

TOWN COUNCIL WORK SESSION MINUTES

Town Hall

Wednesday, January 23, 2019

3:30pm

Mayor Paulin, Vice Mayor Sitoula and Councilman Smith met in work session on Wednesday, January 23, 2019 at the Town Hall. Also, in attendance were Town Manager Ryan Hicks, Town Clerk Andrea Brady, and Evie Hungerford and Vince Hungerford from the Black Box Theatre.

December 19, 2018 Closed Session – Wednesday, December 19, 2018, the Mayor and Council held a closed session with Brian Klaas and Rob Brough at 4:15pm per Statutory Authority for Closed Session §3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. The Council discussed business expansion and redevelopment within Town, no action was taken at this time. The closed session adjourned at 4:54pm.

January 7, 2019 Closed Session – Monday, January 7, 2019, the Mayor and Vice Mayor held a closed session with representatives from NSWC at 4:00pm per Statutory Authority for Closed Session §3-305(b)(4) to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. The Council received a briefing by NSWC about CBR-D and the scheduled public info session to be held on January 17th. The closed session adjourned at 4:25pm.

Black Box Theatre – Evie Hungerford explained that she was present to address the comments and concerns from last month's work session in reference to extending the lease of the Black Box Theatre. Mrs. Hungerford provided Council with packets that included the current lease, the sublease agreement, and future plans for the Black Box Theatre. Mrs. Hungerford gave background information on the Black Box, what the facility was envisioned to be, and Senator Young's involvement in the process back when he was the Town Manager. Mrs. Hungerford stated that the Black Box was the first building in town in well over a decade to be refurbished and put to another use. Mrs. Hungerford also discussed the work that has been done to the building, a lot of which has been done through grant funding, which has brought the building to an assessed value of around \$420,000. Mrs. Hungerford explained that the Black Box/Indian Head Center for the Arts is requesting the extended lease to allow them to get a bond bill for \$60,000 for the installation of a sidewalk and a rear patio area to give it a Main Street look.

Vice Mayor Sitoula discussed his comments at the previous work session in reference to the Black Box Theatre. Vice Mayor Sitoula felt that the Town could resume management of the Town owned facility to allow the Black Box to focus their efforts on bringing in more of the cultural, arts and entertainment aspects to the Town, instead of working on leases and rentals. Mrs. Hungerford explained that the current renter approached the Black Box, and through the MAC this rental has brought to the attention of the Base, all the things they can bring outside of the gates and put into locations in Town. Mrs. Hungerford also stated that the rental helped enhance programs and buy equipment.

Vice Mayor Sitoula discussed bond bills and the requirements for the length of leases agreements. Vice Mayor Sitoula felt it would be better for the Town as the property owners to apply for these types of grants, taking the burden off the Black Box and allowing them to focus on programs. Vice Mayor Sitoula mentioned that future bond bills would require additional extension of the lease. Mrs. Hungerford stated that the Black Box currently has 5 years left on their existing lease, and if the Council would approve the extension, they could add working in the lease agreement that would allow them a way out of the lease after the first 5 years. Mrs. Hungerford also stated that the Black Box would not be applying for any other bond bills after this request. Councilman Smith asked Town Manager Hicks to speak with the Town's attorney to find out the Town's responsibility to pay back a bond bill if the lease was not extended. Councilman Smith agreed with Vice Mayor Sitoula on extended leases and felt it would go against what should be done for the residents. Mayor Paulin disagreed, and spoke about how much the Black Box has done for the property.

The bond bill that the Indian Head Center for the Arts/Black Box is applying for would require a 15-year lease. Mrs. Hungerford explained that is required because they don't want to provide funds for a building that could potentially be left empty. Vice Mayor Sitoula stated that a town is not a town without an art center. Vice Mayor Sitoula wants the Town in charge from a management perspective, managing leases, what needs to be done at the facility, and repairs at the discretion of the Town Manager. Vice Mayor Sitoula explained that the Council does not want to tie the hands of the incoming Town Council by signing a lease for 10 additional years, but he also does not want the Black Box to leave.

Vince Hungerford discussed a recent discussion he had with Senator Young about the Town and asked the Council if they want to manage the building would they then sign something saying the Black Box can operate within the facility. Mrs. Hungerford started to bring up why she feels Councilman Smith is personally against the lease extension. At that time Councilman Smith stated that the Council should make a decision on the matter before things continue to be made personal, and he made a motion not to extend the lease. At this point Councilman Smith left the room until the Council was prepared to move onto other agenda items. Vice Mayor Sitoula left the room to speak with Councilman Smith, and they rejoined the meeting at 3:54pm. At this point Mr. and Mrs. Hungerford left the meeting to allow the Council to move into further discussion on the matter. Vice Mayor Sitoula seconds Councilman Smith's motion not to extend the lease. The motion was carried. The Council briefly discussed meeting decorum. Mayor Paulin made a motion to reconsider future goals for the property in an effort to still make it an arts and entertainment facility. Vice Mayor Sitoula seconds the motion. Motion carried.

