



TOWN COUNCIL MINUTES

REGULAR MEETING

June 21, 2016

The Kure Beach Town Council held their regular meeting on Tuesday, June 21, 2016 at 6:30 p.m. The Town Attorney was present and there was a quorum of Council members.

COUNCIL MEMBERS PRESENT

Mayor Emilie Swearingen
Mayor Pro Tem (MPT) Craig Bloszinsky
Commissioner David Heglar
Commissioner Joseph Whitley
Commissioner Jim Dugan

STAFF PRESENT

Police Chief – Dennis Cooper
Police Lieutenant – Mike Bowden
Public Works Director – Sonny Beeker
Building Inspector – John Batson
Finance Officer – Arlen Copenhaver
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER

Mayor Swearingen called the meeting to order at 6:30 p.m. Reverend Tommy Williams gave the opening invocation and led everyone in the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve License DACA21-1-14-4108 with MOTSU for lease of land for use as sewage treatment facility at cost of \$10,400, annually, until 2019
2. Approve Budget Amendment 16-12 totaling \$16,150 for Firefighters Assistance Grant proceeds and related equipment purchases
3. Approve Budget Amendment 16-13 totaling \$4,982 for Community Center HVAC replacement
4. Approve recognition plaque for UNC Honors College for annual Beach Sweep in August
5. Accept resignation of Andrew Barnard from the Shoreline Access, Beach Protection and Parking Committee
6. Building Inspections Report – May 2016
7. Fire Department Report – May 2016
8. YTD Finance Report
9. Meeting Minutes:
 - May 12, 2016 special
 - May 17, 2016 regular/public hearing
 - May 17, 2016 closed



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MOTION – Commissioner Heglar moved to approve the Consent Agenda Items, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said budget amendments are herein incorporated as part of these minutes.

ADOPTION OF THE AGENDA

Commissioner Heglar asked that Police Department Business be moved from under Department Head Business to the next item of business on the agenda, before presentations are given.

MOTION – Commissioner Heglar moved to adopt the meeting agenda, as amended.

SECOND – Commissioner Whitley

VOTE – Unanimous

POLICE DEPARTMENT

Police Chief Dennis Cooper introduced his wife, Patty, and announced that he is retiring at the end of June. He thanked the town for having confidence in him for 20 years as police chief and 24 years on the town's police force. He said he feels privileged to have worked with the department heads and that he has gone through a lot of things together over the years with the Public Works Director Beeker and Fire Chief Heglar. He said that he hopes he has left the town with a strong police department. He thanked the residents for their support and said Kure Beach has been a great place in which to live and be the chief of police. He thanked his wife for putting up with his rants, stating she has been as much a part of serving the town as he has been. He wished his officers and town employees the best.

Mayor Swearingen announced that, earlier today in an open meeting of town council, Officer Mike Bowden was hired as the new police chief and will take the Oath of Office at Town Hall on July 1st; time will be announced. She said that Officer Bowden has served in the police department for 16 years and is highly qualified to be its next police chief as he is extremely familiar with the town and has the support of the entire police department and council.

Council members thanked Chief Cooper and everyone gave him a standing ovation.

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

1. Ken Richardson, Shoreline Management Specialist – Coastal Management, Development Lines/Static Line Exception

Mr. Richardson explained the new exception that is being implemented for building along the shoreline which changes how the oceanfront setback lines are figured. He showed photos of North Carolina shorelines and explained how homes that were once non-conforming because of their proximity to the tideline are now able to be considered conforming, depending on how each jurisdiction decides to draw its development line. He compared the General Use Standards



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currently used to determine a setback line to the new exception guidelines which determines the development line using the first line of vegetation. He said the town would need to ask the state for an exception to go with this new measurement and, once approved, the state can never ask Kure Beach to change it back.

Commissioner Heglar said this new way of measuring is loosening the regulations, and structures that weren't allowed to be built before this are now allowed to be built closer to the ocean. He said that this will shift flood insurance costs to the coast, which is why he doesn't like it.

Explaining how this exception would apply to Kure Beach, Inspector Batson said that, currently, the town has no unbuildable lots on the ocean front but there are quite a few older homes that are non-conforming to the 60-foot set back. He said this new way of measuring could allow for a bigger property footprint, but council opted last year not to apply for the exception. He said he will review which oceanfront lots the new exception would affect, but The Riggings is pretty much out of the town's control since CAMA has allowed them to put sand bags along the ocean front.

Other points made by Mr. Richardson were as follows: this program will be available and isn't going away anytime soon; the town can give him drawings and he can show where the new setback lines would be under the exception; he doesn't know if FEMA has looked at this yet; NC is the only state that has this coastal program; it doesn't look like the new setback lines will be a limiting factor for beach nourishment.

Council told Mr. Richardson that Kure Beach has an oceanfront easement line with the Army Corps of Engineers (USACE), to which Mr. Richardson responded that, no matter what the new exception states, one still can't go ocean-ward of that easement line. He said that Carolina Beach may potentially submit their easement line as their development line and it may make sense for Kure Beach to do the same. Discussion ensued about the resale value of conforming versus non-conforming oceanfront properties with Mr. Richardson stating there isn't a lot of data on how values are affected because it depends on the market and the motivation of the buyers.

