



TOWN COUNCIL AGENDA

REGULAR MEETING

July 17, 2018 @ 6:30 p.m.

**Asterisks indicate documentation is included in agenda packet*

CALL TO ORDER – Mayor Bloszinsky

Invocation & Pledge of Allegiance – Pastor Chris Howell, Kure Beach First Baptist Church

APPROVAL OF CONSENT AGENDA ITEMS

1. *Resolution 18-07 opposing possible state legislation for firefighter special separation allowance
2. *Revisions to Uniform Guidance Procurement Policy to reflect increase in bid thresholds per OMB guidelines:
 - Micro purchase from \$3,500 to \$10,000
 - Simplified acquisition from \$150,000 to \$250,000
3. Minutes
 - *June 18, 2018 special meeting
 - June 18, 2018 closed session
 - *June 19, 2018 public hearing flood ordinance
 - *June 19, 2018 regular meeting
 - June 19, 2018 closed session
 - June 25, 2018 closed session

Consent agenda items are voted on as one item. If a member of Council wishes to discuss an individual item, a motion must be made and approved to move the item to the agenda.

ADOPTION OF THE AGENDA

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

Sign up at podium

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee
2. Marketing Committee
3. Planning & Zoning Commission
4. Non-town Committee Reports
5. Shoreline Access and Beach Protection Committee

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration Department
2. Finance Department
3. Fire Department
4. Building Department



TOWN COUNCIL AGENDA

REGULAR MEETING

July 17, 2018 @ 6:30 p.m.

5. Police Department
6. Public Works Department
7. Recreation Department

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. *Proposed amendments to Chapter 19 (Zoning) of the Code of Ordinances, Section 339 (Minimum parking requirements), Subsections 1 (Any residential use) and 2 (Multiple Family) regarding number of vehicles that may be parked on a property at any one time
2. Other parking items - Bloszinsky
3. Designation of Council liaison for new Recreation Department - Bloszinsky
3. *Job description Public Works and Utilities Director
4. *Job description Recreation Director

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. *Formulation of a Town Public Building Naming Committee - Bloszinsky
2. Memorial benches - Bloszinsky
3. Donations to town - Bloszinsky

MAYOR UPDATES (no action required)

COMMISSIONER ITEMS (no action required)

Joint Land Use Plan with MOTSU update – Whitley

Public meeting Monday, July 30, 2018 from 5 – 7:30 pm at Carolina Beach Town Hall, 1121 N. Lake Park Boulevard

CLOSED SESSION on personnel as per N.C.G.S. 143-318-11(a6)

ADJOURNMENT

CONSENT AGENDA



KURE BEACH TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R18-07

A RESOLUTION TO OPPOSE POTENTIAL LEGISLATION FOR SPECIAL SEPARATION ALLOWANCE FOR FIREFIGHTERS

WHEREAS, the Town of Kure Beach has reviewed potential pension reform legislation in House Bill 340 that contains a provision for local governments to have to fund a Special Separation Allowance for firefighters; and

WHEREAS, in order to comply with the said legislation that would provide firefighters with a post retirement benefit in addition to the firefighters pension that would serve as a gap-filler from the time of retirement until the age of social security eligibility; and

WHEREAS, full financial responsibility for funding this benefit would fall to individual municipalities with no funding from the state that would create a long term financial burden; and

WHEREAS, the Town of Kure Beach believes this legislation has unintended consequences in that it creates a disincentive for a local government to hire a late in career officer, since it would be paid by that municipality in full, and creates a professional mobility barrier for firefighters

NOW, THEREFORE BE IT RESOLVED that the Kure Beach Town Council expresses full opposition to the legislation in HB340 without any funding source provided other than that of the municipality.

Adopted by the Kure Beach Town Council this 17th day of July, 2018.

Nancy Avery, Town Clerk

Craig Bloszinsky, Mayor

Memo



To: Craig Bloszinsky, David Heglar, John Ellen,
Allen Oliver and Joseph Whitley

From: Arlen Copenhaver

AC

Date: July 9, 2018

Re: Changes to the Uniform Guidance Procurement Policy

Subsequent to Town Council's approval of the Kure Beach Uniform Guidance Procurement Policy (applicable when federal funds are being used) on June 19, 2018, the Office of Management and Budget (OMB) issued a memorandum increasing the Uniform Guidance bid thresholds.

As a result, revisions have been made to the Town's policy to reflect the increase in bid thresholds.

The following changes have been made:

1. The micro-purchase threshold has increased from \$3,500 to \$10,000. Therefore, any purchases below \$10,000 no longer require bids. This change affected Section IV, A, B, D, F and G.
2. The simplified acquisition threshold has increased from \$150,000 to \$250,000. This change affected Section IV D, E, G, H, K and L.

Additional changes may be required at a later date, however, Council approval of the current revisions will keep the Town in compliance with the most recent procurement requirements.

**TOWN OF KURE BEACH
UNIFORM GUIDANCE PROCUREMENT POLICY
(APPLICABLE WHEN FEDERAL FUNDS ARE BEING USED)**

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TOWN OF KURE BEACH
UNIFORM GUIDANCE PROCUREMENT POLICY
(APPLICABLE WHEN FEDERAL FUNDS ARE BEING USED)

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TOWN OF KURE BEACH
UNIFORM GUIDANCE PROCUREMENT POLICY
(APPLICABLE WHEN FEDERAL FUNDS ARE BEING USED)

I. PURPOSE

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

II. POLICY

- A. Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any sub recipient of the funds.
- a. All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.
- B. Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. The Town of Kure Beach will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the Town of Kure Beach have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.
- C. Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.
- D. No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
- E. Contract Requirements.** All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II. Refer to Exhibit 1 for Uniform Guidance Required Contract Provisions.

- F. Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.
- G. Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

III. GENERAL PROCUREMENT STANDARDS AND PROCEDURES

Either the Purchasing Department or the Requesting Department shall procure all contracts in accordance with the requirements of this Section of the Policy.

- A. Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Purchasing Department and/or the Requesting Department should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other departments and/or agencies who have similar needs to consolidate procurements and services to obtain better pricing.
- B. Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
- C. Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- D. Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
- E. Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.

- F. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how to reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and “or equal” must be included in the description.
- G. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
- H. Dividing Contract for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.
- I. Documentation.** Documentation must be maintained by the Purchasing Department and/or the Requesting Department detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor’s responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.
- J. Cost Estimate.** For all procurements costing \$250,000 or more, the Purchasing Department and/or Requesting Department shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.
- K. Contract Requirements.** The Requesting Department must prepare a written contract incorporating the provisions referenced in Section II.E. of this Policy.
- L. Debarment.** No contract shall be awarded to a contractor included on the federally debarred bidder’s list.
- M. Contractor Oversight.** The Requesting Department receiving the federal funding must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.
- N. Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for “or equal” products, or other unnecessary requirements that have the effect of restricting competition.

O. Geographic Preference. No contract shall be awarded on the basis of a geographic preference.

IV. SPECIFIC PROCUREMENT PROCEDURES

Either the Purchasing Department or the Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

A. Purchase Contracts and Service Contracts (except for A/E professional services) **costing less than \$10,000** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, purchases must be distributed among qualified suppliers.

B. Purchase Contracts costing \$10,000 up to \$90,000 shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids.
4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
5. Award the contract to the lowest responsive, responsible bidder.

C. Purchase Contracts costing \$90,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids.
2. Complete specifications or purchase description must be made available to all bidders.
3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.

5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for “sound documented reasons.”

D. Service Contracts (except for A/E professional services) **costing \$10,000 up to \$250,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids.
4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
5. Award the contract to the lowest responsive, responsible bidder.

E. Service Contracts (except for A/E professional services) **costing \$250,000 and above** may be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)) when the “sealed bid” procedure is not appropriate for the particular type of service being sought. The procedures are as follows:

1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an “adequate number” of qualified firms.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
4. Consider all responses to the publicized RFP to the maximum extent practical.
5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
7. Award the contract on a fixed-price or cost-reimbursement basis.

F. Construction and repair contracts costing less than \$10,000 shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, contracts must be distributed among qualified suppliers.

G. Construction and repair contracts costing \$10,000 up to \$250,000 shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the requesting department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
4. Award the contract on a fixed-price or not-to-exceed basis.
5. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.

H. Construction and repair contracts costing \$250,000 up to \$500,000 shall be procured using the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for “sound documented reasons.”

I. Construction and repair contracts costing \$500,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the bid in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening,

indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”

4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject any and all bids only for “sound documented reasons.”

J. Construction or repair contracts involving a building costing \$300,000 and above must comply with the following additional requirements under state law:

1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

K. Contracts for Architectural and Engineering Services costing under \$250,000 shall be procured using the state “Mini-Brooks Act” requirements (G.S. 143-64.31) as follows:

1. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.
3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Purchasing Department and/or Requesting Department.
4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in state (but not local) firms.
5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successful, repeat negotiations with the second best qualified firm.
6. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

L. Contracts for Architectural and Engineering Services costing \$250,000 or more shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)(5)) as follows:

1. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an “adequate number of qualified sources” (an individual federal grantor agency may issue guidance interpreting “adequate number”).
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.
9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successful, repeat negotiations with the second best qualified firm.
10. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

V. EXCEPTIONS

Non-competitive contracts are allowed *only* under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. **Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Purchasing Department and/or Requesting Department shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the governing board.
- B. **Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.
- C. **Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.

- D. Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.

- E. Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

This policy shall remain in effect until amended by Town Council.

Approved by Council 7/17/2018 _____ Craig Bloszinsky, Mayor

ATTEST: _____ Nancy Avery, Town Clerk

Uniform Guidance Required Contract Provisions

Comment: This document provides contract provisions required under the Uniform Guidance, 2 C.F.R. Part 200, Appendix II. The text of Appendix II is reprinted below. Local governments should review their notice of award and confirm with their federal awarding agency regarding these provisions and any additional contract provisions required by the awarding agency. Local governments should consult with their attorneys in developing contract provisions.

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards https://www.ecfr.gov/cgi-bin/text-idx?SID=04e61f4e0a8317140a9ec150bb2ac195&mc=true&node=pt2.1.200&rgn=div5#ap2.1.200_1521.ii

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The

decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989

Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

§200.322 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75888, Dec. 19, 2014]



Sample Uniform Guidance Contract Provisions For North Carolina Local Governments

Comment: Listed below is a “short form” sample contract provision listing all required provisions under the Uniform Guidance (2 C.F.R. Part 200, Appendix II). Local governments may wish to use this short form provision for transactions such as purchase orders and electronic purchases. Local governments should consult with their attorneys when preparing contract provisions. Local governments also should review their grant documents and consult with their grantor agency to determine if additional contract provisions are required by the granting agency.

