

MINUTES

The Town of Manteo Board of Commissioners held their Workshop Session at the Manteo Town Hall meeting room August 21, 2002 at 7:00 p.m.

The following members were present:

- Mayor Lee Tugwell
- Commissioner Dellerva Collins
- Commissioner Edward Etheridge
- Commissioner David Farrow
- Commissioner H.A. Creef, Jr.
- Commissioner Stuart Wescott
- Commissioner John Wilson

The following member(s) were absent:

Also present at the meeting were:

- Town Manager-Kermit Skinner, Jr.
- Assistant Town Manager/Finance- Shannon Twiddy
- Police Chief-F. T. D'Ambra
- Town Clerk-Becky Breiholz
- Planner-Fred Featherstone

Mayor Tugwell called the workshop meeting to order at 7:05 p.m.

Town Manager Kermit Skinner requested that House Bill 1640 be added to the agenda, this is in response to the Board of Commissioners request that the Town apply for a local bill to exempt the Town from NCGS 20-162 to decrease the distance within which a vehicle may park from the intersection of curb lines from 25 feet to 15 feet.

MOTION: By Commissioner Wilson seconded by Commissioner Wescott to accept agenda as amended as to action items only was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

SUBJECT: House Bill 1640-introduced by House Representative Bill Culpepper on behalf of Town of Manteo which would reduce 25 ft requirement from intersections of curb lines to 15 feet. The bill is to be introduced tomorrow and if language is agreeable to board Mr. Skinner is requesting that the Board instruct him on how to proceed.

MOTION: By Commissioner Wilson seconded by Commissioner Collins to authorize Town Manager Kermit Skinner have Representative Culpepper proceed with House Bill 1640 approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

SUBJECT: Discussion and consideration of proposed Resolution 2002-17 in support of an application for funding being filed by the National Park Service, Fort Raleigh branch for the Freedman's Colony to be included in the Underground Network to Freedom designation.

MOTION: Commissioner Wilson seconded by Commissioner Etheridge to approve Resolution 2002-17 as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

SUBJECT: Discussion and possible consideration of a request for the construction of sidewalks by the property owners of Centennial Court, and general discussion pertaining to other sidewalks located throughout the Town. This item was postponed to the workshop agenda so staff could research cost of the sidewalk. Planner Fred Featherstone presented the Board with two price quotes from Hatchell Concrete one for \$3100 which would include removal of bricks and replacing with exposed concrete 140' of 5' wide sidewalks and 30' curb removed and replaced with radius extended into highway plus wheelchair ramp. The other cost of replacement is for \$5,000 for 70' of 6' wide sidewalks plus brick pavers to be removed and replaced with concrete 140' of 5' wide sidewalks and 30' curb removed and replaced with radius extended into highway plus wheelchair ramp. Discussion of the Board of the physical limitations of the easements and public liability of sidewalks owned on private property and Mayor Tugwell, would rather have this discussed when the Town Attorney is present and also commented that according to the Town Attorney if we have an easement we will be assuming all liability for it. Commissioner Wilson commented that the developers were asked to give a utility and sidewalk easement six feet all the way around the property in the beginning and the plat shows the six foot utility easement on Queen Elizabeth and Fernando and the developers gave the six feet of land on Sir Walter Raleigh Street free and clear, and as he understands it when Ms. Woody and Ms. Khoury asked that the sidewalk be put in, Mr. Merrell (previous town attorney) said the easement on the plat was not sufficient and that they needed a recordable deed of easement drawn up. It was commented that a utilities easement is different than a sidewalk easement and Commissioner Wilson stated that the recorded plat says 6 foot sidewalk and utility easement but for some reason that was not sufficient and Mr. Merrell wanted a recordable deed as he understands it. Discussion took place on it being a difficult turn with cars parked on the east side of Queen Elizabeth and if the curb is moved out it might become even more difficult. Mr. Featherstone commented that he met with NCDOT traffic engineer about bringing that curb out and basically the radius would be increased by about a foot and a half, and in the engineer's opinion this would not impact the traffic but it would lend to pedestrian safety. Commissioner Wilson would like to ask the Board to recuse himself from the vote since he has partial ownership of property. (Previous discussion had taken place before the motion to table was made.) The brick pavers was discussed and Mr. Featherstone asked the Board if they do not replace the brick pavers he would like to ask for money to repair them, since their a lot of them that are missing by H. A. Creef's building. Discussion took place on having the Town attorney present to discuss the liability, clarify the physical dimension and possibly having an ordinance to require property owners to maintain the sidewalks.

MOTION: Commissioner Farrow seconded by Commissioner Collins to recuse Commissioner Wilson from the vote was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, and Creef. Noes: Commissioner Wescott. Absent: None

MOTION: Commissioner Wescott seconded by Commissioner Etheridge to table to the September 4th, 2002 to enable the Town Attorney to be present to discuss liability and clarify the physical dimensions was approved by the following vote: Ayes: Commissioners Farrow,

Etheridge, Wescott, and Creef. Noes: Commissioner Collins Absent: None. Excused: Commissioner Wilson.

