

October 9, 2019

A Special Meeting of Town Council was held on the above date at approximately 6:00 p.m., all requirements of the Freedom of Information Act having been satisfied.

Present were: Patrick M. O'Neil, Mayor  
Chauncey Clark, Mayor Pro-Tem  
Sarah Church, Councilmember  
Greg Hammond, Councilmember  
Bachman Smith, IV, Councilmember  
Kaye Smith, Councilmember

Mayor O'Neil called the meeting to order at 6:00 p.m. and stated the press and public had been notified in accordance with State Law. There were twenty-five (25) members of the audience present and two (2) members of the media. The purpose of the meeting was to discuss the bid tabulation for the Wastewater Treatment Plant Retrofit and the management of the Accreted Land.

**Motion: Action: Amend the agenda to move Executive Session to the end of the meeting, after discussion regarding the Accreted Land.**

**Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Greg Hammond.**

**Motion passed unanimously.**

HDR Presentation- Bid Tabulation for Wastewater Treatment Plant Retrofit:

Tracy Lewis and David Christopher presented the tabulation of bids that were received on October 8, 2019 at 2:00 p.m. during the public bid meeting. The Town received bids from four (4) qualified contractors. The 4 bids were as follows: Garney Construction \$14,379,000; Ruby-Collins \$14,382,353; Crowder \$15,739,000; and Adams Robinson \$16,914,000. The engineers estimate for this project was \$10.7 million and they calculated that number in April 2019. Ms. Lewis stated that the general bid environment has been difficult and labor costs are high right now due to a shortage in the area. Consideration of a motion to award a contract will be on the agenda for the October 15, 2019 regular Council meeting.

Council discussion and public comment concerning recommendations from the Land Use and Natural Resources Committee regarding management of the Accreted Land, resiliency and related issues:

Mayor O'Neil stated that no votes or actions will be taken.



Public Comments:

Rita Langley, 1618 Middle Street- stated that Jeff Jackson has been the Town's horticulturist for many years and asked Council why he was not on the list of professional consultants. Ms. Langley stated that Mr. Jackson knows more about the Accreted Land than anyone.

Ian Devine, 2307 Atlantic Avenue- expressed concerns regarding the health, safety and quality of life on the island. He stated that convening a group of environmental and coastal experts is a modest and very sensible first step and in the long run will keep everyone healthier, safer and happier. Mr. Devine thanked Council for stepping up and dealing with those issues.

Norman Khoury, 1728 I'On Avenue- suggested that Council provide residents with a better understanding of the scope of work. Mr. Khoury added that the land is important and it is not a problem or in anyone's way.

Susan Middaugh, 2420 Raven Drive- stated that during the September 17, 2019 Council meeting, the motion to move forward with consideration of hiring consultants to review the Accreted Land Management Plan included a statement that all Councilmembers will have input in this process. However, during the October 7, 2019 workshop meeting, it became clear that what was being offered is still the same pre-selected team of consultants with no clear scope of work, no stated goal and the same price tag of an unbudgeted \$35K. Ms. Middaugh stated that this plan was developed behind the scenes without full Council participation, without public input and with zero transparency.

Julia Khoury, 1728 I'On Avenue- stated that only one Councilmember created the list of consultants and she suggests a public hearing with Council, the team and the public involved. Ms. Khoury stated that every Councilmember should have the same amount of time to create the list of experts to be involved with this process.

Karen Byko, 2862 Middle Street- expressed concerns and questions regarding the changing scope of work, lack of specificity in any of the proposals and conflicting reasons as to why the work needs to be performed in the first place. Ms. Byko added that it does not appear that the Land Use and Natural Resources Committee or Council has a clear idea as to what they are trying to accomplish; therefore, it seems extremely premature to move forward with anything at this point.

Luke Lewis, 2630 Raven Drive- stated that resiliency is irrelevant when a Hurricane hits. He suggested letting a team of experts decide what should happen to the land. Mr. Lewis suggested putting public safety ahead of the passion that people have for conservation.



Barbara Spell, 1702 Atlantic Avenue- stated that resiliency is the most important thing on the island. She suggested that Council look at resiliency as whole and not in pieces. Ms. Spell stated she fails to see how cutting down all the trees is going to increase the resiliency.

Allison Bourland, 1607 Atlantic Avenue- stated that residents are extremely lucky to be talking about the accreting land and she thinks it is amazing that a group of people from the island long ago were able to put the land in a trust. Ms. Bourland added she thinks it is great residents are not talking about how to keep their houses from falling into the ocean.

Brian Gilhuly, 2118 Pettigrew Street- encouraged Council to act.

#### Council Comments:

Councilmember Greg Hammond addressed a few comments. He stated that each Councilmember has had a chance in multiple meetings to discuss the proposed team of consultants and to add their input. He stated the purpose of having workshop meetings is to allow all of Council to discuss and modify a recommendation out of a committee. In a committee meeting, Councilmembers that are not on the committee are not allowed to engage in discussion. He added that all of the allegations seem a little naive of the process.

Councilmember Kaye Smith stated that Mayor Pro-Tem Clark is the chair of the Land Use and Natural Resources Committee and she believes it was his prerogative to bring forward the list.

Councilmember Bachman Smith, IV thanked the residents for their comments and input. He stated that Councilmember Hammond is correct regarding how the process works but believes in this particular instance it has moved much quicker in a shorter amount of time. He would like more time to read through the Accreted Land Management Plan Draft #3A and to research the consultants on the proposed list.

Councilmember Sarah Church stated that she agrees with Councilmember Bachman Smith, IV. She does not have a clear understanding of the scope of work and stated that is something that should have been developed by full Council. She believes Council should start at the beginning, develop the scope of work and get new bids.

Mayor O'Neil stated that he has nothing against the general objectives and has no objection to going back to Draft #3A as a starting point to see as to what extent what is still relative and what needs changing. Before hiring a team of consultants, Mayor O'Neil stated that he would like to know the scope of work, questions to ask and outcomes that Council wishes to achieve. Until Council knows that the desired project and outcome is, Mayor O'Neil does not think it is

responsible to be talking about, much less, selecting individuals to hire to do some project that has yet to be adequately specified.

Mayor Pro-Tem Clark stated that it is ironic that some Councilmembers do not know what Draft #3A is since it has been available since 2011 and it is what the Town has been operating under. He stated that all he wants is just to use Draft #3A as a base and ask a team of consultants what they can do to make it better. Mayor Pro-Tem Clark added he has had to do his own research to defend his position on safety and fire protection.

This item will be discussed further at the October 15, 2019 regular Council meeting.

Executive Session: Contractual- Discussion of Contract Award

**Motion: Action: To go into Executive Session to discuss Contractual- Discussion of Contract Award at 7:07 p.m.**

**Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Sarah Church.**

**Motion passed unanimously.**

**Motion: Action: To come out of Executive Session at 7:35 p.m.**

**Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Greg Hammond.**

Mayor O'Neil stated that no votes or actions were taken during Executive Session.

**Motion: Action: Adjourn Meeting at 7:36 p.m.**

**Moved by Councilmember Sarah Church, Seconded by Mayor Pro-Tem Clark.**

**Motion passed unanimously.**

Respectfully submitted,

  
Courtney Liles

