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

Town Attorney A. A. Canoutas and Town Clerk Nancy Avery were in attendance. There was a quorum of the Town Council present.

CALL TO ORDER

Mayor Lambeth called the special meeting to order at noon stating the purpose of the meeting is to discuss the design and placement of buildings on the Ocean Front Park property. Notice of this meeting was posted at Town Hall on October 20, 2010 at 10:30 am thus meeting the 48 hour required notice.

Commissioner Dugan stated that two issues have come up in the last couple of days that need to be addressed and requested Council add to the agenda.

MOTION – Commissioner Dugan made the motion to add two items to the agenda:

- Storm water construction damage
- Striping of tennis courts

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

OCEAN FRONT PARK

TEMPORARY PARKING – WEST SIDE OF ATLANTIC AVENUE

Mayor Lambeth stated that the Ocean Front Park (OFF) committee recommended over a year ago that the temporary parking allowed on the west side of Atlantic Avenue in front of the park be removed.

Discussion:

Commissioner Nelder – Why start until absolutely necessary?

Commissioner Dugan – My opinion is it might be needed sooner due to storm water construction. I guess before the end of the year.

Mayor Lambeth – We would have to confirm with the engineer.

MOTION - Mayor Lambeth made the motion to remove the nineteen temporary parking spaces on the west side of Atlantic Avenue in the front of the park land no later than January 2, 2011 or when storm water construction needs require it.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

PARKING – EAST SIDE OF ATLANTIC AVENUE

Mayor Lambeth stated it is necessary to remove parking on the East side of Atlantic Avenue in front of the park land to comply with the artist rendering as recommended by the OFP committee.

Discussion:

Commissioner Dugan – So the road will still have the curve? I have no problem maximizing the parking on the ocean side consistent with having the curve in the road.

Mayor Lambeth – Yes.

Commissioner Nelder – Attorney Bell had a drawing that showed a few spaces on either end on the West side.

Mayor Lambeth – All spaces on the West side have just been removed.

Commissioner Nelder – If we remove all on the East side and replace them on the West side after the park is built, we can keep the same amount of spaces on Atlantic Avenue. The ones we take out, we can replace on the ends.

Commissioner Dugan – A review of the minutes of the committee and information gathered from the public at the street festival both approved the chicane (curve) in the road. If we add more parking spaces, we lose the chicane. I have no problem maximizing on the ocean side consistent with a safe curb on the road in front.

Commissioner Swearingen – How many spaces?

Mayor Pro Tem Keener – Between four and eight will remain on the East side.

Mayor Lambeth – Twelve maximum will be removed.

Commissioner Dugan – The engineer will need to tell us

Mayor Lambeth – The artist rendering will have to meet handicap requirements.

Mayor Pro Tem Keener – I have a definite problem with putting parking in front of the park and the OFP committee was against it from the beginning so there will be a view of the ocean from the park. Putting the money we are into the park, I think, means there needs to be a view of the ocean. This seems to be a big argument about removing a maximum of fourteen spaces. Nineteen of the spaces don't count, they were temporary and were never there before the Town bought the land. How many of you have a problem walking from N Avenue to the pier- that is less than three tenths of a mile. From K Avenue is the same distance. We are not losing thirty-six spaces, only twelve to fourteen. Let's get that straight. We are looking at adding four hundred parking spaces in the next couple of years and that replaces this twelve.

Jerry Hammill, audience member asked how many fishermen will drag their equipment and how many will park at Joe Eakes Park and walk. It is hardly used now. What is there downtown to see? Not the restaurants or Bud and Joe's.

Mayor Pro Tem Keener – What's wrong with a loading zone there for the people fishing?

Mr. Hammill – Property owners in the B1 depend on parking for their livelihood.

Mayor Pro Tem Keener – I wish we had more parking. But losing twelve spaces versus getting a \$5,000,000 Ocean Front Park? I don't understand doing away with this because of twelve parking spaces.

Mr. Hammill – I can't understand spending that much money on four lots.

Mike Robertson, pier owner, stated the Town already owns 30,000 square feet of property on Sandman that they could put a park on and everyone could walk to, but they chose to come down here to the B1 and spend \$3,600,000. Don't look innocent Chuck you were right there in the middle of them.

Mayor Pro Tem Keener – No, I was not.

Attorney Bell, representing Mr. Robertson, stated he thinks the Town is being cavalier about people's ability to walk, with diabetes, etc. They are being excluded so people sitting in the park can have an ocean view.

Mayor Lambeth – The artist rendering shows spaces included are for handicap parking. I don't agree we are being cavalier.

Attorney Bell – You spoke Tuesday about using the park for weddings. If there is no place to park and K and Fort Fisher Avenues are full, what bride in full regalia will walk to the park. This is not well thought out.

Mayor Lambeth – This was never meant to be for weddings only. We are under a time restraint for contractual agreements. We have to move on.