Mayor Swearingen asked Inspector Batson to take a look at this to see if there would be a benefit to ask for the exception.

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Mary Stevens, 610 S. Fort Fisher Blvd.

Ms. Stevens said that she was told a year ago that a new water line would be installed in her part of town, across the street from the Lutheran Center. She asked what the installation time frame was going to be.



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Director Beeker said it is going to be difficult to lay a new water line in that area of town because a 6-inch line will need to be pushed through the ground, under Highway 421, and it will also be difficult tying in the water and sewer from the back of the lots because there are no easements on the properties; but, the town attorney is looking into getting easements from the property owners. He said he met with the engineer today about the project and expects to lay a 2-inch water line within the next month or two to eliminate some of the problems until the main work is able to be done. He said the work will have to be done with shovels, not backhoes, because of the limited space in which to work.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Marketing Committee

a. Presentation of FY16-17 Proposed Marketing Budget

Marketing Committee member, Debbie Elliott, reviewed Marketing's proposed budget plan for the next fiscal year. Her presentation included the proposed timing and seasonality of advertising, the target audience and areas for each season, and the types of advertising that will be done. She reviewed the proposed budget pointing out that there is a media contingency of \$11,945 which is a new item that will enable them to take advantage of last-minute deals on less expensive, but larger, advertisements.

Commissioner Heglar said the total proposed budget is \$203,915, which is based on the increase in Room Occupancy Tax; none of the money comes out of the community tax base.

MOTION – Commissioner Heglar moved to approve the FY16-17 Marketing Budget of \$203,915, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

2. Planning & Zoning Commission

Chairman John Ellen said there would be no July meeting.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department

Finance Officer Copenhaver told council that, after the July 9th public hearing, he looked at the water and sewer billing for Ocean Dunes and confirmed that the town is billing them correctly; he communicated this to the Ocean Dunes representative. He added that he attended a meeting at the county offices regarding sales tax distribution, explaining that Carolina Beach had raised the issue that, when one town raises its property tax, it has an impact on how sales tax is distributed because the county uses the Ad Valorem method of distributing sales tax. Because of this, Carolina Beach had suggested having some sort of hold harmless agreement, but no one else was supportive of the idea.



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2. Building Department

Inspector Batson said the H Avenue beach access ramp is complete, but the handrail was found to have deficiencies that need to be resolved; they found a vendor to do the lighting in the next few weeks; and Public Works graded the parking lot and reset the bike racks and signs.

Mayor Swearingen said the county had a meeting and the issue of dunes came up. She said that Layton Bedsole said Spencer Rogers from NC Sea Grant is helping some towns ride their beaches to see if their dunes are adequate. She asked Inspector Batson to schedule a time for Mr. Rogers to do this for Kure Beach.

Inspector Batson said he will contact Mr. Rogers and arrange this.

3. Fire Department

Mayor Swearingen asked the town attorney to find out if there is any legislation forbidding the town from billing someone who receives emergency help from Kure Beach at the south end of Fort Fisher, at the rocks, which is Brunswick County's jurisdiction because it is costing the town time and money to rescue people there. She added that the signage at the south end that warns people to not play on the rocks is turned so that no one can see it.

Town Clerk Avery said she was told that USACE is responsible for the signage.

Mayor Swearingen asked the town clerk to call Bob Keesler with USACE to see what it will take for them to fix the sign.

Commissioner Dugan said the town's emergency services is supplying support for another jurisdiction. He explained that people call 911 who get stranded on Zeke's Island when the tide comes back in, and the town has been supplying a ferry to go get them, which is above and beyond the emergency service duties.

Commissioner Heglar asked the town attorney to provide council with what legal authority the town could charge people for the emergency services it provides to people at the rocks and Zeke's Island in Brunswick County jurisdiction.

The town attorney said he would give the information to them at next month's meeting.

4. Public Works Department

Director Beeker said that the Town Clerk told him that she is getting complaints from some residents about the new LED street lights shining in their bedroom windows at night so they can't sleep. He said he called David Mumm at Duke Energy who told him that they could install shields on the lights, but they would cost about \$15 each, per month. Mr. Mumm told him he has only installed a couple in Wrightsville Beach and none in Carolina Beach.



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Mayor Swearingen interjected that WECT will be doing a report on how wonderful it is that Kure Beach has installed low-sodium, turtle-safe lights at the park. She added that there was a recent medical report regarding LED lights being harmful by keeping people from sleeping and causing other problems.

Director Beeker said that he has a list of about 30 low-sodium, turtle-safe lights that were installed in town which he sent to Ms. Pollard at Duke Energy for their records, but he has recently noticed that some of the low-sodium lights have replaced with LED lights. When he spoke to Mr. Mumm about this, Mr. Mumm said he didn't know about the list, so Director Beeker sent him a copy. He said he doesn't know whether to tell Mr. Mumm to leave the LED lights or ask him to change them back to the low-sodium lights. In addition, he said that he has been told that the low-sodium lights will eventually be discontinued and replaced with LED lights. Mr. Mumm told him they don't have any sort of turtle-safe LED light. Director Beeker asked for council's direction on how to proceed with both issues.

Discussion ensued about the cost of installing shields for the 126 LED lights that are in town, including cost and safety issues.