FEDERAL FUNDS: If the source of funds for this contract is federal funds, the following federal provisions apply pursuant to 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II (as applicable):

Equal Employment Opportunity (41 C.F.R. Part 60); Davis-Bacon Act (40 U.S.C. 3141-3148); Copeland “Anti-Kickback” Act (40 U.S.C. 3145); Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708); Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387); Debarment and Suspension (Executive Orders 12549 and 12689); Byrd Anti-Lobbying Amendment (31 U.S.C. 1352); Procurement of Recovered Materials (2 C.F.R. § 200.322); and Record Retention Requirements (2 CFR § 200.324)

OLD BUSINESS

Sec. 19-339
(PZC reviewed proposed amendments - redline)

Sec. 19-339. - Minimum parking requirements.

The number of off-street parking spaces required by this section shall be provided on the same or contiguous lot with the principal use of this section and the required number of off-street parking spaces specified for each use shall be considered as the absolute minimum. In addition a developer shall evaluate his own needs to determine if they are greater than the minimum specified by this chapter. For purpose of this chapter an off-street parking space shall be no less than nine (9) feet in width and twenty (20) feet in length in an area within a minimum ten (10) feet ingress and egress provided for the off-street parking area.

<i>Residential and related uses</i>	<i>Required parking</i>
(1) Any residential use consisting of one (1) or two (2) dwelling units.	Two (2) parking spaces for up to three (3) bedrooms and one (1) additional parking space for each bedroom thereafter per each dwelling unit; provided that no more than six (6) vehicles shall be parked on the property at any one time for a property consisting of one (1) dwelling unit and no more than four (4) vehicles per dwelling unit shall be parked on the property at any one time for a property consisting of two (2) dwelling units.
(2) Multiple family (3 or more units) dwelling	Two (2) parking spaces for up to two (2) bedrooms and one (1) additional parking space for each bedroom thereafter per each dwelling unit.
(3) Rooming or boarding-houses, and tourist homes.	One (1) parking space for each one (1) room to be rented, plus two (2) for management.
(4) Motels and hotels.	One point two (1.2) parking spaces per unit in which each space must be unobstructed, plus two (2) spaces for management, of which one may be obstructed. Any hotel or motel hereafter constructed or any existing hotel or motel which hereafter expands if there is a structural change to accommodate additional capacity shall have designated area for employees on duty to park.
	Zero (0)—twenty (20) units must have one (1) additional parking space for employees.
	Twenty (20)—forty (40) units shall have two (2) additional parking spaces for employees and every twenty (20) units thereafter shall one (1) additional space for employees.
(5) Home occupation in operator's residence.	Parking spaces in addition to residential requirements as per approval by the building inspector.



JOB DESCRIPTION – TOWN OF KURE BEACH

IDENTIFYING INFORMATION	
Job Title	PUBLIC WORKS AND UTILITIES DIRECTOR
Department	Public Works
Salary Band	III
Hiring Authority	Town Council
Reports To	Town Council
FMLA Status	Exempt
Work Type	Full Time - Salaried
Work Schedule	Monday to Friday, nights and weekends as needed
Hiring Range	\$59,757.61 to \$105,437.28 with benefits
Effective Date	July 2018

GENERAL OVERVIEW
<p>Performs difficult professional, technical, and administrative work planning, organizing, and directing a variety of public works and public utilities activities including: water and sewer lines; wastewater treatment; well operations; street and drainage system maintenance and repair; building and landscape maintenance and repair; and solid waste collection.</p>

SUPERVISION
<p>Work is performed independently and in coordination with other town officials and under the general direction of the Town Council and is evaluated by review of reports, conference and acceptance of the community. Reports to and advises the Town Council and other officials on public works and public utilities projects and activities.</p>

ESSENTIAL FUNCTIONS
<ul style="list-style-type: none"> - Manages and plans the activities of all public works department staff; ensures coordination of activities with other departments and governmental jurisdictions and agencies. - Researches and recommends long range plans and strategies for meeting citizen service needs; operational changes; strategies for addressing drainage; inflow and infiltration; and other system problems to the Town Council. - Negotiates fees on landfill usage and contracts with solid waste vendors. - Performs recruitment and supervision of department personnel; meets frequently with staff to solve more complex problems; sets priorities and deadlines; and provides guidance and direction. - Supervises and participates in construction and maintenance tasks with crews; makes field inspections of projects to review progress and ensure completion; performs plan review. - Engages in considerable personal contact with citizens concerning service requests and complaints; investigates and decides or recommends actions; coordinates projects with other departments, contractors, and consulting engineers. - Attends Town Council meetings to represent the department.

ESSENTIAL FUNCTIONS (cont.)

- Prepares and reviews departmental operation budget; monitors and approves expenditures.
- Serves as Operator in Responsible Charge of the water distribution and sewer collection system.
- Supervises wastewater treatment plant and wells.
- Oversees, researches, recommends and implements strategies to address changes in regulations regarding water distribution, sewage collection, storm water, safety and other related issues.
- Plans, organizes, and monitors a variety of contracted work; coordinates with consulting engineers and contractors; conducts inspections, estimates costs, coordinates grant funding.
- Maintains an Equipment Inventory list and supervises the operation of all major equipment and preventive maintenance; manages purchase of equipment, supplies and parts to keep all equipment in good working order.
- Maintains town buildings and landscaping.
- Performs other duties as assigned.
- Organizes and directs the work of employees engaged in a wide variety of municipal operations and services.
- Serves as Operator in Responsible Charge of the water distribution and sewer collection systems.
- Supervises the operations and maintenance of the wastewater treatment plant and well water system, provides technical advice and assistance to the Town Council in the improvement of water and environmental resources.
- Supervises streets and other infrastructure and ensures that modern, safe, effective and efficient practices are utilized by municipal work crews.
- Manages contracts and citizen issues.
- Administers budget and personnel for the department.
- Represents the town to a wide variety of citizens, developers, state and federal regulatory officials.

KNOWLEDGE, SKILLS, AND ABILITIES

- The principles and practices of public works and water and environmental resources administration, planning, operations, maintenance, and construction.
- State and federal laws and regulations and adherence to related Town policies.
- Equipment and materials used in the construction, maintenance and repair of distribution and collection systems, drainage systems, and streets.
- Modern governmental budgeting, personnel and purchasing practices.
- Safety practices such as shoring, construction signing, and confined space entry.
- Civil engineering design principles and engineering practices as applied to departmental functions.

KNOWLEDGE, SKILLS, AND ABILITIES (cont.)

- Principles and practices, laws and regulations relating to supervised functions.
- Supervision of employees including effective communications, motivations, staffing, and coaching.
- Interpretation and preparation of complex and detailed records and reports.
- Maintaining effective working relationships with Town officials, other public officials, employees, contractors and the general public.
- Presentation of ideas effectively in oral and written form.

EDUCATION AND EXPERIENCE

- Graduate of an accredited college or university with an associate’s degree in civil or environmental engineering, public administration, or related field.
- Considerable supervisory experience in the public work or environmental resources field; or an equivalent combination of education and experience.

SPECIAL REQUIREMENTS/CERTIFICATIONS

- Appropriate distribution, collections system, and wastewater treatment plant operator certifications.
- Possession of a valid North Carolina driver’s license.

PHYSICAL/CRITICAL REQUIREMENTS

- Physical Ability**
- Must be able to perform the physical life functions of climbing, balancing, stooping, reaching, standing, walking, pushing, pulling, lifting, grasping, feeling, talking, hearing and repetitive motions.
 - Must be able to Perform medium work exerting up to 50 pound of force occasionally; up to 20 pounds of force frequently and/or up to 10 pounds of force constantly.
- Visual Ability**
- Must possess the visual acuity to produce and review written reports and records including mathematical calculations, operation of a computer terminal, analyzation of data, and ability to read maps, schematic drawings and plans.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

This job description does not create an employment contract, implied or otherwise.



JOB DESCRIPTION – TOWN OF KURE BEACH

IDENTIFYING INFORMATION	
Job Title	RECREATION DIRECTOR
Department	Recreation
Salary Band	III
Hiring Authority	Town Council
Reports To	Town Council
FMLA Status	Exempt
Work Type	Full Time - Salaried
Work Schedule	Monday to Friday, 9 am to 5 pm, and nights and weekends as needed
Hiring Range	\$59,757.61 to \$105,437.28 with benefits
Effective Date	July 2018

GENERAL OVERVIEW
Coordinate, market, promote and manage all Town educational and recreational programs, events and rental of facilities.

SUPERVISION
Work is performed under supervision of the Town Council and is evaluated through conferences, by review of appropriate records and reports, and accuracy and thoroughness of assigned work.

ESSENTIAL FUNCTIONS
<p>Manage and plan the activities of all recreation department staff. Research and recommend long range plans and strategies for meeting recreation needs.</p> <p>Perform recruitment and supervision of department personnel; meet frequently with staff to solve more complex problems; sets priorities and deadlines; and provides guidance and direction.</p> <p>Attend Town Council meetings to represent the department.</p> <p>Market town facilities to generate rental income to help subsidize costs of programs, events and staff related salaries.</p> <p>Arrange for facility tours for potential rentals, process and sign rental contracts and collect related fees. Solicit weddings, celebratory events, business meetings and retreats for small groups to fully utilize Town rental facilities.</p> <p>Create and maintain Town advertising materials and marketing brochures and disburse to the media and public.</p> <p>Coordinate with the Pleasure Island Chamber of Commerce, the Town of Carolina Beach, Fort Fisher Recreation Center, the Aquarium and other agencies when scheduling events to prevent overbooking and possible traffic issues.</p> <p>Communicate with and ensure Town departments are informed of upcoming events so they may plan staffing accordingly.</p>

Coordinate private use of Town property for events with department heads, council and other agencies (if required); gather staffing and other requirements from departments for invoicing and ensure payment received in a timely manner.

Supervise one full time staff person and temporary staff, as needed, to staff events to ensure there is a staff representative in attendance at all Town sponsored public events (this does not apply to individual classes). Submit timesheets for payroll processing and resolve any related issues.

ESSENTIAL FUNCTIONS (cont.)

Notify Public Works of any maintenance work that needs to be done at the Community Center facility, Ocean Front Park and Pavilion, to include signage in the Ocean Front Park.

Oversee and manage the Bluefish fundraiser campaign; recommend new ways of bringing in revenue to support programming.

Coordinate volunteer efforts for Town events as needed.

Maintain event and rental calendar in house and on the Town website.

Serve as staff liaison for the Community Center Committee and Marketing Committee and keep them updated on upcoming rentals at the Community Center. Provide for Recreation staff attendance at monthly meetings.

Prepare and review departmental operation budget and Community Center budget; monitor and approve expenditures.

Negotiate and sign vendor contracts as needed for performances and events, within budget constraints. Contracts that obligate the Town to more than one year, exceed \$100,000 or are not for budgeted items need to be approved by the council and signed by the mayor.