Town Manager Hicks asked the Council how they would like to address the restroom issue at the Black Box. Following discussion of the existing lease, Councilman Smith made a motion not to do the plumbing repair because it states in the lease that it is the responsibility of the tenant. Vice Mayor Sitoula seconds the motion. Motion carried.

Zoning Ordinance –Vice Mayor Sitoula updated the Council on what was discussed at the Planning Commission meeting in reference to the Council's suggested changes to the Zoning Ordinance. The Planning Commission recommended that the suggested TCMX zoning designation not be made until the issues with the TCMX definition have been addressed. The

Planning Commission recommended that light industrial be a permitted use in GC (General Commercial), but require a special exception in TCMX, and the Planning Commission recommended a definition for light industrial be added to the definitions section of the Ordinance. The Planning Commission recommended to allow food trucks/ mobile food vendors in all zoning designations except residential. The Council discussed the Planning Commission's recommendations. Councilman Smith suggested that in residential areas such as the River Watch community, have a designated area for food trucks and mobile food vendors to not impede the flow of traffic, and he discussed the importance to not stifle food being sold within a town which is currently a food desert. Mayor Paulin agreed. Vice Mayor Sitoula discussed the possibility of having a tiered TCMX zone. Town Clerk Brady explained to the Council that the Zoning Administrator, Mark Harman will not make changes to the TCMX definition without being directed by the Council to do so. Councilman Smith made a motion to move forward with the Council's recommended changes with the TCMX definition as is. Mayor Paulin seconds the motion. The motion passed by roll vote, Councilman Smith – yes, Vice Mayor Sitoula – no, Mayor Paulin – yes. Town Manager Hicks had received comments on the Council's suggested Zoning Ordinance changes from Warren Bowie, and he will forward those to the Council. The Council stated that they will still take the Planning Commission's and Mr. Bowies comments under advisement. Vice Mayor Sitoula made a motion to approve the revised version of the Zoning Ordinance that Mark will provide, after the required Critical Area updates have been included, and to have it moved to the next level for review at that time. Council agreed, motion passed.

Furloughed Federal Government Workers: Utility Payments – The Council unanimously agreed that if a resident presents their furlough letter, their bill will be extended to the next billing quarter due date, and late charges from this quarter will be waived.

February Town Meeting Agenda – The Council asked to remove the Town seal presentation from the agenda. Councilman Smith will be presenting the seal at Ms. Swann's birthday party. There were no other changes.

Roundtable:

Mayor – None

Vice Mayor – None

Councilman – Councilman Smith asked for an update on the Boardwalk presentation. Town Manager Hicks explained that Mark Harman from ARRO will do a presentation, at this time they are waiting to receive the start date for the project, and the contractor for the project may also be part of the presentation to include more detailed information. Councilman Smith requested that the presentation be done no later than March. Councilman Smith asked what the Town's obligations are for the Velocity Center. Town Manager Hicks would have to refer back to the minutes, but believes the Town is waiving permit fees, and possibly utility fees for a certain amount of time. Councilman Smith asked if anyone on the Council or staff has a surety bond. Town Manager Hicks stated that the Finance Officer, Ginger Foster, himself and the Council have surety bonds that are renewed each year. Councilman Smith gave an update on the plans for

the 2019 Farmers Mark. The market will be moved closer to the road and since the weekend was not very viable for the market, it will be held on Thursdays, and an additional day during the week will possibly be added. Town Manager Hicks asked if the Council would like to continue holding the Flea Market as well. The Council agreed to continue holding the Flea Market. The Council briefly discussed what mechanisms are in place to address the situation if someone became belligerent at a Council meeting. have when allow residents to attend the meetings, when they become belligerent. At the Town meeting, the Community Policing Officer would address the situation, and if it was to become an issue at a work session the Sheriff's Department would be called.

Town Manager – Town Manager Hicks asked the Council for dates for budget sessions since it is time to start the budget process. At this time the budget sessions will be set at 1:00pm prior to the work sessions in February and March, if more dates are needed the Council will add them to the schedule. The Council will work on their wish lists for the FY20 budget, and Town Manager Hicks will send out budget materials for their review prior to the budget sessions. Town Manager Hicks gave update on PNC building.

Town Clerk – Town Clerk Brady gave the Council an update on preparations for the 2019 election. This year the residents will vote on machines to help streamline the entire process. The Board of Elections will provide a demonstration of the machines prior to the May 6th Town meeting. Town Clerk Brady is in the process of contacting members for the Board of Supervisors of Elections and the Resolution for their appointment will be on the March Town meeting agenda.

Mayor Paulin made a motion to move into Closed Session per Article §3-305(b)(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals. Councilman Smith seconds the motion. The open session adjourned at 4:38pm.


Andrea Brady, Town Clerk