Council said they will forego renting shields for the LED street lights, but they asked Director Beeker to look into what sort of shading Duke Energy can provide on the LED lights for turtle-safe lighting, since the low-sodium lights will be discontinued.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Adoption of the FY16-17 Proposed Budget Ordinance and Fee Schedule

The finance officer said that council hasn't given him any changes to the proposed budget that he presented to them at their May 17th regular meeting, nor after the public hearing on June 9th.

MOTION – Commissioner Heglar moved to adopt the FY16-17 Budget Ordinance and Fee Schedule, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said budget ordinance and fee schedule are herein incorporated as part of these minutes.

2. Architectural Firms for Town Hall Expansion/Fire Station

Commissioner Dugan said five architectural firms responded to council's request for architectural service proposals and, during a special council meeting in May, council eliminated two of the firms. He said that he, MPT Bloszinsky and Commissioner Whitley visited various buildings that the three remaining firms designed and spoke with the clients to see if they were pleased with the service they received.



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MPT Bloszinsky said that the two firms they were impressed with the most, and recommend that council interview, are Oakley Collier Architects, PA, and Becker Morgan Group, Inc. He explained that they looked for the best overall value and both of these firms held exceptionally well to the budget and completion time.

MOTION – Commissioner Dugan moved to schedule Oakley Collier Architects, PA, and Becker Morgan Group, Inc., to be interviewed during a special meeting scheduled at Town Hall to be held on Tuesday, July 19th at 5:00 p.m., for the purpose of determining which architectural firm to hire for the proposed project.

SECOND – Commissioner Whitley

VOTE – Unanimous

3. Storm water project to support Beachwalk Pond upgrades

Commissioner Heglar explained that it has gotten into the busy season and Public Works has a lot of other projects on which they are working; so, in order to redirect the water from the Beachwalk ditch to the pond, as directed by the state in a permit application, the town needs to contract the work out.

MOTION – Commissioner Heglar moved to authorize the Public Works Director to work with the Finance Officer to spend no more than \$32,000 from the Storm Water Fund to contract with a company to run an underground pipe to redirect water from Beachwalk's ditch to the pond, as required by the state's permit.

SECOND – Commissioner Dugan

VOTE – Unanimous

Director Beeker said that he has three different projects he needs to start soon, so this will enable him to contract with a company to start this project after the permit is issued. He expects that, in about three weeks, the permit will be issued and the work can be completed without the town having to wait for Public Works to do the job in the midst of their other projects.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Plaque for Wilmington Regional Association of Realtors (WRAR) flagpole and plant donation

Mayor Swearingen asked for council's approval to have a plaque placed at the Community Center, dedicated to the WRAR, in thanks for the donation of a new flag pole and landscaping at the center. She said that the plaque would be placed near the flagpole. She said Recreation Manager Keely will check on the appropriate size and cost of the plaque.

MPT Bloszinsky said the donation was significant enough to honor the WRAR with a plaque which also may help encourage other organizations to do things for the town.



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MOTION – Commissioner Heglar moved to approve the purchase and placement at the Community Center of a plaque in appreciation of the WRAR’s donation of a flagpole and landscaping at the Community Center.

SECOND – Commissioner Dugan

VOTE – Unanimous

2. DOT Grant Application

Mayor Swearingen said this agenda item was in reference to an application for planning a multi-purpose path that was part of the MPO’s regional greenway and multi-purpose path. She said she had decided to pursue the grant after talking to Sunny Point, but she received word this afternoon from them that they would never allow us to have a multi-purpose path down either side of Dow Road.

3. Proposed amendments to Articles II, III, IV and V of the Personnel Policy and adoption of salary bands as the compensation plan

Town Clerk Avery recommended council approve the proposed amendments and the salary band which would become effective July 1, 2016. She said the proposed amendments relate back to the proposed salary band compensation plan. She said she gave all of the information to the council members and received some change requests.

MOTION – Commissioner Heglar moved to approve amendments to Articles II, III and IV of the Personnel Policy, as presented.

SECOND – Commissioner Whitley

VOTE – Unanimous

MOTION – Commissioner Heglar moved to adopt the salary bands compensation plan, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Commissioner Heglar said that he had issues with Article V of the Personnel Policy and he emailed his proposal to council. He said that the original policy prohibits relatives working in the same department and gave examples of how that policy isn’t currently being followed by the town. He said there is a huge history of relatives working together for the town, but he understands the policy was written to deter nepotism. He said he researched policies from the NYC Fire Department and Princeton and Ohio State Universities, and he used those as the basis for his language. He said his proposal guards against nepotism and outlines who is allowed to make hiring decisions.

After finding that some corrections the mayor wanted incorporated into Commissioner Heglar’s proposal were mistakenly left out, Commissioner Heglar said he will work with the mayor to incorporate her changes and bring the proposal back to the July council meeting for a vote.



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4. Emerald Isle Amicus Brief

Mayor Swearingen read an email from the town manager of Emerald Isle, NC, stating they have received a great response from other NC coastal counties and towns supporting the Amicus Brief. She said they have retained two attorneys to work on the briefs; one for the northern beaches and one for the southern beaches. She said they are asking the entities who want to join the cause to contribute money to pay the attorneys. She explained it is critical for those people who don't own oceanfront properties to be able to continue to enjoy the beach strand and the briefs will be presented to the NC Supreme Court on July 27, 2016.