Supervisor process for rental contracts for Town facilities, track invoicing, rental deposits and payments. Track invoices and payments for Town sponsored entertainment programs at all facilities.

Maintain and keep current information regarding events, facilities and parks on the Town website.

Collaborate with local organizations and New Hanover County Schools to develop educational programming for the Ocean Front Park.

Assist in keeping Town facility equipment and supplies organized, neat and clean.

Assist Community Center Committee with event coordination and advertisement and budget updates.

Monitor Town Facebook account sponsored by Cape Fear Visitors and Convention Bureau and work with their staff to ensure accurate and adequate information is posted.

Monitor and arrange for replacement and lowering of town flags at the Ocean Front Park and Community Center.

ESSENTIAL FUNCTIONS (cont.)

Create and maintain written procedures for job duties listed above.

Perform related duties as required.

KNOWLEDGE, SKILLS, AND ABILITIES

Must be able to work flexible hours including evening, weekend, and holidays.

Possess or have ability to get current CPR and first aid certification.

Working knowledge of Town policies and ordinances.

Working knowledge of standard operating practices involved in modern office operation and serving the public.

Working knowledge of computer operations to include Microsoft Word, Excel, PowerPoint, Publisher, and Outlook.

Ability to communicate effectively with elected officials, members of the public, vendors, and town employees and must possess the capability to respond in a professional manner.

Ability to create and maintain accurate records, reports, and files in support of a customer oriented operation.

Ability to establish and maintain effective work relationships.

Accuracy and attention to detail in the entry of data and compilation of records.

EDUCATION AND EXPERIENCE

High School diploma or GED required.

College preferred/recommended. Recreation degree or related field a plus.

Excellent verbal and written skills.

Some experience in a work environment involving public contact.

Multi-tasking and organizational skills.

SPECIAL REQUIREMENTS/CERTIFICATIONS

None

PHYSICAL/CRITICAL REQUIREMENTS

Physical Ability

Ability to sit continuously at a computer terminal or receptionist station for periods of two hours, ability to operate standard office equipment including copier, computer, fax machine, mailing machine, etc. and ability to reach into file drawers in standard four-drawer filing cabinets. Ability to set up and break down tables and chairs, climb stairs, lift 10 pounds and work in an outdoor area during events.

PHYSICAL/CRITICAL REQUIREMENTS (cont.)

Visual Ability

Must possess the visual acuity to work with data and figures, operate a computer terminal, and work with detailed use of the eyes.

Hearing Ability

Hearing ability sufficient to a hold conversation with other individuals in both person and over a telephone.

Speaking Ability

Sufficient to communicate effectively with other individuals in person and over a telephone.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

This job description does not create an employment contract, implied or otherwise.

NEW BUSINESS

Naming of Public Facilities

Adopted 6/16/2009

A. Establishing a Standing Committee on Naming Facilities

1. The Council will appoint a standing Naming Committee to make recommendations for naming or dedicating Town facilities, and for placing any permanent markers or plaques on Town property. The Committee will include two or more Council members.

B. General Procedures for Receiving and Considering Proposals to Name or Rename Town Facilities

1. The following process will apply to naming and renaming Town facilities such as buildings, parks, greenways, bikeways, public plaza areas, nature trails, etc., and to arterial and collector streets.
2. Separate procedures as authorized below apply to naming and renaming of residential streets (excluding collector and arterial streets).

C. Requests to name Town facilities will be considered in the following ways:

1. Written or oral petition from citizens to the Committee or to the Council in a regular business meeting.
2. Written or oral petition from an advisory board, committee or commission.
3. Written or oral petition from the Mayor or any Council member.
4. Written or oral request from a donor of a property, or a gift, who may request a specific recognition as part of offering a gift to the Town.
5. All requests will be referred to the Naming Committee, which will make recommendations to the Council for a final decision.

D. The Naming Committee will observe the following process for developing and submitting recommendations to the Council:

1. Seek ideas from appropriate Town boards, committees and commissions and other community organizations or citizens before making preliminary recommendations.
2. Invite comments on preliminary recommendations. When the Committee develops preliminary recommendations for naming facilities, it will distribute news releases to the media, to relevant community organizations, and

otherwise seek comments from citizens for at least one month. The Committee may publish paid notices of proposed facility names, and may or may not hold public forums.

3. Submit recommendations for naming or renaming facilities to the Council for consideration at a regular business meeting. The Committee may also recommend deferring or not naming facilities.

E. General Policies for the Naming Committee

1. The Committee will not, except in unusual circumstances, recommend names which would duplicate or be similar to names of other facilities, including streets.
2. The Committee's recommendations to the Council will include a summary of comments received from Town boards, community organizations, and citizens, as well as copies of written comments.
3. The Committee should give strong preference to naming a facility for persons who are deceased. Naming a facility for a living person will only be considered under extraordinary circumstances.
4. The Committee can distinguish between naming a facility for someone and dedicating a facility or portion of a facility in someone's honor. A dedication means that the facility will bear a plaque or marker stating the dedication to the person; however, the facility will not be known by the name of the person.

F. Consideration by the Council.

1. In addition to receiving the Naming Committee's and Town boards' recommendations, the Council will ordinarily receive brief comments from citizens at regular Council meetings, and may establish time limits in accord with the Council's customs and procedures.
2. Written comments from citizens, community organizations and boards and commissions are invited.
3. The intent of this policy is that the Council would not call a public hearing to receive comments except in unusual circumstances in which a large number of citizens desire to address the Council.
4. After a decision by the Council to name or rename a facility, the Town Clerk shall be responsible for implementation in accord with the Council's guidance.

G. Policies for Naming and Renaming Residential Streets

1. New streets

- a. In new developments, residential streets shall be named under current procedures normally involving developers' submittal of names for approval by the Town Clerk or, if applicable, in accord with conditions of a development permit. Unless otherwise directed by the Council, the Town Clerk is authorized to name entrance streets or drives to Town facilities, if appropriate, as part of the development process.

2. Existing streets

- a. To rename an existing, publicly maintained residential street, a group of citizens may request the Town Clerk to approve its renaming. Names shall not duplicate or be similar to names of existing streets or facilities. The Town Clerk is hereby authorized to establish administrative procedures to carry out this policy.

Any determination or decision by the Town Clerk may be appealed to the Town Council by a resident or owner of property abutting a street proposed to be renamed.

COUNCIL MINUTES



TOWN COUNCIL MINUTES

SPECIAL MEETING

Tuesday, June 18, 2018 @ 8:00 am

The Kure Beach Town Council held a special meeting for the purpose of conducting a closed session on personnel on Monday, June 18, 2018 at 8 am. Notice was posted at Town Hall and on the website on June 8, 2018. The town attorney was present and there was a quorum of council present.

COUNCIL MEMBERS PRESENT

Mayor Craig Bloszinsky
Mayor Pro Tem (MPT) David Heglar
Commissioner Joseph Whitley
Commissioner Allen Oliver
Commissioner John Ellen

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Town Clerk – Nancy Avery

CALL TO ORDER

Mayor Bloszinsky called the meeting to order at 8:00 am stating the purpose of this special meeting is to conduct a closed session on a personnel matter as per N.C.G.S. §143-318.11 (a) (6).

MOTION – Commissioner Ellen made the motion to go into closed session as per N.C.G.S. §143-318.11 (a) (6)

SECOND – Commissioner Oliver

VOTE - Unanimous

MOTION – Mayor Pro Tem Heglar made the motion to return to open session at 4:31 pm stating interviews were conducted for the Public Works Director position and evaluations were administered to department heads during the closed session.

SECOND – Commissioner Whitley

VOTE – Unanimous

ADJOURNMENT

MOTION – Commissioner Whitley made the motion to adjourn at 4:32 pm

SECOND – Commissioner Ellen

VOTE - Unanimous

ATTEST:

Nancy Avery, Town Clerk

Craig Bloszinsky, Mayor



TOWN COUNCIL MINUTES

PUBLIC HEARING

June 19, 2018 @ 6:00 p.m.

CALL TO ORDER

Mayor Bloszinsky called the meeting to order and opened the public hearing at 6:00 pm

OPENING AND PURPOSE OF HEARING

Mayor Bloszinsky stated the purpose of this public hearing is to receive public comments on the proposed Flood Damage Prevention Ordinance and flood maps.

Official notice of this public hearing was posted on the town's website and bulletin board on May 18, 2018 and was advertised in the Island Gazette on May 30 and June 6, 2018, thus meeting notification requirements.

PUBLIC COMMENTS

None

CLOSING OF PUBLIC HEARING

Mayor Bloszinsky closed the public hearing at 6:02 pm.

ADJOURNMENT

MOTION – Commissioner Oliver made the motion to adjourn at 6:03pm

SECOND – Mayor Pro Tem Heglar

VOTE – Unanimous

Attest: Nancy Avery, Town Clerk

Craig Bloszinsky, Mayor



TOWN COUNCIL MINUTES

REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

The Kure Beach Town Council held its regular meeting on Tuesday, June 19, 2018 at 6:30 p.m. The Town Attorney was present and there was a quorum of council members present.

CALL TO ORDER

Mayor Bloszinsky called the meeting to order at 6:30 pm

COUNCIL MEMBERS PRESENT

Mayor Craig Bloszinsky
Mayor Pro Tem (MPT) David Heglar
Commissioner Joseph Whitley
Commissioner Allen Oliver
Commissioner John Ellen

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Finance Officer – Arlen Copenhaver
Town Clerk – Nancy Avery
Deputy Town Clerk – Mandy Sanders
Police Chief – Mike Bowden
Fire Chief – Ed Kennedy
Utility Systems Operator/Crew Leader – Jimmy Mesimer

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Tommy Williams, Lay Pastor, gave the invocation and led the audience in the Pledge of Allegiance

APPROVAL OF CONSENT AGENDA ITEMS

1. Appoint Jonathan Perrotto to the WMPO Bike Pedestrian committee
2. Resolution 18-03 authorizing transfer of \$12,000 from the contingency fund.
Council voted to approve this at the May 15 meeting
3. Budget amendment 18-08 transfer \$12,000 from GF contingency to PW Streets and Sanitation budget for design and engineering cost relating to installation of ADA ramp at beach access # 1004- 1/2 near Myrtle and Ocean View. Council voted to approve this at the May 15 meeting
4. Budget amendment 18-09 increasing the legal expense budgets for both funds for additional legal fees incurred for \$7,000 using an offset of excess projected revenue
5. Budget amendment 18-10 establishing a budget for grant proceeds received by the Police Department for purchase of body cameras for \$4,092
6. Minutes
 - May 15, 2018 Public Hearing on parking code amendments
 - May 15, 2018 Regular Meeting



TOWN COUNCIL MINUTES

REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

- June 5, 2018 Special meeting
- June 5, 2018 Closed Session personnel
- June 5, 2018 Public Hearing on proposed FY19 budget

MOTION –MPT Heglar made the motion to add item number seven to the consent agenda to ‘close Atlantic Avenue between M and N Avenues between 6/18 and 6/20 for a concrete pour’

SECOND – Commissioner Whitley

VOTE – Unanimous

MOTION – MPT Heglar made the motion to adopt the consent agenda as amended

SECOND – Commissioner Whitley

VOTE - Unanimous

ADOPTION OF THE AGENDA

MPT Heglar asked to remove item number six (Emergency Operations Plan) as there is no update.

