

Minutes
Town of Atlantic Beach, North Carolina
Town Council Special Meeting
Thursday, June 29, 2006

The special meeting of the Atlantic Beach Town Council was held Thursday, June 29, 2006 at 6:00 p.m. in the Council Meeting Room.

Members Present: Mayor Tootsie Vinson; Mayor Pro Tem Doug Creech; Council Members Jim Bailey, Ruth Barnes, Eddie Dawkins and Tom Doe

Members Absent: none

Others Present: Chuck Cooper, Town Manager; Lee Smith, Town Planner; Donna Turner, Inspections Director; Marc Schulze, Public Works Director; Sabrina Simpson, Town Clerk; Scott Kilpatrick, Police Chief; Adam Snyder, Fire Chief; Derek Taylor, Town Attorney; Kim Glover, Deputy Town Clerk

CALL TO ORDER AND ROLL CALL

Mayor Tootsie Vinson called the meeting to order at 6:00 p.m.

APPROVAL OF THE AGENDA

Mayor Pro Tem Creech made a motion to approve the agenda, seconded by Councilman Doe, vote was 5-0, unanimous.

ACTION AGENDA

1. Public Hearing-Carteret Cab Company Application

Mayor Pro Tem Creech made a motion to go into Public Hearing. Seconded by Councilman Bailey, vote was 5-0, unanimous.

1. Lennie Griffin, 2403 Bay Street, Morehead City, NC

Mr. Griffin stated he is the owner of the Carteret Cab Company and was here tonight to answer any questions the Council might have about him opening a taxi service in Atlantic Beach.

Councilman Doe said he is in favor of him opening his business and Councilman Dawkins concurred.

Mayor Pro Tem Creech made a motion to go out of Public Hearing. Seconded by Councilman Bailey, vote was unanimous, 5-0.

Councilman Bailey made a motion to recuse Councilwoman Barnes from the meeting since her son is one of AB Taxi Company's employees. Seconded by Councilman Dawkins, vote was 4-0, unanimous.

A motion was made by Councilman Dawkins to approve the application of Carteret Cab Company to conduct a taxi business in Atlantic Beach subject to completion of the Atlantic Beach Police Department review process. Seconded by Councilman Doe, vote was 4-0, unanimous.

A motion was made by Councilman Bailey to re-instate Councilwoman Barnes to the meeting. Mayor Pro Tem Creech seconded the motion, vote was 4-0, unanimous.

2. FY 2005-06 Final Budget Amendments and Transfers

Budget Amendment No. 9 was for vehicle repairs to Public Services vehicle reimbursed by insurance and insurance payment to Police toward purchase of new/used vehicle after accident totaled other.

Budget Amendment No. 10 was for the Durham Avenue access.

Budget Amendment No. 11 was for FEMA reimbursement for Ophelia damages to town buildings.

Budget Amendment No. 12 was for housekeeping of accounts at the end of the year.

(Clerk's note: Copies of Budget Amendments Nos. 9, 10, 11, and 12 are attached and hereby made a part of these minutes.)

N.C.G.S. Section 159-15 allows the Town's Budget Officer (the Town Manager) to make periodic budget transfers from one line item to another within the same fund. While these transfers do not affect the total budget, the statute requires that the Council be notified of the transfers at its next scheduled meeting following the transfers. The following budget transfers were made:

Budget Transfer 1: Transfer in Public Services from Capital Outlay for budgeted projects: irrigation and building maintenance.

Budget Transfer 2: Transfer in Revenue from Insurance Proceeds to Loan Proceeds.

Budget Transfer 3: Transfer in Police for end of year housekeeping of accounts.

Budget Transfer 4: Transfer in Police Communications for end of year housekeeping of accounts.

Budget Transfer 5: Transfer in Fire for end of year housekeeping of accounts.

Budget Transfer 6: Transfer in Water for end of year housekeeping of accounts.

Budget Transfer 7: Transfer in Public Services for end of year housekeeping of accounts.

Budget Transfer 8: Transfer in Fire for end of year housekeeping of accounts.

Budget Transfer 9: Transfer in Administrative Services for end of year housekeeping of accounts.

Budget Transfer 10: Transfer in Administrative Services for end of year housekeeping of accounts.

Clerk's note: Copies of all the budget transfers are attached and hereby made a part of these minutes.)

Councilman Doe made a motion to approve the Budget Amendments and Transfers as presented. Seconded by Mayor Pro Tem Creech, vote was 5-0, unanimous.