Attorney Canoutas explained that a gentleman has sued Emerald Isle, contending that the land on the oceanfront in front of his property is his private property, even though the state constitution says it is land held in public trust. He thinks the town should join in on the Amicus Brief to protect itself, although Kure Beach is unique in that the town has easements on its banks that are recorded and can't be taken away.

MOTION – Commissioner Whitley moved to approve \$1,000, to be paid out of the Governmental and Volunteer Relations budget, to support the Emerald Isle Amicus Brief.
SECOND – MPT Bloszinsky
VOTE – Unanimous

Attorney Canoutas said he will contact Emerald Isle to tell them of council's support.

MAYOR UPDATES

1. Meeting Updates

Mayor Swearingen gave an overview of Town Hall Day in Raleigh. She said she, along with other officials from Wilmington and Carolina Beach, met with legislators as well as with the head of the Economic Development office and with Representative Catlin who the governor is appointing to the Coastal Resources Commission. She said that she and MPT Bloszinsky attended the annual meeting of the Economic Development Commission where Senator Burr said the state is one of the top three destinations in the country, attracting business and industry. She said she was glad to hear him say tourism is a large factor in economic development for the state. She said it is important for the town officials to continue to meet for economic development meetings to keep tourism in the forefront of the discussions so it is known that tourism is something that helps the state's economy; it's not just a form of recreation. She said that the county commissioners met with congressional representatives, a week after that meeting for a "Beach 101" type of meeting, along with representatives from the beach towns. She said that Layton Bedsole announced that the state is doing an Economic Development Study on the impact of tourism in NC and they hope to have it completed before the Long Session in Raleigh is held. She said it also looks like Carolina Beach will get their three year extension on renourishment, but she is concerned that Kure Beach could be overlooked if the extension is

BUDGET AMENDMENT
FISCAL YEAR ENDING JUNE 30, 2016
AMENDMENT DATE: 05/18/2016

Budget Amendment No.: 16-12

DESCRIPTION/PURPOSE OF AMENDMENT

The Town of Kure Beach Fire Department was awarded a FEMA AFG Grant totaling \$16,150 for the purchase of equipment. The equipment purchased includes 200 feet of LDH hose, a thermal camera and three computers. This Budget Amendment provides for the expected grant proceeds and the related increase in expenditures.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-335-07-03	FEMA Grant		\$16,150
10-530-73-00	Minor Equipment	\$10,000	
10-530-74-00	Capital Outlay – Equipment	\$1,000	
10-530-87-00	Computer Software/Equipment/Support	\$5,150	

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Harold Heglar, Fire Chief Date: 05/18/16

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 05/18/16

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).



Council 06/21/16 Emilie Swearingen Emilie Swearingen, Mayor

Nancy Avery Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2016

AMENDMENT DATE: 06/07/2016

Budget Amendment No.: 16-13

DESCRIPTION/PURPOSE OF AMENDMENT

One of the HVAC units for the Community Center developed mechanical issues in June. The unit is in excess of 16 years old and the recommendation from the HVAC repair company is to replace the unit. The estimated cost to replace the unit is \$4,982. Since this expenditure was not anticipated when the FY 2016 Budget was prepared and approved, this Budget Amendment increases the Minor Equipment budget for the Community Center with the funding source being the Prior Year Ad Valorem taxes received that are in excess of the original budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-421-73-00	Minor Equipment	\$4,982	
10-301-00-01	Ad Valorem Tax – Prior Years		\$4,982

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Nancy Avery, Town Clerk Date: 06/07/16

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 06/07/16

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).



Approved by Council 06/21/16 Emilie Swearingen Emilie Swearingen, Mayor

ATTEST: Nancy Avery Nancy Avery, Town Clerk

Ordinance Number: FY 2016-17
Date Adopted: June 21, 2016
Effective Date: July 1, 2016



**BUDGET ORDINANCE FY 2016-2017
KURE BEACH, NORTH CAROLINA**

Be it ordained by the Town Council of Kure Beach, North Carolina:

Section I. Budget Adoption: There is hereby adopted the following operating budget for the Town of Kure Beach for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017; the same being adopted by fund. Activity within each fund is listed as follows:

GENERAL FUND

EXPENDITURES:

Governing Body	\$ 35,517
Committees	4,300
Finance	151,889
Administration	397,192
Community Center	23,300
Emergency Management	100
Tax Collections	25,000
Legal Department	28,900
Police Department	1,265,716
Fire Department	685,845
Lifeguards	192,217
Parks & Recreation	146,114
Building Inspections	124,763
Streets & Sanitation	988,011
Debt Service	316,626
Transfer to Beach Protection Fund	50,000
Contingency	<u>52,880</u>

TOTAL EXPENDITURES \$4,488,370

GENERAL FUND (continued)

REVENUES:

Property Tax (current & prior years)	\$2,328,500
Sales Tax	800,075
Franchise & Utility Tax	249,000
Motor Vehicle License	12,000
TDA Funds	204,517
Garbage & Recycle Fees	343,375
ABC Revenue	12,300
Building Permits/Impact Fees/ CAMA Fees/Fire Inspections	60,000
Communication Tower Rent	77,408
Town Facility Rentals	11,000
Parks & Rec/Community Center/ Street Festival	39,550
Other Revenue	60,645
Other Financing Sources	<u>290,000</u>