MOTION – MPT Heglar made the motion to adopt the agenda

SECOND – Commissioner Oliver

VOTE - Unanimous

The mayor invited everyone to a 30-minute reception next door for retiring Public Works Director Beeker.

MOTION – MPT Heglar made the motion to recess the meeting for thirty minutes for a reception

SECOND – Commissioner Whitley

VOTE - Unanimous

Mayor Bloszinsky recessed the meeting at 6:36 pm

Mayor Bloszinsky resumed the meeting at 7:11 pm

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

Resident Craig Galbraith stated his twelve-year-old daughter and her friends have been sexually harassed in the downtown area by young cruising boys and his daughter said there was no police officer in the area.

Mayor Bloszinsky stated that has been discussed with the police chief and he will adjust scheduling to ensure an officer is present in that area.



TOWN COUNCIL MINUTES

REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee
2. Co-chair Linda Brett Kell said:
 - The barbeque fundraiser is August 18 and they need volunteers
 - Frances Regan, previous chair person, passed away recently and the committee wants to know the process to name the center after her

Mayor Bloszinsky stated the town does have a naming process and he will make sure she gets a copy.

3. Shoreline Access and Beach Protection Committee
Commissioner Whitley reported all beach access and no dogs on beach signs are installed.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department
 - a. Proposed amendment to Chapter 7 (Garbage/Trash), Section 67 (Special pickups) of the Code of Ordinances by the addition of language to specify that items placed in ROW and picked up by Public Works shall be billed to property owner whether requested or not.

Finance Officer Copenhaver stated the wording in the code says you have to schedule a pick-up with Public Works. This has been called into question lately by people putting things out but saying they did not call for a pickup. He is proposing changing language to clarify that if items are put in the town's right of way, they will be picked up and the person will be billed.

MOTION – MPT Heglar made the motion to amend Code of Ordinances, Chapter 7, Section 67, as presented

SECOND – Commissioner Whitley

VOTE - Unanimous

- b. Required changes to policy:
 - Resolution 18-04 authorizing the town to engage in electronic payments as defined by N.C.G.S. 159-28, as presented
 - Amend Section V E (Disbursements – Method of Disbursement) of the Town's Cash Management and Investment Policy, by adding additional language to specifically identify the review, verification and approval procedures to be followed for electronic payments

Finance Officer explained resolution R18-04 is now required by the state for the town to be eligible to engage in electronic payments reimbursed. He requested Council adopt R18-04



TOWN COUNCIL MINUTES

REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

as presented along with required amendments to the town's Cash Management and Investment Policy.

MOTION – MPT Heglar made the motion to approve resolution R18-04 authorizing the town to engage in electronic payments and updates to town procedures, as presented

SECOND – Commissioner Whitley

VOTE -Unanimous

The Finance Officer presented revisions to town policies for new federal requirements for reimbursement from federal funds that include adding two new sections to Purchasing Policy and Procedures, Section IV on Pre-Audit Requirements and Section II on Uniform Guidance Procurement along with a new Uniform Guidance Conflict of Interest Policy.

MOTION – MPT Heglar made a motion to approve this as presented and as directed by the mayor with follow up training for department heads and for follow up scope to be presented to council for pre-approval.

SECOND – Commissioner Oliver

VOTE - Unanimous

2. Building Department

Building Inspector Batson stated:

- A notice was sent to a property owner at 409 F Avenue on May 14 which was returned on June 6 for violation of not keeping the grass mowed
- Per the attorney this is acceptable as notice served
- He is asking Council authorization to have the grass mowed the remainder of this year once a month during the growing season and charge the owner by a lien on the property

MOTION – MPT Heglar made the motion to approve the Building Inspector to address the concerned property, as referenced

SECOND – Commissioner Whitley

VOTE - Unanimous



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REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Adoption of the FY18-19 Proposed Budget Ordinance and Fee Schedule with amendments:
 - Property, Liability and Workers Comp insurance premiums \$8,000
 - Recycling increase from vendor \$65,500

Finance Officer Copenhaver presented revisions to proposed FY 18-19 budget stating:

- Two funds are impacted:
- Expenditures are increased in both the General Fund and the Water Fund by \$8,000 for increase in premiums for the town's property and liability insurance
- Expenditures are increased in the General Fund by 52% for recycling
- This is a lot more than anticipated when developing the budget
- There was a proposed increase of 13 cent per cart from 4.88 to 5.01 but new information received from the vendor requires an increase per cart from \$4.88 to \$7.40
- Both of these expenses increase the General Fund by \$73,500 which means revenue also has to increase by the same amount
- Expenditures decrease in the Water Fund for potential capital outlay projects
- Revenue increases in the Water Fund by \$6,000 for water and sewer tap fee projections

Said presentation is herein incorporated as part of these minutes.

Council discussion points:

- May need to look at another bid from a recycling competitor, switching to a centralized location, cut service to every other week, stop having recycling vendor pick up carts at ocean front accesses which is charged at higher amount or switch to a larger cart
- Carolina Beach tried every other week and it did not go well. They recently changed to once a week recycling

MOTION – MPT Heglar made the motion to adopt the FY18-19 budget as amended by the Finance Officer

SECOND – Commissioner Oliver

VOTE -Unanimous

2. Revised proposed amendments to Chapter 10 (Traffic) of the Code of Ordinances on parking Planning and Zoning (P&Z) chairperson Craig Galbraith stated:

- There are two chapters of the code impacted, ten and nineteen
- P&Z discussed this twice and met last night to formulate a formal proposal
- P&Z recommends approval, as presented, of amendments to Chapter 10 with caveats
- A mechanism needs to be put in place where a resident could petition to park in front of his/her house in the right of way (ROW) if impacted by the proposed amendments



TOWN COUNCIL MINUTES

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- A strong effort should be made to communicate to the Kure Beach population with visuals and pictures rather than just language to understand ROW, setback and yard

MPT Heglar said:

- He read the proposed amendments in detail and looked at a google map of properties in town
- He thinks 60 properties will be impacted with a lot of them in the older parts of town
- Amendments to Section 222, subsection a of Chapter 10 will cause a deluge of people to park in front of other peoples' houses which will cause problems
- This is written so that you can't park in the gray zone which is really part of the driveway
- Think that subsection a should also say vehicles can park on the unimproved portion of the ROW in front of that person's home
- If people are parked off the pavement, there is not an emergency situation
- The main place where emergency vehicles cannot get is downtown
- If a vehicle is parked on the unpaved portion of the ROW in the street, that is a problem
- If someone parks in front of a home that isn't theirs, then the owner can call the police and say someone is parking in front of their house and police can address
- If a vehicle is parked off street, it doesn't impede emergency services and no one cares
- He is concerned that with this change a huge number of residents will not be able to park their cars where they have been parking for the last 30 years. What happens now if a visitor parks in someone's setback/front yard, is that legal?
- E Avenue median is de facto parking now when we get maxed out and people are not parking in the unimproved ROW in front of residences
- If we pass these amendments, we need to make more designated parking, so people do not park in other people's yards
- A huge number of residences between N and E Avenue are predicated on parking in the ROW
- We are going to pass a rule that we will not enforce or selectively enforce and everyone is going to go to the hearing officer to say you are picking on me. It is going to be a big mess.

P&Z Chair Galbraith said:

- Section 222 amendments are presented that you cannot park in the ROW, improved or not
- P&Z had many discussions about whether you can restrict the ROW to only certain people
- P&Z is trying to have an ordinance that applies to everyone in Kure Beach
- These amendments are not zoning and do not require a public hearing. Council may change it and pass it tonight.



TOWN COUNCIL MINUTES

REGULAR MEETING

June 19, 2018 @ 6:30 p.m.
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Mayor Bloszinsky stated:

- The problem is with terminology
- There is no parking in the paved ROW unless in a marked space
- On the pavement (improved ROW), there needs to be a marked space
- Off the pavement (unimproved ROW), the vehicle needs to belong to the owner or renters of that space
- We are close on what we are saying. We have citizens that want to park in the unimproved ROW and these amendments do not allow that.
- It would be an admin nightmare to keep up with permits for only some folks to park in the ROW and for staff to know who can do what and where
- Would like to see unpaved ROW parking for residents and guests
- He suggests a moratorium with warning tickets
- Corner lots are going to have to be addressed with line of site

Commissioner Ellen commented:

- The trouble with improved (paved) or unimproved is that from the curb the first 10 feet is ROW that the town owns, but it could be grass or plantings not dirt
- This says vehicles are only allowed to park on unimproved area
- Some may will think that means dirt area only
- Recommend that part of this, if approved, has a start date that is not right away

Commissioner Allen stated:

We could say on the ROW from the back of the curb except not every street has a curb

Commissioner Whitley commented:

- If you park where you are supposed to be there is no problem, but people park where they are not supposed to, such as in front of the neighbor's house
- An example is someone renting their home without enough parking and cars end up parking on a vacant lot nearby that belongs to someone else – that should not be allowed
- There is nothing police can do on private property
- The police wrote twelve to fourteen tickets this year per the chief for vehicles that were not completely off the street
- If we try to make more changes to these amendments, this will get pushed to next year and miss this season

Ken Richardson, P&Z member, said:

- People are now using the unimproved ROW as a permanent parking space for vehicles that are never moved
- For aesthetic reasons, P&Z and the parking committee were trying to address this



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June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm

problem

- Even if a vehicle is parked in the ROW, there can still be a wheel on the pavement

John Cawthorne, P&Z member, stated:

- P&Z also talked about safety in the unimproved public ROW. There could be occasions where parking there may cause safety problems.