3. FY2006-07 Town of Atlantic Beach Budget Approval

Councilman Doe thanked everyone for all their help within the past few months. He stated the Council is getting ready tonight to vote on the final budget approval which includes a three cent tax increase and he said he going to vote for it. He feels the consensus of the Council is to be in favor of it. Four members of the Council were elected by a 2-1 majority. They ran unanimously on sewer, stormwater, sidewalks and dredging. Now we are down to where we have to have the money to pay for it. He stated the Council could run the Town cheaper by cutting taxes and eliminating services. The citizens in the Town seemed to be in favor of purchasing the Food Lion property. As a Town we need to make up our minds what we want and we have to be willing to pay for it. It is absolutely ridiculous for the Council to continue spending any more of the taxpayers' money if it is not what they want. Councilman Doe made a motion that Council immediately stop all activities toward sewer and stormwater treatment and that staff and the Town Manager be assigned to go through the whole Town operation looking at things like dredging, beautification, and beach accesses and start

stripping that down to the bone. He moved further that a public hearing be set next month and a big room at the Sheraton for the public to come out to hear them say "I want this and I will pay for it". If we here that is what the Town really wants and they will pay for it then we can go forward. If it is some mixed answer or murky answer he thinks we need to let the motion stand. We do not need to be wasting the taxpayer's money doing something that we are going to pull the plug on.

Town Attorney Derek Taylor asked Councilman Doe to clarify his motion. Councilman Doe said that the Town of Atlantic Beach immediately discontinues all activities toward stormwater and sewer. Second sentence being that the Town Manager and staff be directed to go through the whole Town operations and look at where cuts can be made.

Councilman Bailey said he would like to suggest we make a motion to call for a public hearing to get input into whether we should move forward to pass those motions. If we pass your motion tonight we will not need a public hearing. We would be out of this business tonight.

Mayor Vinson stated we could advertise for all the public hearings we want and get a grand ballroom but you can not make citizens come.

Councilman Doe understands that and he feels if the Town saw a statement in the headlines saying Atlantic Beach stops all efforts towards the sewer facility, people would then be drawn to come to the public hearing.

Attorney Taylor asked Councilman Doe if he wants to say stop all action or suspend all action on sewer. Councilman Doe said stop all actions.

Councilman Creech seconded the motion so it could go into discussion but he refused to vote for it. He said he has no problem with having a public hearing but he does not want to stop all work towards sewer and stormwater. He stated years ago we had a directive given to the Council that this Town wanted sewer and stormwater. When we purchased the Food Lion property we had another voice of public opinion. He feels the three cent tax increase shows the Town is trying to move in the right direction.

Councilman Doe asked Mayor Pro Tem Creech to explain to him how he is going to force the issue. Mayor Pro Tem Creech said you can not force people to do things because you want them to do it. People have to do things because they want to. He feels that stopping everything and threatening everyone is not the way to do it. Councilman Doe said this is not a threat. It is simply we are going to stop spending your money until we really get a good understanding where you are coming from.

Councilwoman Barnes said that so far what she has heard from citizens is they do not understand why we would need to raise taxes three cents. As far as sewer is concerned she thinks they want it. The only ones that come to the meeting are on the negative end. She feels if we could explain to them exactly what we are going to do with the three cent increase, the majority of the citizens she has talked with would be willing to pay the three cent increase in order to get all the projects underway.

Mayor Vinson stated she has been around here for about twenty-six years and in politics here since 1981. The whole time she has heard how much the Town needs sewer. She was on the Council before when the bond referendum was passed and she thinks Councilman Doe remembers how close they have actually come in the past to getting sewer and it did not happen. Mayor Vinson said that when Max Graff was Mayor in this Town he would always say "tell me in layman's language so I can understand". Mayor Vinson said she has had a lot of phone calls at home from citizens wanting to know exactly what the tax increase would consist of. She said she went to Town Hall and asked the Tax Collector to run her off at random some tax rates. A person that paid \$559.46 last year at twenty-three cents, if we up it three cents would pay \$632.44 which is a \$72.97 difference. She said to herself, do we want to give up sewer, sidewalks, dredging and beach accesses for \$100.00. She decided to hand deliver this news to each person who had called her. She asked them for \$100.00 if they wanted to give up all these things. All of them said no. Mayor Vinson read into the record the memorandum given to herself and Council from Mr. Cooper dated June 29, 2006. Mayor Vinson also went further and had Mr. Cooper type up a statement of intent to be given to all Town Council members to read and to commit to. Mayor Vinson read the statement of intent into the record.