TOTAL REVENUES **\$4,488,370**

POWELL BILL FUND

EXPENDITURES:

Street Maintenance & Repair \$ 65,050

TOTAL EXPENDITURES **\$ 65,050**

REVENUES:

Powell Bill Allocation \$ 65,000
Interest Income 50

TOTAL REVENUES **\$ 65,050**

STORM WATER FUND

EXPENDITURES:

Storm Water Operations	\$ 290,373
Transfer to Capital Projects Fund	<u>400,000</u>

TOTAL EXPENDITURES **\$ 690,373**

REVENUES:

Storm Water Monthly Fees	\$ 220,500
Storm Water Building Fees	32,000
Interest Income	600
Other Financing Sources	62,500
Fund Balance Appropriated	<u>374,773</u>

TOTAL REVENUES **\$ 690,373**

BEACH PROTECTION FUND

EXPENDITURES:

Beach Protection Reserves	\$ <u>50,440</u>
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TOTAL EXPENDITURES **\$ 50,440**

REVENUES:

Interest Income	\$ 440
Transfer from General Fund	<u>50,000</u>

TOTAL REVENUES **\$ 50,440**

FEDERAL ASSET FORFEITURE FUND

EXPENDITURES:

Federal Asset Forfeiture Expenses	\$ <u>50,000</u>
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TOTAL EXPENDITURES **\$ 50,000**

FEDERAL ASSET FORFEITURE FUND (continued)

REVENUES:

Fund Balance Appropriated	\$ 50,000
TOTAL REVENUES	<u>\$ 50,000</u>

WATER AND SEWER FUND

EXPENDITURES:

W/S Governing Body	\$ 15,017
W/S Legal Department	28,900
W/S Finance	178,238
W/S Administration	248,806
W/S Operations	1,698,714
Transfer to Capital Projects Fund	<u>50,000</u>
TOTAL EXPENDITURES	<u>\$2,219,675</u>

REVENUES:

Water Charges	\$ 791,800
Sewer Charges	1,110,100
Tap & Reconnection Fees	27,900
Other Revenue	7,375
Transfer from Sewer Expansion Reserve Fund	180,000
Other Financing Sources	<u>102,500</u>
TOTAL REVENUES	<u>\$2,219,675</u>

SEWER EXPANSION RESERVE FUND (SERF)

EXPENDITURES:

Transfer to Water and Sewer Fund	\$ <u>180,000</u>
TOTAL EXPENDITURES	<u>\$ 180,000</u>

SEWER EXPANSION RESERVE FUND (SERF) (continued)

REVENUES:

User Fees	\$ 22,500
Interest Income	225
Fund Balance Appropriated	<u>157,275</u>
TOTAL REVENUES	<u>\$ 180,000</u>

EXPENDITURES	ALL FUNDS	<u>\$7,743,908</u>
REVENUES	ALL FUNDS	<u>\$7,743,908</u>

Section II. Levy of Taxes: There is hereby levied, for the Fiscal Year 2016-2017, an Ad Valorem tax rate of 28.5 cents (\$0.285) per one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2016. This rate shall be levied entirely in the General Fund.

The tax rate is based on an estimated total valuation of property for the purposes of taxation of eight hundred thirty-four million three hundred seventy thousand dollars (\$834,370,000) and an estimated collection rate of ninety-eight and three-quarter percent (98.75%).

Section III. Salaries: The following shall govern salary and wage compensation for Fiscal Year 2016-2017:

A. Pay Plan. There is hereby adopted a pay plan that includes an across the board cost of living adjustment in the amount of 2% applicable to all Town employees.

B. Salary Adjustments. Each employee's salary shall be examined to ensure that the pay grade reflects the years of service, proficiency and quality of work. Merit raises are allotted at 2% this year for employees.

Section IV. The Budget Officer hereby authorized to transfer appropriations within a fund as contained herein under the following conditions as specified in North Carolina General Statute Chapter 159.

A. The Budget Officer may transfer amounts between line item expenditures without limitation and without a report being required up to \$10,000 at any one time.

B. The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He shall make an official report immediately to Council on such transfers.

C. The Budget Officer may not transfer amounts between funds without prior Council action.

Section V. Restricted Revenues: The Finance Officer is hereby directed to fund appropriations that have specified revenues prior to funding with General Fund monies. This is to include but not limited to Local, State and Federal grants.

Section VI. Encumbrances: All outstanding encumbrances from prior fiscal years are to be carried forward to Fiscal Year 2016-2017. All Project Ordinance appropriations are continued.

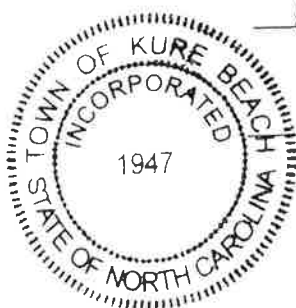
Section VII. Budget Control: The Town Council in approving the budget has utilized to the fullest extent possible its revenue sources. Over collections of revenues or unanticipated revenue sources cannot be expected during the year. It is therefore of utmost importance that Department Heads initiate steps to insure compliance with the budget as fixed herein and they are hereby directed to do so.