SUBJECT: Discussion of use by the public disposing of waste in privately owned dumpsters. Commissioner Wescott commented that there have been a lot of people that put trash in the dumpsters and the Town has to pay the dumping fees, and he would like to have an ordinance to prevent it. Enforcing of an ordinance was discussed and it was thought that there is a provision in the solid waste ordinance. Also discussed was the possibility of owners of dumpsters be given some sort of mechanism for them to file a complaint against unauthorized use of their dumpsters. Staff was requested to prepare an ordinance to prevent unauthorized dumping in private dumpsters to be presented at the September 4, 2002 meeting.

Mayor Tugwell allowed a citizen to speak since there is no Public Comments during the workshop agenda.

Nancy Peele-Manteo resident presented the Board with a jar of water from her house which has an odor and floating particles in it. She feels the water lines need to be replaced. Her lines which were installed in 1988 were not cast iron but it was discussed that the sediment is the result of the old cast iron pipes which are also part of the water system. She commented that she needs some relief. Discussion took place on looping and replacing the old cast irons pipes and the fact that the Town has received a grant to replace the lines which also included the placement of a water tower but the Town is waiting to hear if we can do the project in two phases by replacing the lines and if this takes care of the problem than not put in a water tower.

SUBJECT: Request by Commissioner Farrow to discuss various topics:

Request to establish and adopt a policy for the purchase of new town car, police cars and other town owned vehicles. Commissioner Farrow would like a policy be set to purchase new vehicles at 150,000 miles or six years whichever comes first. This has been discussed at previous meetings and the Board has not adopted a formal policy. Mayor Tugwell commented that the previous intention was to buy a new car every year for use by administration offices and rotate that car to the police department and rotate out the oldest police car. Chief commented that maintenance cost of police cars is high and that there is a considerable amount of idle time put on these cars. Commissioner Farrow commented that most of the miles are put on by officers taking the police cars home. Commissioner Farrow suggested rotating police cars every 8 years. It was suggested that this issue be discussed at the budget workshop. The Board would like the Manager and Police Chief to research the cost, maintenance and other aspects to help establish a policy for the Board's review before action is taken.

The next topic discussed was to have staff apply to the Department of Corrections for use of convict labor for cleaning the Town ditches, mowing the cemetery and cleaning tombstones. Commissioner Farrow would like the Town Manager to research the possibility of having convict labor to do this and report back to the board.

The screening of the green trash roll out cars on three sides with white lattice in the B-1 mixed use zone where there is residential and commercial use. Commissioner Farrow commented that

downtown in the B-1 area the cans are scattered about and unsightly. Staff is to prepare a draft ordinance.

Making it mandatory for businesses to break down cardboard boxes and disposing of them in container provided by the Pioneer Theater or another site for this purpose. Commissioner Farrow commented that B-1 section of Town has a lot of special privileges and they should appreciate this and keep their areas as clean as possible. Commissioner Farrow would like to have an ordinance to correct his problem. It was commented that it is already in the Towns solid waste ordinance that cardboard boxes need to be broken down and also unauthorized use of dumpsters is in the ordinance. Mayor Tugwell commented that the Board will have to stand behind the police department or public works department to enforce these ordinances possibly having the public works department refuse to pick up or have the police department issue a violation ticket when an owner complained. Lengthy discussion took place on recycling and the possibility of surcharging. Town Manager Kermit Skinner was asked to review the ordinance and penalty clause and possibly strengthen the ordinance. It was discussed possibly scheduling a meeting with the Roanoke Island Business Association to discuss this. Commissioner Wescott commented that he would speak to the Business Association and let them know if they did not do something that the Town would

Request all businesses in Town to keep the sidewalks in front of their businesses clean and swept. Commissioner Farrow commented the sidewalks in Town especially at Chesley Mall are a disgrace and need to be cleaned. Mayor Tugwell commented that this gets into the issue of private property. Commissioner Farrow stated he does not think it would be out of order for our Town Manager to write a letter asking them to keep the sidewalks clean. It was discussed having the Planning Board study these issues and possibly require the placement of trash receptacles for public use on site plans.

Have staff to identify number of solid waste customers that are residential and commercial. Also, have staff identify commercial sites that are serviced more than twice a week and the number of dumpsters at each location. Discuss the possibility of setting up a time schedule and tipping fee for the dumpsters.

Have the boundaries of Town property marked by permanent markers which are visible and to survey property where necessary. Commissioner Farrow commented he would like to know where Town property starts and stops, especially the parking lot down by the court house and boat ramp. The cost was discussed and it was commented that it might have to be done in stages. Staff is to prepare an inventory of the Town's property.

INFORMAL BOARD DISCUSSION

Commissioner Wescott-commented how nice the waterfront looked since staff put extra trash cans.

Commissioner Etheridge commented how nice the opening of the new bridge ceremony was.

MOTION: Commissioner Collins seconded by Commissioner Etheridge to enter into a closed session NCGS 143-318.11 (a) Personnel was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

CLOSED SESSION-NCGS 143-318.11 (a) 5 Personnel-Evaluation of Town Manager.

MOTION: Commissioner Wescott seconded by Commissioner Etheridge to exit the closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None.

NO ACTION TAKEN

MOTION: Commissioner Etheridge seconded by Commissioner Farrow to adjourn at 9:10 p.m was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

Adopted this 21st day August, 2002

ATTEST:

Mayor Lee Tugwell

Town Clerk Becky Breiholz