With a motion on the floor by Councilman Doe and a second by Mayor Pro Tem Creech, Mayor Vinson asked for the vote. The vote was 1-4, with Council members Jim Bailey, Ruth Barnes, Doug Creech and Eddie Dawkins voting in the negative.

Councilman Bailey stated he is in agreement with Councilman Doe for calling a public hearing before we spend any more money on sewer. He did want to vote to stop all action tonight. Councilman Bailey made a motion to call for a public hearing to consider an action to stop all efforts toward sewer and stormwater and secondly embark on a six month effort to develop and present plans with significant cuts and reduction of Town services and costs starting with significant staff reduction before the end of July 2006 to be held in a room large enough to accommodate everybody. The motion was seconded by Councilman Doe.

Councilman Dawkins said he getting very, very confused. He had been excited about everyone being on the same page. He asked Councilman Bailey if he understood him to say in his motion that in addition to stopping sewer did he also want to reduce the staff.

Councilman Bailey said he just wants to make sure the citizens are on board with everything.

Councilman Dawkins said he had really believed the time for sewer in Atlantic Beach is now.

Councilman Doe said he really feels like he needs the public to come forward and let us know how they feel.

Mayor Pro Tem Creech reminded Council that about six years ago a survey was sent out to the citizens asking them what they saw as the most important issue for the Town of Atlantic Beach to address. Eighty percent of the citizens said sewer. He agrees they need to get the public's input but the employee issue needs to stay out of it. He suggested the Town send out a letter to all the property owners and then have a public hearing but July is not a good time.

Mayor Vinson asked Attorney Taylor to confirm the motion. He stated the amended motion was to call for a public hearing at a time and date to be set by the Town Manager sometime during the last ten days in July to be confirmed by Town Council for the purposes of determining whether or not the Town Council should stop all actions and expenditures toward development of a stormwater and sewer system and that we publish the notice of the public hearing in the same matter as a notice for a zoning ordinance change and that the notice should solicit input by the public at the hearing by letter, e-mails or by any method they should choose. The amended motion was seconded by Councilman Doe.

Councilwoman Barnes said she is confused like Councilman Dawkins. If the budget is to be voted on tonight, the public hearing should have been done a long time ago. To her, the citizens have voted by putting Council in office for these very reasons. Once the citizens she had talked to were explained as to how the three cent increase would work they were all for it. She said she is almost sure the citizens understand that these services that are and will be provided in the future are not free. The money has to come from somewhere, hence the tax increase. She just does not see where a public hearing for something they have repeatedly told you they want is useful unless we could explain ourselves better.

Mayor Pro Tem Creech said we did not come here tonight to get off on this subject. We came here to pass the budget. We need to get our budget passed then we can call all the public hearings we want. He agreed with Councilwoman Barnes' statement that no one in this Town thinks sewer is free.

Councilman Bailey withdrew the second part of his motion concerning the staff. Mayor Vinson called for a vote on the motion on the floor. The vote was 3-2 with Councilwoman Barnes and Councilman Dawkins voting in the negative.

Mayor Pro Tem Creech made a motion to approve Ordinance No. 06-06-01 establishing the FY 2006-07 Budget for the Town of Atlantic Beach. Seconded by Councilman Doe, vote was 5-0, unanimous.

(Clerk's note: A copy of the memorandum written by Town Manager, Chuck Cooper addressed to Mayor and Town Council dated on June 29, 2006 is attached and hereby made a part of these minutes)

(Clerk's note: A copy of the Statement of Intent Mayor Vinson read into the record is attached and hereby made a part of these minutes.)

4. W. K. Dickson Task Order No. 4

Councilman Bailey made a motion to direct the Town Manager to sign Task Order No. 4 to continue the progress on the wastewater and stormwater projects. Seconded by Mayor Pro Tem Creech, vote was 4-1, with Councilman Doe voting in the negative.

ADJOURNMENT

There being no further business before the Town Council, Mayor Pro Tem Creech made a motion to adjourn the meeting. Councilman Bailey seconded, and approval was unanimous, 5-0. It was 7:22 p.m.

Submitted by:

Kim Glover, Deputy Town Clerk

These minutes were approved at the July 17, 2006 meeting of the Atlantic Beach Town Council.

Tootsie Vinson, Mayor