Section VIII. The Town Council hereby authorizes the New Hanover County Tax Administrator to bill and collect taxes for the Town, including the annual five dollar (\$5) motor vehicle license tax.

Section IX. Fees and Charges: There is hereby established, for Fiscal Year 2016-2017, various fees and charges as contained in the attached Fee Schedule. Changes from the Fiscal Year 2015-2016 Fee Schedule are as follows:

Ad Valorem Tax Rate (per \$100 of valuation)	Increase from \$0.2615 to \$0.285
Residential Water – (per 100 gallons for monthly usage in excess of 7,000 gallons)	Increase from \$0.45 to \$0.675
Residential Sewer – (per 100 gallons for monthly usage in excess of 7,000 gallons)	Increase from \$0.58 to \$0.87

This ordinance being duly passed and adopted this 21st day of June, 2016.




Emilie Swearingen, Mayor


Nancy Avery, Town Clerk



**TOWN OF KURE BEACH
FEE SCHEDULE**

FISCAL YEAR 2015-2016

Fee Schedule to be updated each year as part of the adoption of the new fiscal year budget ordinance.

<u>TAX RATE per \$100</u>	\$0.2615
<u>WATER FEES</u>	
Residential (monthly minimum - up to 2,500 gallons)	\$13.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.45
Commercial (monthly minimum - up to 2,500 gallons)	\$18.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.694
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$23.00
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7875
<u>SEWER FEES</u>	
Residential (monthly minimum - up to 2,500 gallons)	\$23.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.58
Commercial (monthly minimum - up to 2,500 gallons)	\$25.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7125
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$40.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$1.0125
<u>OTHER WATER & SEWER FEES</u>	
Water Service Fee - nonrefundable fee for service technician site visit	\$30.00
Additional Water Service Fee - fee for each additional visit if customer fails to meet technician at site	\$10.00
Water Service Meter Check Fee - customer request that a meter be read, checked, or turned on or off. If problem found with meter, fee can be waived at discretion of the Public Works Director	\$30.00
Water Cut-ons Outside Working Hours	\$25.00
Special Meter Tests - if customer requests meter test and the meter is found to be defective, charge will be refunded	\$50.00
Reconnection Fee - if water is cut-off due to non-payment	\$60.00
Returned Check Fee	\$25.00
Account Past Due Charge - per month	\$10.00

<u>WATER TAP FEE</u>	
3/4 X 5/8	\$1,500.00
1 Inch	\$2,000.00
1 1/2 Inch	\$2,500.00
2 Inch	\$3,000.00
<u>SEWER TAP FEE</u>	
4 inch	\$1,500.00
4 inch	\$1,500.00
6 inch	\$2,000.00
6 inch	\$2,000.00
<u>USER FEE Sect 17-127 of Code</u>	\$2,500.00
Common Areas-No Charge	
<u>IMPACT FEE</u>	\$400.00
Voluntary Annexation Only Sect 17-128 of Code	
<u>STORM WATER FEES</u>	
Building Fee - may be waived w/installation of engineered storm water system and approval of building inspector and public works director (<i>rev 11/17/15</i>)	\$4,000.00
Residential-monthly	\$8.71
Business - monthly	varies by account
<u>RECYCLE FEE - per bin monthly (residential)</u>	\$4.88
<u>GARBAGE COLLECTION FEES</u>	
Residential -per can monthly	\$6.00
Commercial- per can monthly	\$26.25
Garbage cart purchase	\$80.00
<u>TRASH PICKUP FEE</u>	
Minimum	\$10.00
1/4 load	\$30.00
1/2 load	\$60.00
3/4 load	\$90.00
Full load	\$120.00
Appliances	\$10.00
<u>PRIVILEGE LICENSE FEES</u>	
Privilege License Fees as stipulated in N.C. General Statute 105-33(C).	
<u>VEHICLE DECAL FEES</u>	
Resident	\$5.00
Late Fee (resident)	\$10.00
Non-resident	\$5.00

COPY/FAX FEES

Fax: 1 PAGE	\$2.00
Fax: Each additional page	\$1.00
Zoning map - each	\$5.00
Copies: Per page	\$0.10
Copy of Zoning Ordinance	\$10.00
Copy of Town Code	\$70.00
Flood map - each	\$5.00

RENT COMMUNITY CENTER:DEPOSIT & PER HOUR FEES-2 HOUR MINIMUM (then hourly)

Deposit (refundable if center is cleaned, as instructed, and there's no damage)	\$250.00
KB Resident/Property Owner & Non-Profit Organization	\$75.00 per hour
Non-resident & Commercial Organization for Profit	\$100.00 per hour

OTHER FEES COMMUNITY CENTER

Non refundable fee each time existing contract is revised	\$10.00
Service charge for cancellation of contract	\$50.00
Rental fee will not be refunded for cancellation of lease by lessee made within 30 days before the event. Security deposit will be refunded.	