P&Z Attorney Eldridge stated:

- His take is that Council recently amended setback provisions and explicitly allowed for off road parking of vehicles on residential lots in the front setback
- It makes sense a driveway extends from the street across the unimproved part
- He took the position that seasonal parking based on surveys and conversations, identified the problem as the streets that are not wide enough with parking in the ROW did present problems, so he wrote language to not allow passenger vehicles in the ROW unless in a designated space
- He is not sure how you would allow parking in ROW in narrow streets
- P&Z's approach has been no parking in the public ROW unless in a designated parking space
- How would you enforce only some vehicles allowed to park in the ROW?
- It is illegal to park in front of someone's setback/front yard, per the amendments, because they are parking on someone else's private property and that is trespassing
- Everything is drafted with the knowledge that the unimproved portion of the ROW, for example a utility or vegetative strip, is to not allow parking unless in a designated parking space
- Concerning citizen complaints, how do visitors coming to town know that they cannot park in a certain place?
- If Council wants to do it for this summer and with P&Z not meeting in July, it will need to be done tonight or it will be August or September before it comes back for approval
- We could look at Section 222, subsection (a) and insert language about the driveway to clear up the driveway issue gray zone and revise that section to permit owners and maybe guests to park on the unpaved portion of the front yard setback/ROW portion abutting private property

MOTION – MPT Heglar made the motion to direct the P&Z attorney to change the language in Section 222, subsection (a) to add the driveway and unpaved ROW parking allowances, as he defines

SECOND – Commissioner Whitley

VOTE – Unanimous



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REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
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MOTION – MPT Heglar made the motion to approve Chapter 10, Article VI proposed amendments with the exception of section 222(a) language to be revised by the P&Z attorney for a council vote

SECOND – none

Motion did not carry for lack of a second

MOTION – MPT Heglar made the motion to continue this meeting to June 25 at 5 pm to continue the discussion on the parking amendments

SECOND – Commissioner Whitley

VOTE - Unanimous

3. Proposed amendments to Chapter 19 (Zoning) of the Code of Ordinances, Section 339, Subsection 1 and 2 regarding minimum parking requirements

P&Z Chair Galbraith said:

- Chapter 19 addresses a lot of cars being parked on private property
- P&Z thinks there should be a limit to the number of cars parked on private property
- P&Z recommends adding additional language under Section 339, subsections one and two on required parking for residential use for one and two units and multiple family dwellings, as presented by the P&Z attorney in the packet

Council discussion points:

- If four F150 trucks park on private property and they do not fit, are they still allowed to park?
- What if the residence has an attached unimproved lot?
- What if the parked vehicle extends into the bike lane?

Chairman Galbraith replied:

- The proposed amendment says they could have six F150 trucks
- This limits the number of vehicles that may be parked
- An unimproved lot next to a residence would be considered separate property
- This would have primary effect when there are 12-13 cars parked on a property

P&Z Attorney Eldridge replied that if the parked vehicle is extending into the bike lane or street, then it is in violation of Chapter 10 provisions.



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REGULAR MEETING

June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm

MOTION – MPT Heglar made the motion to schedule a public hearing for Tuesday, July 17 at 6 pm on proposed amendments to Chapter 19, Section 339 for the Code of Ordinances, as presented

SECOND – Commissioner Whitley

VOTE - Unanimous

4. Adoption of National Flood Insurance Program ordinance and resolutions
Requires vote to adopt the following, as presented:

Building Inspector Batson explained:

- The town began participating in this program in 1992
- Revised maps came out last year but release was delayed because Wrightsville Beach filed an appeal
- The town must adopt maps by August 28, 2018 or no one in Kure Beach will be able to have flood insurance again
- As of last year, there were 992 policies with \$259 million in coverage
- With new maps, only 142 properties will require policies because the number of flood zones have decreased
- What was in the flood zone has been removed on the new maps except the ocean front which is still in the flood zone
- The business district is no longer in a flood zone
- The revised maps are good news for the town

Building Inspector Batson reviewed the proposed ordinance:

Definitions – regulatory flood protection and freeboard requirements

- It is no longer a requirement to enforce one foot of freeboard rule by building code
- He included it in the ordinance anyway, but it is up to Council whether to keep or not
- He recommends keeping one foot freeboard requirement

Page 11, section 3a-2 Certification requirements

- The standard operating procedure now is when there is building in a flood zone, the person is required to provide an elevation certificate at the beginning of construction
- Section 2 adds another time in the middle of construction when the owner has to submit another elevation certificate
- He recommends adding this to the process

Page 13, f V zone cert

- If building in the V zone, an engineer has to certify that what he has engineered will not float away and present that at the beginning of construction



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- We don't currently do this but he recommends we include and start doing this

Page 27 section H standard for coastal A zones

- He was going to take this out because we only have coastal A zones and they are in the Extraterritorial Jurisdiction (ETJ) area
- He recommends leaving this language as it does not negatively impact most of the owners and helps with the town's CRS rating

MOTION – Commissioner Whitley made the motion to adopt Resolution 18-05 flood maps, Resolution 18-06 flood ordinance, and the associated Consistency statement, as presented

SECOND – Commissioner Ellen

VOTE – Unanimous

Said resolutions and consistency statement are herein incorporated as part of these minutes

5. Facility improvement project update

Commissioner Oliver reported:

- Electric and plumbing are being worked on
- A lot of the new roofing for the Town Hall has been completed
- The project is coming along and is within the scope of contract and on schedule

6. Status of requirements for outside patio for business located at 108 K Avenue

Commissioner Whitley reported that the owners of this property said they would have lights and fencing ready by July 4, 2018 and they have not done.

Building Inspector Batson asked for specific directions as to what Council wants the owner to do.

COUNCIL CONSENSUS – owner is to provide the following by July 4, 2018 or Council will revoke the approval until such time as these items are finished:

- Outdoor lighting per the building code
- Four foot high solid or picketed fence of width that people cannot get through

There is no signage requirement at this time.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Possible state legislation on firefighter special separation allowance

Mayor Bloszinsky explained the possible legislation allows a firefighter to be paid from the time he/she retires until they qualify for social security in a gap payment with the municipality taking the funding responsibility. The recommendation from the league is to send a letter to the



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legislators to identify a funding source or the municipalities do not want to participate. Since it is paid by the last place of work, it limits firefighters in changing employment.

MPT Heglar agreed it puts a huge burden on small towns since a young firefighter could retire at 50 and the town would have to pay this allowance until age 62.

COUNCIL CONSENSUS – work with Wilmington on a joint resolution to oppose this legislation or draft our own

2. Adoption of Proclamation 18-02 Marsy's Law

MOTION – Commissioner Oliver made the motion to approve Proclamation 18-02 as presented

SECOND – MPT Heglar

VOTE – unanimous

Said proclamation is herein incorporated as part of these minutes.

3. Reinstate longevity benefit for all full time employees effective July 1, 2018 with no retroactive payments

MOTION – Commissioner Whitley made the motion to reinstate the longevity benefit for all full time employees effective July 1, 2018 with no retroactive payment

SECOND – MPT Heglar

VOTE - Unanimous

COMMISSIONER ITEMS

Commissioner Whitley stated that on July 30 in Carolina Beach there would be the first public meeting on what is being considered with the MOTSU Land Use Plan. More information and details will be coming.

CLOSED SESSION on Personnel

MOTION – MPT Heglar made the motion to go into closed session for a personnel matter per N.C.G.S. 143-318-11(a6) at 9:10 pm.

SECOND - Commissioner Whitley

VOTE - Unanimous

MOTION – MPT Heglar made the motion to return to open session at 9:39 pm

SECOND – Commissioner Ellen

VOTE - Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
continued to June 25, 2018 at 5 pm**

MOTION – MPT Heglar made the motion to promote current Recreation Manager Nikki Keely to a department head position with a title of Recreation Director at a salary of \$61,600 and reorganize to make Recreation a separate department from Administration effective July 1, 2018

SECOND – Commissioner Oliver

VOTE – Unanimous

MOTION – MPT Heglar made the motion to continue the meeting to next Monday, June 25 at 5 pm to discuss revised ordinance language and the Public Works department position

SECOND – Commissioner Oliver

VOTE - Unanimous

JUNE 19, 2018 MEETING CONTINUED TO JUNE 25, 2018 AT 5 PM

COUNCIL MEMBERS PRESENT

Mayor Craig Bloszinsky
Mayor Pro Tem (MPT) David Heglar
Commissioner Joseph Whitley (via phone)
Commissioner Allen Oliver
Commissioner John Ellen

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Town Clerk – Nancy Avery
Deputy Town Clerk – Mandy Sanders
Utility Systems Operator/Crew Leader – Jimmy Mesimer

CALL TO ORDER

Mayor Bloszinsky called the meeting to order at 5 pm.

MOTION – MPT Heglar made the motion to move the closed session to the first item on the agenda and to go into closed session for a personnel matter per N.C.G.S. 143-318-11(a6) at 5:01 pm.

SECOND – Commissioner Oliver

VOTE - Unanimous

MOTION – Commissioner Oliver made the motion to return to open session at 5:08 pm

SECOND – Commissioner Ellen

VOTE - Unanimous



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REGULAR MEETING

June 19, 2018 @ 6:30 p.m.
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MOTION – MPT Heglar motioned to promote Jimmy Mesimer to a department head position with a title of Public Works and Utilities Director at a salary of \$68,917.68 effective July 1, 2018
SECONDED Commissioner Whitley

VOTE – Unanimous

2. Revised proposed amendments to Chapter 10 (Traffic) Section 222(a) of the Code of Ordinances on parking as per Council's direction to Attorney Eldridge June 19, 2018

Mayor Bloszinsky stated the attorney presented revised language to Section 222(a) as requested with two options for Council to consider: one without a permit requirement and the other with a permit requirement.

*Revised language provided by attorney Eldridge as directed by Council at June 19 meeting:
Section. 10-222. Parking in general and manner of parking.*

*(a) Passenger vehicles shall be parked only in designated parking spaces excepting property owners and lessors in the town's residential districts who shall be permitted to park their vehicles, **without time restrictions, on the unpaved portion of the public right-of-way abutting their front yard and** within the front yard setback of the property they own or lease in accordance with the applicable provisions of chapter 19 of the town code.*

Council discussion points:

- He has no problem with either option but thinks the permit process is too quick for this season - is the right way to go (Whitley)
- It will take a while to get a permit process set up such as what they will look, getting them ready to sell. The permit process does not seem to address visitors and short-term rentals staying in rental property, but only addresses property owners for residences. (Oliver)
- He took it from the last meeting that the permitting process would provide a way for extra cars for parties, but that is not what this is. He is totally anti permit process this year or in the future, because it is the same parking rule – you can park on the unpaved part of the right of way (ROW) and the owner can control that without a permit process. He doesn't think having a piece of paper makes any sense and it will be pain and aggravation for staff (Ellen)
- The permit process will make a bigger mess for the police. He prefers the first option, not the permit process. There are two parts to this and we have to tell people what is coming and warn them first.
- He thinks there are a lot of issues to deal with on a permit process and is not sure it is ideal. When we get to that point in time when we can answer these questions on procedure, we will have the language as provided by attorney Eldridge. Enforcement is



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REGULAR MEETING

**June 19, 2018 @ 6:30 p.m.
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going to be the population (Bloszinsky)

MOTION –MPT Heglar made the motion to adopt resolution R18-02 to change the parking ordinance with option 1 allowing resident and owner parking in an unpaved ROW in front of his/her home with the law to go into effect July 1, 2018 and direction to Police Department to issue warning tickets through July 14 and tickets from July 15, 2018 on.