Commissioner Dugan – The problem with being up here (Council) is that we hear different opinions from different people and they are all valid.

Mayor Pro Tem Keener – Is it a park when it is filled with trucks and cars?

Commissioner Dugan – The OFP committee was formed with representatives from every committee in Town and part of what they did was put information out at festivals and take input from residents and visitors and made a recommendation to Council.

Commissioner Nelder – I'm confused, we are talking about twelve to fourteen spaces, not six. How many are we required to remove?

Mayor Pro Tem Keener – By the grant, we are required to remove at least six spaces.

Commissioner Nelder – So we are looking at removing six more than needed.

MOTION – Mayor Lambeth made the motion to remove all parking on the East side of Atlantic Avenue to comply with the artist rendering approved by the OFP committee.

SECOND – Commissioner Dugan

VOTE – Four to One in favor with Commissioner Nelder against

MOTION - Commissioner Dugan made the motion to minimize the curve in the road to maximize space and to remove spaces necessary to open the view.

SECOND – Mayor Pro Tem Keener

VOTE - Four to One in favor with Commissioner Nelder against

MOTION – Mayor Lambeth made the motion to amend the previous motion to ‘no less than ten or more than twelve parking spaces be removed’.

SECOND – Mayor Pro Tem Keener

VOTE - Four to One in favor with Commissioner Nelder against

LOCATION AND FOOTPRINT OF BUILDINGS

Discussion:

Commissioner Nelder – When we talk footprint are we talking strictly footprint or design?

Mayor Lambeth – The design is not complete. We must move forward with the footprint so the engineers can continue with the permit applications.

Commissioner Dugan – We are voting on the footprint only.

Commissioner Swearingen – Yes, only on the footprint. What is happening with the storm water design?

Mayor Lambeth – It is on hold until we get more feedback. We need the footprint to continue.

Jim Vattr, former Commissioner – How can you vote on the footprint if you haven't decided on the design or look? There needs to be a public hearing on the look, shape, design of the building.

Mayor Lambeth – We need the square feet to calculate the location of the storm water system.

MOTION – Mayor Lambeth made the motion to proceed with the location and the footprint of the buildings as approved by Council.

SECOND – Mayor Pro Tem Keener

VOTE - Four to One in favor with Commissioner Nelder against

MOTION - Commissioner Swearingen made the motion to hold a public hearing on November 16, 2010 at 5 pm to receive public comments on the design of the buildings.

SECOND – Commissioner Nelder

VOTE – Unanimous

STORMWATER CONSTRUCTION DAMAGE

Commissioner Dugan stated that Tropical Storm Nicole caused sink holes on Settlers Lane and the catch basin in Kure Village. To get these fixed we are looking at a cost of \$23,751.50 for Settlers Lane and \$15,000.00 for Kure Village for a total of \$38,751.50.

MOTION - Commissioner Dugan made the motion to authorize construction to repair the referenced sink holes at a price of \$38,751.50 utilizing Powell Bill funds.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous

STRIPING OF TENNIS COURTS

Parks & Recreation committee chairman Bob Fitzsimons stated that there was negative feedback at the last Council meeting regarding the striping of the tennis courts for the Quick Start program for children. The striping that we are planning is very muted not as bright as you see on other courts. The US Tennis Association states that after a few minutes of play, avid players don't notice the other lines. If we use the right color, it won't be obtrusive. We could stripe only one court for Quick Start.

MOTION – Mayor Lambeth made the motion to strip one tennis court to be used for the Quick Start program using New Hanover County Park Bond funds.

SECOND – Commissioner Dugan

VOTE – Unanimous

Audience member Alan Votta suggested that the architect for the Ocean Front Park attend the next meeting of the OFP committee on November 1, 2010 at 6:30 pm to hold a charrette to take input on the design and bring a redesign to the public hearing.

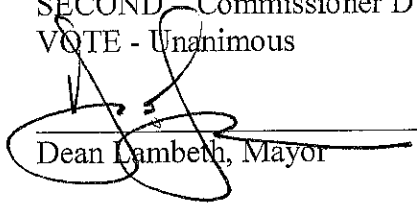
CONSENSUS – Council requested the architect attend the meeting as referenced.

ADJOURNMENT

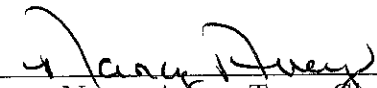
MOTION – Mayor Pro Tem Keener made the motion to adjourn at 12:50 pm.

SECOND – Commissioner Dugan

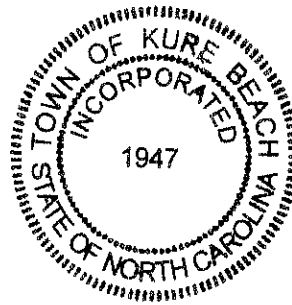
VOTE - Unanimous



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.