RENT OCEAN FRONT PARK PAVILION:DEPOSIT & PER HOUR FEES-*4 HOUR MINIMUM (then hourly)

***Exception: Can rent pavilion for 1 HOUR, if rented in conjunction with Community Center**

Deposit (refundable if no damage to pavilion/grounds)	\$250.00
KB Resident/Property Owner & Non-Profit Organization, Pavilion ONLY	\$75.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion ONLY	\$100.00 per hour
KB Resident/Property Owner & Non-Profit Organization, Pavilion & Lawn	\$125.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion & Lawn	\$150.00 per hour

PARKS AND RECREATION PROGRAM FEES

Fees for specific Parks and Recreation activities will be set prior to commencement of the activity	varies
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SPECIAL EVENT FEES

General Use Impact Fees:	
minimal use of public property -low impact - per day	\$150.00
includes intermittent traffic control - medium impact-per day	\$300.00
includes closing of public streets - high impact - per day	\$500.00
Personnel:	
Police-minimum of two hours - per hour (includes overhead)	\$40.00
Sanitation - per hour (includes overhead)	\$40.00
Street - per hour (includes overhead)	\$40.00
Fireman - per hour (includes overhead)	\$40.00
Facilities Rental:	
Council Chambers - per day	\$100.00
Public land per site - per day	\$100.00
Public building - per day	\$100.00
Equipment:	
Police/Fire/Lifeguard or other Town Vehicle - per hour	\$25.00
Trash pickup - per cart per pickup	\$15.00
-minimum 2 carts required for recyclable materials and one for regular trash	

PERMIT/CONSTRUCTION FEES

Fence	\$25.00	
Window Replacement	\$25.00	
Prefab Shed	\$25.00	
Handicap Ramp	\$25.00	
Beach Access	\$300.00	
Pool-residential	\$2,000.00	
Pool -commercial	\$25.00	
Landscape	\$150.00	
House moved (plus any cost incurred by public works or police dept)	\$150.00	
House moved out of town (plus any cost incurred by public works or police dept)	\$150.00	
Demolition (residence)	\$300.00	
Demolition (commercial)	\$200.00	
Building -New Construction - processing fee	\$200.00	
Mobile Home Fee-set up (plus permit fee)	\$350.00	
Mobile Home and Travel Trailer Park - \$5.00 space up to 100 spaces	\$1.00	
Yard sale	\$250.00	obtained 7 days prior
Temporary structures in excess of 200 square feet - Sec. 12-45	\$500.00	obtained less than 7 days prior
Temporary structures in excess of 200 square feet - Sec. 12-45	\$10.00	
Replace permit card -Each		
Improvements, additions and renovations to include decks, garages, etc:		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$50.00	
from \$2,501 to \$5,000	\$100.00	
from \$5,001 to \$10,000	\$150.00	
from \$10,001 to \$20,000	\$200.00	
from \$20,001 to \$30,000	\$250.00	
from \$30,001 to \$40,000	\$300.00	
from \$40,001 to \$50,000	\$350.00	
from \$50,100 and above + \$5.00 per \$1,000.00 over \$50,001	\$400.00	
Signs	\$25.00	
from \$0 to \$500	\$40.00	
from \$501 to \$2,500	\$55.00	
from \$2,501 to \$5,000	\$70.00	
from \$5,001 to \$10,000	\$85.00	
from \$10,001 to \$20,000	\$95.00	
from \$20,001 to \$40,000	\$130.00	
from \$40,001 to \$50,000	\$155.00	
from \$50,100 and above + \$3.00 per \$1,000.00 over \$50,000		

PLANNING/ZONING FEES

Text amendment to Town Code	\$100.00
Advertisement for public notices	\$50.00
Application - minor subdivision (per lot)	\$200.00
Subdivision Appeal:	
TRC to Planning Board	\$150.00
TRC to Planning Board (Height Exception Application fee - Sec. 19-333.1)	\$250.00
TRC to BOA	\$375.00
Final plat approval submission (or 50 cents per lot, whichever is greater)	\$125.00
Request for zoning change (plus \$5.00 fee for each notification mailed)	\$100.00
Chapter 19 Zoning violation - Sec. 19-401	\$50.00

BOARD OF ADJUSTMENT FEES

Appeal/Variance	\$375.00
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FIRE INSPECTION AND PERMIT FEES

Commercial New and Existing Construction Permit Fees:

A= Total gross building floor area of construction

B= Fee per Square Foot

0 - 5,000 sf

5,001-15,000 sf

Over 15,000 sf

Occupancy Type:

Residential

Storage

Assembly

Institutional

Business

Mercantile

Hazardous

Factory Indust

Education

Construction Permits:

Sprinkler Systems

Fire Alarm Systems

Suppression Systems

Fire pump and related Equipment

Private Fire Hydrants

Standpipe Installation per Riser

Additions

Up Fits

Mobile Buildings

Accessory Structures

Commercial Inspection Fee

Occupancy Certification

Occupying building without CO

Working without Permit

Stop Order Removal

Failure to Obtain Final Inspection

Afterhours/Weekend/Holiday Inspections

ABC Permit

Fire Flow Test

Day Care State Inspection

Witness Fire Flow/Pump Test

Commercial Construction Inspection

Reinspection Fee

Standpipe Test per Riser

Temporary Structures (Tents, Etc)

AxB = Permit Fee

$(AxB \times .75) + (1250 \times B) = \text{Permit Fee}$

$AxB \times .50 + (5000 \times B) + \text{Permit Fee}$

Fee Per Square Foot

\$0.05

\$0.035

\$0.06

\$0.06

\$0.06

\$0.06

\$0.05

\$0.04

\$0.065

\$85.00

\$85.00

\$85.00

\$85.00

\$85.00

\$85.00

Use Schedule or Min. \$45 + Inspection Fees

Use Schedule or Min. \$45 + Inspection Fees

\$45 + Inspection fee

\$45 + Inspection fee

\$45 Per Inspection per bldg. (Applies to all bldgs.)