SECOND –Commissioner Oliver

VOTE - Unanimous

The mayor is to prepare a notice as soon as possible for the website to get the word out. Notice will not make the Island Gazette until July 4, 2018. The mayor will inform Police Chief Bowden.

ADJOURNMENT

MOTION – MPT Heglar motioned to adjourn at 5:32 pm

SECOND – Commissioner Ellen

VOTE - Unanimous

ATTEST: _____
Nancy Avery, Town Clerk

Craig Bloszinsky, Mayor

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. A recording of the meeting is available on the town's website under government>council.

P&Z MINUTES

**DEPARTMENT
REPORTS**



**KURE BEACH PLANNING & ZONING COMMISSION
SPECIAL MEETING MINUTES
JUNE 18, 2018**

The Kure Beach Planning and Zoning Commission held a special meeting on **Wednesday, June 18, 2018**. A quorum of commission members was present.

P&Z MEMBERS PRESENT

Chair Craig Galbraith
Vice Chair Bill Moore
Member Kenneth Richardson
Member John Cawthorne
Member Retha Deaton
Alternate Member Robert Young

P&Z MEMBERS ABSENT

All present

STAFF PRESENT

John Batson – Building Inspections
Kathleen Zielinski – Secretary

Councilman Joseph Whitley, Liaison
Attorney James E. Eldridge

Notice of this meeting was posted at Town Hall and on the website on June 15, 2018 thus meeting the 48-hour notice requirement.

1. CALL TO ORDER

Chairman Craig Galbraith called the meeting to order at 7:01 p.m.

Chairman Galbraith opened the meeting by declaring that the purpose of the meeting was to report and review on proposed text amendments to Chapter 19 regulating residential parking and to report and review on proposed text amendments to Chapter 10 regulating parking within the town's corporate limits. The special meeting was called in order for P&Z to submit their recommendations to Town Council on these two items prior to the council meeting the following night. He then invited Attorney Eldridge to address those in assembly about these changes.

Attorney Eldridge stated that, while both chapters will be discussed and reported upon, Chapter 19 changes will require a public hearing and therefore would not be decided upon tomorrow night. However, the commission can finalize their findings on both chapters tonight. Each chapter would be addressed separately, beginning with Chapter 10.

Counsel then distributed a memo summarizing the efforts of the ad hoc group that was formed in January to identify current parking issues and develop a plan for mitigating some of those issues in the short term. The resulting changes to parking regulations will be implemented upon council approval and then assessed at the end of the tourist season. While the focus is currently on

possible short-term solutions, these changes may also benefit year-round residents as the town continues to grow. Highlights of issues addressed by the group in relation to Chapter 10 include:

- Definitions – most important one is to clearly define public right of way
- Obedience to police and enforcement
- Towing and impoundment referenced in an effort to promote compliance
- Parking rules
- Only passenger vehicles permitted in designated parking spaces
- Clearly set forth Town Council's authority
- Rewriting the regulations with detail will be more effective
- Stopping in street prohibited
- Beach access parking prohibited between 1 a.m. and 5 a.m. during the season
- Penalties

Attorney Eldridge assured those in attendance that the group took comments from the public to heart and, in fact, invited two additional members of the public to join a meeting subsequent to the last council meeting at which changes were proposed. At the conclusion of that meeting, in which very few changes were made, all were satisfied with the final proposals.

Commissioner Whitley informed the members that council plans to hold off on implementation for a one-week grace period during which warnings will be issued. Police will not be looking to write tickets, but will ticket only the most egregious offenses. The goal is to have this in place prior to the July 4th weekend. After the season, the group will reevaluate what worked and what needs to be changed. This will help some, but not all, as problems are different throughout various sections of the town.

Chairman Galbraith then opened the floor for comments from the public.

Steven Shubate spoke first and shared photos taken at the intersection of Ocean View Avenue and Fort Fisher Blvd. N. illustrating vehicles parked in the line of sight for someone trying to make a left turn onto Ft Fisher Blvd. N. He said he had recently seen three wrecks averted during a very short period of time due to improperly parked cars. He has spoken to neighbors and they understand the need for the upcoming changes. He also stated that he is fully supportive of the new regulations and enforcement.

Brian Westberger then stood to ask for clarification on parking in the right-of-way. Attorney Eldridge described right-of-way as including improved roadway as well as unimproved area for sidewalks, planting strips and utilities. A lengthy discussion on right-of-way and front yard setbacks ensued. Mr. Westberger asked if the members of the commission believe it is acceptable for people to park their vehicles in their front yards to which Chairman Galbraith concurred that cars parked in a front yard is unsightly. He went on to say that, while this has been permissible since the ordinance was adopted in 1973, any HOA can adopt more stringent regulations. There followed much confusion and discussion revolving around setbacks and where cars are permitted to park.

The chair then asked the members of the commission for their final thoughts to which several notions were shared:

- This may not be perfect, but it is a good first step in bringing Kure Beach into the new parking era
- Narrow streets cause a safety hazard when parked cars block emergency vehicles
- Some streets are wide enough to accommodate parking, an inventory should be made

- These changes need to be disseminated to the general public
- Illustrations will be helpful
- Parking of activity buses needs to be addressed
- A process is needed for feedback and input
- Many residents have been parking in front of their houses for years
- Don't create a problem where there is none in some sections of town

MOTION – Member Richardson moved that P&Z report favorably to Council on said changes to Chapter 10, noting that a recommendation be added for developing a process to identify the streets that will require designated parking and to allow for residents' requests for designated parking spaces

SECOND – Member Deaton

VOTE – Unanimous

The second topic of discussion was the recommendation on changes to Chapter 19. Attorney Eldridge reviewed a redline version of the proposed amendment which would limit the number of vehicles permitted to be parked on a property. Chairman Galbraith asked Inspector Batson for his thoughts on what that limit should be to which Mr. Batson suggested six cars for a single-family residence and four cars for each unit of a duplex. A suggestion was also made to limit the number of cars to only what will fit in the driveway. There was little discussion as consensus became clear that the stated limits constituted a reasonable regulation. When the topic of making exceptions for special events was brought forth, it was agreed that keeping it simple will be the best approach for now.

MOTION – Chairman Galbraith moved that Section 19-339 be amended to read under the first category that no more than six vehicles will be parked on a property consisting of a single-family dwelling and no more than four vehicles will be parked per unit for a property consisting of two dwellings

SECOND – Member Cawthorne

VOTE - Unanimous

Chairman Galbraith then invited a motion regarding the next meeting as there had been discussion about cancelling the July meeting.

MOTION - Member Richardson moved to cancel the July regular meeting and meet again in August

SECOND –Member Moore

VOTE – Unanimous

Councilman Whitley informed the commission that he will be out of town the first Wednesday in August and would have to miss that meeting. He will remind the members of this in the meantime in case they would like to discuss rescheduling.

MOTION - Member Moore moved adjourn

SECOND –Member Deaton

VOTE – Unanimous

Meeting was adjourned at 8:33 p.m.

KURE BEACH FIRE DEPARTMENT

FIRE CHIEF'S REPORT JUNE, 2018

DATE	PURPOSE
06/02/18	2 ASSIST PUBLIC
06/02/18	EMS
06/02/18	AUTO ACCIDENT
06/04/18	EMS
06/04/18	DRILL
06/05/18	STRUCTURE FIRE
06/05/18	EMS
06/07/18	EMS
06/08/18	EMS
06/08/18	MUTUAL AID CBFD
06/09/18	EMS
06/10/18	EMS
06/10/18	ASSIST PUBLIC
06/12/18	2 EMS
06/13/18	ASSIST PUBLIC
06/14/18	MUTUAL AID CBFD
06/14/18	EMS
06/15/18	EMS
06/16/18	EMS
06/17/18	EMS
06/18/18	MUTUAL AID CBFD
06/19/18	2 EMS
06/20/18	FALSE ALARM
06/21/18	ASSIST PUBLIC
06/21/18	AUTO ACCIDENT
06/22/18	DUMPSTER FIRE
06/22/18	MUTUAL AID CBFD
06/23/18	ASSIST PUBLIC
06/24/18	3 EMS

KURE BEACH FIRE DEPARTMENT

06/26/18	EMS
06/27/18	2 EMS
06/27/18	FALSE ALARM
06/28/18	ASSIST PUBLIC
06/28/18	EMS
06/30/18	2 ASSIST PUBLIC
06/30/18	2 EMS

All equipment checked and found to be in working order

Ed Kennedy
Chief

RECREATION REPORT: Classes, Rentals, and Events Update

Classes @ CC:

Mon	9:15-10:15am	Core Power Fusion Yoga
Mon	10:30am-11:45am	Stretch & Restore Yoga
Mon	6:30-7:30pm	Align & Flow Yoga
Tues	9:15-10:15am	Align & Refine Yoga (skips 2 nd Tuesday of Month)
Tues/Thurs	6-9pm	Aikido
Wed	9:15-10:15am	Hatha Yoga
Wed	6:30-7:30pm	Reggae Yoga Flow
Thurs	10-11am	Line Dance

Classes @ OFP:

Wed	7-9pm	Hoop Dance Jam (Through 10/24/18))
Thurs	7:30-8:30am	Sunrise Ocean Flow Yoga (Through 8/30/18)

Classes @ JEP:

Sat	10am	PIDGC Workday (1 st Saturday of Month)
Sun	9:30am	PIDGC Monthly Tournament (2 nd Sunday of Month)
Mon	Various Times	Tennis Clinics (Returning in Fall)

Private Rentals:

CC	Sat, 7/21/2018	5 hours	Family Reunion
CC	Sat, 8/4/2018	All day	Reception
OFP	Sat, 9/8/2018	2 hours	Wedding
OFP	Sat, 9/8/2018	2 hours	Wedding
CC	Sat, 9/8/2018	4 hours	Baby Shower
OFP	Sat, 10/6/2018	TBD	Reception
CC/OFP	Sat, 10/13/2018	TBD	Wedding/Reception
CC	Sat, 11/3/2018	All day	Reception
CC	Sat, 11/10/2018	8 hours	Retreat
CC	Thur, 11/22/2018	TBD	Family Reunion
CC	Sat, 12/1/2018	4 hours	HOA Meeting
OFP	Sat, 5/4/2019	3 hours	Reception
OFP	Sat, 5/18/2019	3 hours	Ceremony

Upcoming Events:

Coffee with the Mayor	Last Saturday of the Month, 9-11am, TH*
*Coffee with the Mayor	Sat, 9/29/2018, from 9-11am, CC
Red Cross Blood Drive	Fri, 8/3/18, from 10am-2:30pm, CC
Annual CC Committee BBQ Fundraiser	Sat, 8/18/18 from 4-8pm, CC
Farewell Summer Jazz Funeral	Fri, 10/5/18 from 6-9pm, OFP
Indoor Community Yard Sale	Sat, 10/20/18 from 7:30-10:30am, CC
Halloween Story Time by the Sea	Sat, 10/27/18 from 11am-12:30pm, OFP
Elections	Tues, 11/6/18, CC closed Mon (11/5) – Wed (11/7)
Kure Beach Holiday Market	Sat, 11/17/18 and 11/24/18 from 9am-3pm, OFP
Kure Beach Fantasy Christmas Show	Fri-Sun, 12/7/18, 12/8/18, and 12/9/18 from 7-8pm, OFP
Island of Lights NYE Celebration	Mon, 12/31/18 from 9pm-12am, OFP

Kure Beach Inspections Dept.-All Permits Issue Date: 6/1/2018 - 6/30/2018

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Fee	Status	Final
Building								
180081	6/4/2018	JONES, TAYLOR B Enclose bottom	R09213-006-007-00	214 N THIRD AVE KURE BEACH, NC 28449	\$5,000	\$100.00	Active	
180082	6/4/2018	RUSSELL, DAVID P Deck Additions	R09017-023-003-00	1705 SPOT LN KURE BEACH, NC 28449	\$4,000	\$100.00	Active	
180083	6/6/2018	STAVLAS VICTORIA M LIV TRUS, New SFD	R09209-011-013-00	816 BOCA CT KURE BEACH, NC 28449	\$382,079	\$9,862.00	Active	
180084	6/13/2018	OCEAN DUNES H O A INC, Beach accessway at 300 BLDG	R09316-001-025-00	1 NEPTUNE PL KURE BEACH, NC 28449	\$6,500	\$25.00	Active	
180085	6/13/2018	OCEAN DUNES H O A INC, Beach accessway at 2100 BLDG	R09316-001-025-00	1 NEPTUNE PL KURE BEACH, NC 28449	\$6,500	\$25.00	Active	
180086	6/20/2018	GEORGE, L R JR New 10x12 storage shed	R09205-013-010-00	110 OCEAN VIEW AVE KURE BEACH, NC 28449	\$0	\$25.00	Active	
180088	6/25/2018	HAYNES, RICHARD D III CANDY P New SFD	R09200-001-157-00	189 SEAWATCH WAY KURE BEACH, NC 28449	\$647,000	\$11,187.00	Active	
180089	6/28/2018	OCEAN DUNES H O A INC, UNIT 805	R09316-001-025-00	1 NEPTUNE PL KURE BEACH, NC 28449	\$13,514	\$200.00	Active	
180090	6/28/2018	HAYES, DEBORAH BROWN New SFD	R09217-021-005-00	425 S THIRD AVE KURE BEACH, NC 28449	\$0		Cancelled	
180091	6/28/2018	TROUTMAN, TOMMY RAY SHEILA F New SFD	R09217-017-007-00	329 FOURTH AVE S KURE BEACH, NC 28449	\$318,500	\$5,542.00	Active	
Total Building 10					\$1,383,093	\$27,066.00		
CAMA								
KB18-08	6/8/2018	KARBOSKI, ANTHONY J CONNIE MEARK	R09209-002-012-00	454 N FORT FISHER BLV KURE BEACH, NC 28449	\$0	\$100.00	Active	
KB18-09	6/20/2018	BRAMHALL, LIVING TRUST	R09209-001-004-00	712 FORT FISHER BLV N KURE BEACH, NC 28449	\$0	\$100.00	Active	
Total CAMA 2					\$0	\$200.00		
Fence								
180012	6/6/2018	HEUBEL, DONNA M New 4' fence	R09205-015-037-00	737 SLOOP POINTE LN KURE BEACH, NC 28449	\$0	\$25.00	Active	
180013	6/25/2018	GEMMEL, JANET L ETAL New 4' fence	R09213-011-015-00	106 N FIFTH AVE KURE BEACH, NC 28449	\$0	\$25.00	Active	
Total Fence 2					\$0	\$50.00		

Landscape

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Fee	Status	Final
Landscape								
180014	6/6/2018	WARMUTH, SARA L THOMAS M Install arbor	R09205-021-008-00	106 SEAWARD CT KURE BEACH, NC 28449	\$0	\$25.00	Active	
180015	6/11/2018	HAYNES, RICHARD D III CANDY P Lot clearing	R09200-001-157-00	189 SEAWATCH WAY KURE BEACH, NC 28449	\$0	\$25.00	Active	
180016	6/25/2018	BOMAN, DONALD W JAMIE L Lot clearing	R09405-013-018-00	221 MARQUESA WAY KURE BEACH, NC 28449	\$0	\$25.00	Active	
Total Landscape 3					\$0	\$75.00		
Total Permits: 17					\$1,383,093	\$27,391.00		

**TOWN OF KURE BEACH
REVENUE AND EXPENDITURE SUMMARY
JULY 1, 2017 TO JUNE 30, 2018**

	REVENUES				EXPENDITURES			
	2018 Initial Bud.	2018 Amend. Bud.	Actual 6/30/2018	% Collected	2018 Initial Bud.	2018 Amend. Bud.	Actual 6/30/2018	% Spent
GENERAL FUND					GENERAL FUND			
Property Taxes (Cur. & PY)	\$ 2,491,300	\$ 2,491,300	\$ 2,527,621	101.5%	Governing Body	\$ 38,505	\$ 38,505	\$ 36,352 94.4%
Local Option Sales Tax	\$ 850,075	\$ 850,075	\$ 862,789	101.5%	Committees	\$ 120,010	\$ 120,010	\$ 14,100 11.7%
Garbage & Recycling	\$ 382,350	\$ 382,350	\$ 401,926	105.1%	Finance	\$ 150,786	\$ 150,786	\$ 131,796 87.4%
Franchise & Utility Tax	\$ 234,500	\$ 234,500	\$ 232,302	99.1%	Administration	\$ 407,848	\$ 583,848	\$ 541,697 92.8%
TDA Funds	\$ 205,650	\$ 223,642	\$ 262,207	117.2%	Community Center	\$ 23,300	\$ 23,300	\$ 19,467 83.5%
CAMA Grants - Beach Access Paving	\$ 89,332	\$ 89,332	\$ -	0.0%	Emergency Mgmt./Elections	\$ 3,100	\$ 3,100	\$ 2,657 85.7%
Communication Tower Rent	\$ 79,125	\$ 79,125	\$ 79,591	100.6%	Tax Collections	\$ 27,000	\$ 27,000	\$ 21,013 77.8%
Bldg. Permit & Fire Inspect. Fees	\$ 59,300	\$ 66,300	\$ 106,550	160.7%	Legal	\$ 28,950	\$ 35,950	\$ 31,989 89.0%
Sales Tax Refund	\$ 54,000	\$ 54,000	\$ 57,479	106.4%	Police Department	\$ 1,308,960	\$ 1,319,252	\$ 1,226,555 93.0%
Com Ctr/Parks & Rec/St Festival	\$ 20,500	\$ 20,500	\$ 21,611	105.4%	Fire Department	\$ 701,867	\$ 695,667	\$ 660,339 94.9%
Motor Vehicle License Tax/Decals	\$ 15,000	\$ 15,000	\$ 22,585	150.6%	Lifeguards	\$ 196,850	\$ 208,250	\$ 169,199 81.2%
Town Facility Rentals	\$ 15,000	\$ 15,000	\$ 22,803	152.0%	Parks & Recreation	\$ 146,027	\$ 146,027	\$ 130,487 89.4%
ABC Revenue	\$ 14,600	\$ 14,600	\$ 18,303	125.4%	Bldg Inspection/Code Enforcement	\$ 135,201	\$ 135,201	\$ 124,984 92.4%
OFP - Bluefish Purchases	\$ 11,000	\$ 11,000	\$ 13,625	123.9%	Streets & Sanitation	\$ 863,848	\$ 893,840	\$ 803,827 89.9%
Beer & Wine Tax	\$ 9,500	\$ 9,500	\$ 9,498	100.0%	Debt Service	\$ 360,615	\$ 564,530	\$ 564,527 100.0%
All Other Revenues	\$ 6,185	\$ 482,551	\$ 36,874	7.6%	Transfer to Other Funds	\$ 46,450	\$ 127,409	\$ 127,409 100.0%
Other Financing Sources	\$ 70,000	\$ 70,000	\$ 31,668	45.2%	Contingency	\$ 48,100	\$ 36,100	\$ - 0.0%
Total Revenues	\$ 4,607,417	\$ 5,108,775	\$ 4,707,432	92.1%	Total Expenses	\$ 4,607,417	\$ 5,108,775	\$ 4,606,398 90.2%
WATER & SEWER FUND					WATER & SEWER FUND			
Water Charges	\$ 805,000	\$ 805,000	\$ 752,926	93.5%	Governing Body	\$ 17,505	\$ 17,505	\$ 17,250 98.5%
Sewer Charges	\$ 1,155,000	\$ 1,155,000	\$ 1,060,719	91.8%	Legal	\$ 28,950	\$ 35,950	\$ 31,989 89.0%
Tap, Connect & Reconnect Fees	\$ 37,200	\$ 39,200	\$ 98,780	252.0%	Finance	\$ 186,200	\$ 186,200	\$ 179,233 96.3%
All Other Revenues	\$ 8,455	\$ 13,455	\$ 15,147	112.6%	Administration	\$ 260,170	\$ 260,170	\$ 232,243 89.3%
Other Financing Sources	\$ 145,000	\$ 145,000	\$ 31,958	22.0%	Operations	\$ 1,657,830	\$ 1,657,830	\$ 1,431,846 86.4%
Total Revenues	\$ 2,150,655	\$ 2,157,655	\$ 1,959,530	90.8%	Total Expenses	\$ 2,150,655	\$ 2,157,655	\$ 1,892,561 87.7%
STORM WATER FUND					STORM WATER FUND			
Total Revenues	\$ 630,094	\$ 630,094	\$ 406,411	64.5%	Total Expenses	\$ 630,094	\$ 630,094	\$ 507,460 80.5%
POWELL BILL FUND					POWELL BILL FUND			
Total Revenues	\$ 65,070	\$ 65,070	\$ 65,725	101.0%	Total Expenses	\$ 65,070	\$ 65,070	\$ 18,128 27.9%
SEWER EXPANSION RESERVE FUND (SERF)					SEWER EXPANSION RESERVE FUND (SERF)			
Total Revenues	\$ 30,330	\$ 30,330	\$ 12,879	42.5%	Total Expenses	\$ 30,330	\$ 30,330	\$ - 0.0%
BEACH PROTECTION FUND					BEACH PROTECTION FUND			
Total Revenues	\$ 47,090	\$ 47,090	\$ 48,802	103.6%	Total Expenses	\$ 47,090	\$ 47,090	\$ - 0.0%
FEDERAL ASSET FORFEITURE FUND					FEDERAL ASSET FORFEITURE FUND			
Total Revenues	\$ 50,000	\$ 50,000	\$ 115,108	230.2%	Total Expenses	\$ 50,000	\$ 50,000	\$ 18,154 36.3%

**TOWN OF KURE BEACH
CASH AND INVESTMENTS
AS OF JUNE 30, 2018**

<u>FUND</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>	<u>TOTAL CASH & INVESTMENTS</u>
General	\$2,563,070	\$346,441	\$2,909,511
Water/Sewer	\$1,338,347	\$592,744	\$1,931,091
Storm Water	\$103,376	\$243,553	\$346,929
SERF	\$37,226	\$122,647	\$159,873
Powell Bill	\$267,195	\$70,458	\$337,653
Beach Protection	\$33,090	\$303,346	\$336,436
Federal Asset Forfeiture	\$170,433	\$0	\$170,433
Capital Project Funds	\$221,931	\$0	\$221,931
TOTAL	<u>\$4,734,668</u>	<u>\$1,679,189</u>	<u>\$6,413,857</u>

<u>INSTITUTION</u>		
BB&T	\$4,734,668	\$0
First Bank - Certificates of Deposit	\$0	\$916,848
NCCMT Term Portfolio	\$0	\$546,633
NCCMT Governmental Portfolio	\$0	\$215,708
TOTAL	<u>\$4,734,668</u>	<u>\$1,679,189</u>

**TOWN OF KURE BEACH
DEBT LISTING
JULY 17, 2018**

LOAN PURPOSE/DESCRIPTION	FUND	LENDER	DATE OF LOAN	AMOUNT FINANCED	INTEREST RATE	LOAN TERM (YRS)	DATE PAID OFF	BALANCE AT 7/17/18	PAYMENT FREQUENCY	PAYMENT AMOUNT	NEXT PAY DATE	INT. EXPENSE LIFE OF LOAN
Fire Station/Town Hall Project (a)	G, W/S	BB&T	12/11/2017	\$5,000,000	2.58%	15	12/11/2032	\$4,833,333.33	Semi-annual	\$231,166.67	12/11/2018	\$999,750.00
Sewer Rehabilitation Project (b)	W/S	Fed Gov	5/1/2010	\$432,660	0.00%	20	5/1/2030	\$126,668.60	Annual	\$10,555.72	5/1/2019	\$0.00
Ocean Front Park (development)	G	BB&T	7/12/2011	\$347,000	4.39%	17	7/12/2028	\$204,117.68	Annual	\$29,372.53	7/12/2019	\$137,099.64
Ocean Front Park (acquisition)	G	BB&T	12/19/2007	\$3,600,000	4.28%	20	12/19/2027	\$649,038.55	Annual	\$92,682.71	12/19/2018	\$690,135.16
Kure Beach Pump Station #1	W/S	1st Bank	6/28/2017	\$475,000	2.11%	10	6/28/2027	\$431,918.00	Semi-annual	\$26,507.64	12/28/2018	\$55,152.80
334 S. 4th, 402 H & 406 H Ave.	G	BB&T	3/12/2015	\$409,471	2.49%	10	3/12/2025	\$286,629.79	Annual	\$48,084.20	3/12/2019	\$56,077.07
Water Tower & Well House & Town Hall Expansion (c)	G, W/S	BB&T	4/11/2007	\$1,187,187	3.92%	15	5/7/2022	\$386,841.79	Semi-annual	\$52,716.71	11/7/2018	\$394,314.33
2016 John Deere Backhoe (d)	W/S, SW	BB&T	11/9/2016	\$105,273	1.87%	5	11/9/2021	\$84,991.26	Annual	\$22,250.35	11/9/2018	\$5,978.75
2018 Police Dodge Durango	G	1st Bank	10/19/2017	\$31,668	1.95%	4	10/19/2021	\$31,668.00	Annual	\$8,312.14	10/19/2018	\$1,558.73
2017 Freightliner Garbage Truck	G	1st Bank	8/23/2016	\$179,756	1.70%	5	8/23/2021	\$145,006.54	Annual	\$38,303.62	8/23/2018	\$9,270.57
Compact Excavator (d)	W/S, SW	1st Bank	7/28/2017	\$63,915	1.80%	4	7/28/2021	\$63,915.00	Annual	\$16,714.37	7/28/2018	\$2,901.83
(2) 2016 Police Dodge Chargers	G	1st Bank	11/9/2016	\$63,500	1.60%	4	11/9/2020	\$48,000.96	Annual	\$16,524.00	11/9/2018	\$2,560.16
O'Brien 7065 HydroJetter (d)	W/S, SW	1st Bank	8/13/2015	\$81,485	1.70%	5	8/13/2020	\$49,712.69	Annual	\$17,149.28	8/13/2018	\$4,202.44
2016 Chevrolet Silverado	G	1st Bank	7/26/2016	\$36,867	1.60%	4	7/26/2020	\$27,868.52	Annual	\$9,593.55	7/26/2018	\$1,486.39
Cutter Court Drainage Project	SW	B of A	7/23/2005	\$875,000	4.40%	15	6/23/2020	\$153,043.08	Monthly	\$6,677.76	7/23/2018	\$326,995.49
FY 2016 Equipment & Vehicles (e)	G, W/S	BB&T	9/14/2015	\$186,000	2.01%	4	9/14/2019	\$94,850.52	Annual	\$48,859.87	9/14/2018	\$9,439.48
(2) 2015 Police Cars	G	BB&T	3/27/2015	\$48,359	2.19%	4	3/27/2019	\$12,485.40	Annual	\$12,758.83	3/27/2019	\$2,676.33
2015 Ford F-250 Utility Truck	W/S	BB&T	10/24/2014	\$32,216	2.19%	4	10/24/2018	\$8,317.58	Annual	\$8,499.73	10/24/2018	\$1,782.92

FUND CODES

G - General Fund
W/S - Water/Sewer Fund
SW - Storm Water Fund

TOTAL OUTSTANDING DEBT AT 7/17/2018:

General Fund	\$ 5,795,896.00
Water/Sewer Fund	\$ 1,590,158.73
Storm Water Fund	<u>\$ 252,352.56</u>
Total	<u>\$ 7,638,407.29</u>

NOTES

- (a)** - 88% of loan is General Fund and 12% is Water/Sewer Fund
- (b)** - Total amount borrowed was \$432,660. As part of ARRA, the unpaid balance was immediately reduced by one-half of the loan amount
- (c)** - 78% of loan is Water/Sewer Fund and 22% is General Fund
- (d)** - 50% of loan is Water/Sewer Fund and 50% is Storm Water Fund
- (e)** - 55.5% of loan is General Fund and 44.5% is Water/Sewer Fund

LOAN PAYMENTS DUE (Next 12 Months):

07/18/2018 - 09/30/2018	\$ 150,653.97
10/01/2018 - 12/31/2018	\$ 476,543.23
01/01/2019 - 03/31/2019	\$ 80,876.31
04/01/2019 - 07/17/2019	<u>\$ 366,052.55</u>
Total	<u>\$ 1,074,126.06</u>

**TOWN OF KURE BEACH
SUMMARY OF CONTINGENCY FUND AND COMMITTEE
EXPENDITURE ACTIVITY
07/01/2017 - 06/30/2018**

CONTINGENCY FUND

Fiscal Year 2018 Budget	\$48,100.00
Less:	
Budget Amendment - Transfer funds to Public Works (Beach Access ADA Ramp) - Resolution R18-03	<u>\$12,000.00</u>
Remaining Budget as of 06/30/2018	<u><u>\$36,100.00</u></u>

COMMITTEE (Shoreline Access and Beach Protection) EXPENDITURES

Fiscal Year 2018 Budget	\$120,010.00
Less Expenditures:	
Dune Signage	\$718.60
Beach Access Signage	\$3,835.00
CAMA permit for beach signs	\$100.00
Sign installation expenses	\$198.62
E & I Ave. Beach Access Parking - Design & Engineering - Capital Project	\$2,000.00
E & I Ave. Beach Access Parking - Deposit on Lighting - Capital Project	<u>\$7,248.00</u>
Total Expenditures	\$14,100.22
Projects Approved By Council But Not Yet Expended:	
E & I Ave. Beach Access Parking Project - Capital Project	\$105,462.00
Total Approved, Not Expended	<u>\$105,462.00</u>
Remaining Budget as of 06/30/2018	<u><u>\$447.78</u></u>

**TOWN HALL RENOVATION AND NEW FIRE STATION
CAPITAL PROJECT FUND SUMMARY
AS OF 07/10/2018**

	<u>APPROVED BUDGET</u>	<u>ACTUAL AS OF 07/10/18</u>
<u>EXPENDITURES</u>		
<u>ARCHITECT</u>		
Oakley Collier Architects	<u>\$415,257</u>	<u>\$384,081.82</u>
<u>OTHER PROJECT COSTS</u>		
Surveys	\$6,500	\$4,200.00
Legal Fees	\$25,000	\$21,872.93
LGC Loan Application Fee	\$1,250	\$1,250.00
Bank Loan Fees	\$2,900	\$2,900.00
Special Inspections	\$16,000	\$8,692.48
Other	<u>\$500</u>	<u>\$150.00</u>
Total Other Project Costs	<u>\$52,150</u>	<u>\$39,065.41</u>
<u>PROJECT MANAGEMENT COSTS</u>		
Constructive Building Solutions	<u>\$100,000</u>	<u>\$49,512.80</u>
<u>CONSTRUCTION</u>		
Town Hall	\$2,448,843	\$647,280.19
Fire Station	<u>\$2,177,809</u>	<u>\$698,780.57</u>
Total Construction Costs	<u>\$4,626,652</u>	<u>\$1,346,060.76</u>
<u>FURNITURE & FIXTURES</u>		
Town Hall	\$47,500	\$0.00
Fire Station	<u>\$89,400</u>	<u>\$0.00</u>
Total Furniture & Fixtures	<u>\$136,900</u>	<u>\$0.00</u>
<u>GRAND TOTAL EXPENDITURES</u>	<u><u>\$5,330,959</u></u>	<u><u>\$1,818,720.79</u></u>
 <u>PROJECT REVENUE SOURCES</u>		
Transfer From General Fund	\$330,959	\$330,959.00
Installment Financing	\$5,000,000	\$5,000,000.00
Interest on Project Fund Bank Account	<u>\$0</u>	<u>\$239.15</u>
<u>GRAND TOTAL PROJECT REVENUE SOURCES</u>	<u><u>\$5,330,959</u></u>	<u><u>\$5,331,198.15</u></u>