\$25 + Inspection Fee

\$250

\$50 or 2x Permit Fee, whichever is greater

\$200

\$100

\$120

\$45

\$45

\$45

\$45

\$45

\$45

\$45

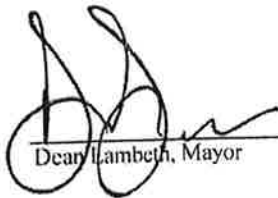
\$75

Revert to Building Permit Fee

CIVIL CITATION PROGRAM FEES

	<u>1st Offense</u>	<u>2nd Offense</u>
<u>Beach:</u>		
Dogs prohibited on beach strand Sec. 4-17	\$150.00	Misdemeanor
Vehicles prohibited on beach strand Sec. 10-104	\$25.00	Misdemeanor
Fire prohibited on beach strand Sec. 12-40	\$100.00	\$200.00
Litter, glass & alcohol prohibited on beach Sec. 12-35	\$150.00	Misdemeanor
Boats, jet skis prohibited w/in 300' from high tide mark Sec. 12-37	\$25.00	\$50.00
Surfing regulations Sec. 12-33	\$25.00	Misdemeanor
Dune trespassing prohibited Sec. 12-39	\$100.00	Misdemeanor
Digging holes in the beach/beach restoration Sec. 12-46	\$100.00	Misdemeanor
No items on beach between 7pm-8am/No beach equip. within 15 ft of turtles/No beach equip. within 25 ft of emergency access points Sec. 12-43	\$50.00	\$100.00
Sleeping on beach after midnight prohibited Sec. 12-31	\$25.00	Misdemeanor
Nude bathing, including thong bathing suits or similar attire, prohibited Sec. 12-32	\$25.00	Misdemeanor
Leaping from commercial pier Sec. 12-34	\$250.00	
<u>Animals/Pets:</u>		
Dogs must be on a leash Sec. 4-16	\$150.00	Misdemeanor
Animal/Pet waste removal Sec. 4-16.1	\$150.00	Misdemeanor
<u>Vehicles/Parking:</u>		
Failure to purchase & display Town decal Sec. 10-17	\$25.00	Misdemeanor
Parking Ticket Sec. 10-222 - 235	\$50.00	
Parking in a handicap space	\$150.00	Misdemeanor
Soliciting transportation Sec. 10-68	\$10.00	
Vehicles prohibited certain areas Sec. 10-60	\$50.00	Misdemeanor
<u>Miscellaneous:</u>		
Bicycle regulations Sec. 10-291-308	\$25.00	\$50.00
Noise violations prohibited Sec. 11-31	\$250.00	Misdemeanor
Alcohol consumption/open containers prohibited on public property Sec. 3-1	\$50.00	Misdemeanor
Requirements for taverns and bars Sec. 3-2	\$50.00	G.S. 18B-302.1
Beach Vitex Prohibited Sec. 12-41	\$25.00	\$50.00
Numbering of buildings Sec. 5-121	\$50.00	
Real estate signs on Town property Sec. 11-80	\$50.00	

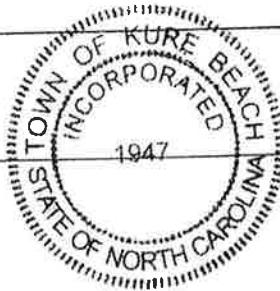
Adopted by Town Council on June 16, 2015. Revised by vote of Town Council on November 17, 2015.



 Dean Lambeth, Mayor



 Attest: Nancy Hewitt, Deputy Town Clerk





TOWN COUNCIL MINUTES

REGULAR MEETING

June 21, 2016

denied because the documentation refers to “Carolina Beach and VICINITY; the word “vicinity” meaning Kure Beach. She said she will personally stay on top of that.

MPT Bloszinsky added that the state is paying for the study.

COMMISSIONER ITEMS

Commissioner Dugan encouraged everyone to thank Police Chief Cooper for the great job he has done over the last 20 years which has been truly spectacular.

MPT Bloszinsky encouraged everyone to welcome Lieutenant Bowden as the town’s next police chief. He said that he has been with the town for 16 years and “gets it.” He said that the lease was signed by all parties for the downtown parking lot and the first payment has been made to the owner. He said there is an RV and a boat parked on the town’s property that is located next to Public Works. He asked Commissioner Whitley to talk to Inspector Batson about taking some sort of action on it.

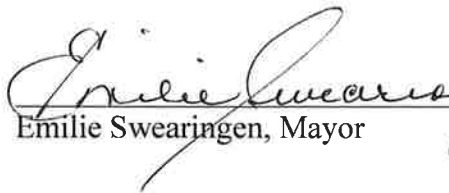
ADJOURNMENT

MOTION – Commissioner Heglar moved to adjourn.

SECOND – MPT Bloszinsky

VOTE – Unanimous

The meeting adjourned at 8:40 p.m.


Emilie Swearingen, Mayor




Nancy Hewitt, CMC, Deputy Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting.