



TOWN COUNCIL MINUTES

REGULAR MEETING

February 18, 2019 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, February 18th, 2019 beginning at 6:00 pm. There was a quorum of Council and the Town Attorney was present.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Town Clerk – Nancy Avery
Finance Officer (FO) – Arlen Copenhaver
Building Inspector – John Batson
Police Chief – Mike Bowden
Recreation Director – Nikki Keely
Fire Department – Ed Kennedy

Mayor Bloszinsky called the meeting to order at 6:00 pm. Reverend Williams gave the invocation and led in the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA ITEMS

1. Funding for Carolina Beach inlet dredging for FY19/20 in amount of approximately \$1,100
2. Approve closing Atlantic Avenue to public vehicle traffic between K and L Avenues from early morning hours through 7 pm on Saturday, April 27, 2019 and allow for participation of food trucks and art, craft, and food vendors during the annual Street Festival
3. Minutes:
 - January 28, 2019 Regular
 - February 1, 2019 Retreat

MOTION- MPT Heglar made a motion to approve the consent agenda

SECOND- Commissioner Whitley

VOTE- Unanimous



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ADOPTION OF THE AGENDA

MOTION- Commissioner Oliver made a motion to adopt the agenda

SECOND- MPT Heglar

VOTE- Unanimous

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Board of Adjustment

- Interview Connie Mearkle to fill Board of Adjustment alternate position

Council Interview Questions to Connie Mearkle:

1. Can you tell us what you think the Board of Adjustment does?
2. What is your view on what is acceptable as a variance?
3. Would you be able to tell Council they're wrong?
4. Would you have a problem telling a citizen that the Town is not going to grant their variance?

Connie Mearkle answered she believes the Board of Adjustment is for when residents have applied for permits that have been denied by the Building Inspector they can bring it to the BOA to appeal. The board will determine if their request is reasonable and if it meets the guidelines. She doesn't prefer things being in setbacks and her view on variances is that you need a really good reason for it to be approved. She prefers to follow the ordinances and stated she would have no problem telling Council they're wrong. She has served on the board for her neighborhood HOA and has had to deny citizens/ neighbors requests in the past.

Mayor Bloszinsky stated the Town looks at the intent of the ordinance and what the ordinance is attempting to do. Unless the ordinance is incorrect or there are other circumstances that need consideration. Generally the Town always goes back to what the intent of the ordinance is.

MOTION- MPT Heglar made a motion to appoint Connie Mearkle as an Alternate for the Board of Adjustment

SECOND- Commissioner Whitley

VOTE- Unanimous

2. Community Center Committee

Recreation Director Keely stated the Community Center will be hosting a yard sale on March 9th.



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3. Shoreline Access and Beach Protection Committee (SLABP)

- Beach access signs for remaining access without signage \$2,525
- Beach booster program

SLABP Chairman Dennis Panicali stated:

- Proposing new signs for this year
- Similar to the signs last year at each of the parking lots
- 8 new beach access signs
- Same content and font sizes but modified to make signs a little taller and narrower
- Using 4 by 4 posts this year so they will fit more appropriately next to the wooden walkways
- \$229 per sign and the total cost with tax is \$2,525
- Doesn't include the post, the hardware or Public Works time
- The signs should be less expensive than in the past since the Town used 6 by 6 posts
- Old signs will stay up at the parking lots

MOTION- MPT Heglar made a motion to approve the beach access signs for remaining accesses without signage costing \$2,525

SECOND- Commissioner Whitley

VOTE- Unanimous

Beach Booster Program

Ed White stated:

- For the back of the signs we thought we could open up a sponsorship to offset costs for the future
- 12 sign locations
- Help support the Beach Ambassador program
- Remind visitors and residents to keep the beach clean and safe
- Sponsorship would be on the back of the sign for people to see when coming off the beach
- Open to Kure Beach businesses or local residents
- Restrict to not allow anything political on the signs
- Layout and wording would be subject to first the committee and then through Council
- Allow HOAs and memorial signs as long as they pay the fee
- \$250 for first year but the renewal each year would be \$100
- May offer discount for 3 years or more
- The pay structure can be adjusted



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Commissioner Oliver stated the Town needs to make sure the signs don't have anything offensive. Certain advertisements wouldn't be allowed such as alcohol or religious items.

Mayor Bloszinsky stated all signs would be approved by Council.

(FO) Arlen Copenhaver asked who is going to bill and collect the money from the individuals or businesses.

Committee member Ed White stated the SLABP Committee would take care of it.

Commissioner Oliver stated we need to have a letter from the Mayor stating this is a Town program.

MPT Heglar commented we need to write a policy if we're going to have this program. He doesn't prefer ads but understands it. He is concerned some citizens won't like the signs but does think the back of the sign coming off the beach is a great place for it to be advertised.

Mayor Bloszinsky stated we could have more discussion at the naming committee and discuss it in detail.

CONSENSUS- Naming Committee to bring recommendation by March Council meeting regarding the Beach booster program.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department

Financing of water meter replacement project

- Approve Capital Project Ordinance in amount of \$1.4 million
- Approve Resolution R19-01 Notice of Intent to finance a capital project to replace water meters at a cost not to exceed \$1.4 million
- Schedule Public Hearing on Notice of Intent to finance as first order of business at the March 18, 2019 Council meeting
- Approve Resolution R19-02 declaration of official intent to reimburse



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(FO) Arlen Copenhaver stated:

- Looking to replace water meters throughout Town
- Received first estimate from engineering services of 1.25 million
- Since this is a multiple year fiscal project need to adopt a Capital Project budget Ordinance
- Breakdown of expenses is the Engineering construction and administrative cost of \$31,500
- Actual purchase and installation of the water meters and all related software is a little over 1.2 million dollars
- Factored in a contingency of about \$155,000 because until we receive the bids back we don't know the exact price of the project
- Revenue source is a bank loan not to exceed 1.4 million dollars
- Need approval of the local governing commission because of the amount of loan so need to approve the Resolution R19-01

Mayor Bloszinsky stated the Town has discussed this project for a while and these meters need to be replaced.

MOTION- MPT Heglar made a motion to Approve Capital Project Ordinance in amount of \$1.4 million

SECOND- Commissioner Oliver

VOTE- Unanimous

MOTION- Commissioner Oliver made a motion to approve Resolution R19-01 Notice of Intent to finance a capital project to replace water meters at a cost not to exceed \$1.4 million

SECOND- MPT Heglar

VOTE- Unanimous

MOTION- MPT Heglar made a motion to schedule Public Hearing on Notice of Intent to finance as first order of business at the March 18, 2019 Council meeting starting at 5:30 pm

SECOND- Commissioner Whitley

VOTE- Unanimous

MOTION- MPT Heglar made a motion to approve Resolution R19-02 declaration of official intent to reimburse

SECOND- Commissioner Whitley

VOTE- Unanimous



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2. Fire Department

Fire Chief Kennedy stated:

- Gym equipment has arrived
- One full time staff vacancy
- Already starting advertising and hope to have the vacancy filled by April 1st
- Department will be doing flow testing whole month of March
- 3 or 4 property owners who may have a bush obstructing from tests but it's an easy fix
- Advertise 1st of March for beach staff
- 60-70% return rate on beach staff

3. Recreation Department

Recreation Director Keely commented:

- Reminder the Polar Plunge is this coming Saturday
- 5k run, Silent auctions and full band
- Road closures will be at Atlantic Ave and N Ave

Police Chief Bowden stated the Police department has extra personnel on staff for the event.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Town Facility Construction Project Status Update

- Moving date of March 11th and closing of Town Hall services for move

Commissioner Oliver stated:

- Town Hall is just about complete
- Contractor working diligently on the Police department to get it finished
- Monday, March 11th is the day it gets turned over to the Town
- Advises closing Town Hall for the week to pack, move and unpack and get computers back up
- Police will be operative
- Water balances is the biggest issue but it will be the week they read the meters
- Learned a few things with Fire Department move so need a few more days to make it manageable



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Mayor Bloszinsky stated we need to put in the newspaper, on the Town website, and include in the voicemail greeting.

Motion- Commissioner Oliver made a motion to close Town Hall for the week of March 11th to move into the new Town Hall Facilities

Second- Commissioner Whitley

VOTE- Unanimous

2. Language for plaque to dedication of new buildings to the citizens

Mayor Bloszinsky stated:

- Rough estimate
- Not going to list the Mayor or the Council members
- Instead go with a plaque dedicated to the tax payers and Town staff

Commissioner Ellen commented he doesn't like the words tax payer. Not everyone who lives in Kure Beach pay taxes. He is in favor of a shorter and to the point plaque.

MPT Heglar stated residents and property owners would be a better option.

Commissioner Oliver commented don't we need to include the construction company on the plaque. He prefers dedicated to the citizens of Kure Beach.

Mayor Bloszinsky stated he will modify the wordage of the plaque with the information he has received and will send it out for comment to Council. He thinks the plaque should go inside the building on the entrance wall.

Commissioner Oliver stated he thought they would all go on the pedestals in the landscaping as previously discussed.

MPT Heglar stated this is what was shown at the last Council meeting to have the old and new plaques on pedestals.

Deputy Town Clerk Sanders commented she is concerned about the structure of the walls to hold up a plaque of that size in the entrance area.

CONSENSUS- To place the Town Hall plaques outside the front of the building on pedestals



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3. Possible amendment to Section H of the Committee Policy regarding damage assessment and emergency management members to ensure no restriction on who may serve to help the community

MPT Heglar stated:

- This is a community service issue
- Doesn't want to limit anyone with helping Building Inspector Batson during or after a storm
- Agrees with the recommendation received from Town Clerk Avery on the new policy wording

MOTION- MPT Heglar made a motion to amend Section H of the Committee Policy regarding damage assessment and emergency management members to ensure no restriction on who may serve to help the community

SECOND- Commissioner Whitley

VOTE- Unanimous

4. Dedication Ceremony

- Schedule a date for the ceremony
- Discuss ceremony budget funds

Commissioner Ellen stated:

- Planning is going great
- Asking Council for a consensus to schedule the dedication ceremony for Saturday, May 11th
- Open house for all buildings
- Start the ceremony in the Council room and then dedicate the Fire Station
- Provide pastries and coffee
- Asking for a \$2000 budget

Mayor Bloszinsky commented the ad-hoc committee does need to have a budget so they don't have to keep coming back to Council with each item. He thinks with the invitations and plaques the committee should start with a budget of \$3,200. If more is needed the Ad-hoc committee can come back to Council.

MOTION- MPT Heglar made a motion to schedule the dedication ceremony for Saturday, May 11th with a budget of \$3,200

SECOND- Commissioner Whitley

VOTE-Unanimous



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(FO) Arlen Copenhaver to submit budget amendment transferring from contingency at March Council meeting.

5. Draft amendment to Code of Ordinances defining 'Faithful Attendance'
 - Part II (Code), Chap 2 (Admin), Article III (Boards, Commissions & Committees), Section 42 (Terms, Removal & Vacancies), Subsection d adds language to define 'Faithful Attendance' as no more than 3 excused absences in a rolling 12 month period for Planning and Zoning Commission members

MOTION- MPT Heglar made a motion to amend Part II (Code), Chap 2 (Admin), Article III (Boards, Commissions & Committees), Section 42 (Terms, Removal & Vacancies), Subsection d adds language to define faithful attendance as no more than 3 excused absences in a rolling 12 month period for Planning and Zoning Commission members

SECOND- Commissioner Oliver

VOTE- Unanimous

6. Draft amendment to Code of Ordinances defining 'faithful attendance'
 - Chapter 19 (Zoning), Article II (Removal and Filling of Office), Section 45 adds language to define 'Faithful Attendance' as no more than 3 excused absences in a rolling 12 month period for Board of Adjustment members

MOTION- MPT Heglar made a motion to amend Chapter 19 (Zoning), Article II (Removal and Filling of Office), Section 45 adds language to define 'Faithful Attendance' as no more than 3 excused absences in a rolling 12 month period for Board of Adjustment members

SECOND- Commissioner Whitley

VOTE- Unanimous

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Encroachment request from Jeff and Gretchen Casterella, 834 N FFB

Gretchen Castella resident of 834 N FFB stated:

- Currently renting
- Moved from Colorado
- Submitted plans to build a duplex to Building Inspector Batson
- Asking Council to approve a 15 foot encroachment
- Construction of the home hasn't started
- In the packet on last page shows a sketch of the property
- Shows the proposed pool encroachment
- Reviewed a few of the prior encroachments
- 4 other similar properties have been approved



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- 109 foot footprint which is less than the average of the other properties
- Enough parking designed with 7 parking spots

Building Inspector Batson stated this property is not nearly as hurt like the ones on SeaWatch. The total footprint on those properties were 70ft and the Castrella property has 90ft.

MPT Heglar asked Building Inspector Batson does this encroachment stick out any further than the other pools along the building line.

Building Inspector Batson stated no this one does not. The only difference is the ones that Council has approved in the past had a footprint of 70 feet but this one before Council has a building footprint of 90 feet.

MOTION- MPT Heglar motioned to approve the 15 foot encroachment into the beach nourishment easement request from Jeff and Gretchen Casterella located at 834 N FFB contingent on review and approval of encroachment agreement by Town Attorney

SECOND- Commissioner Ellen

VOTE- Unanimous

MAYOR UPDATES

Mayor Bloszinsky stated:

The new parking spaces would be at the following locations:

6th Avenue - K through I Avenue

- No parking within 30 feet of any corners
- Diagonal parking on each side of the tree line
 - From K to J about 30 places on each side
 - From J to I about 30 places on each side.
- No spaces between I to H (median too soft)
- Total 120 bumpers/spaces

I Avenue – between 4th and 6th Avenues

- No parking within 30 feet of any corners
- Diagonal parking on each side of median
- 4th to 5th – add 12 diagonal spaces diagonal on each side
- 5th to 6th – add 12 spaces diagonal parking each side
- FF to 3rd already has 23 spaces with bumpers
- Total 48 bumpers/spaces

E Avenue – between 3rd and 4th

- No parking within 30 feet of corners



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- Add 11 positions alternating 5 on one side and 6 on the other.
- Total 11 bumpers/spaces

Ocean Dunes Public Access at Surfrider Court

- 50 foot limit on each side of walkway
- Add 5 diagonal spaces on both sides of access to back out into Fort Fisher northbound lane to avoid backing out across traffic.
- Total 10 bumpers/spaces

TOTAL BUMPERS/SPACES 189

MPT Heglar stated the Town shouldn't strand a beach access and that is what the Town is doing on Stormy Petrel. The Town needs to be able to say they provide as many beach access parking spots as possible. He recommends at least putting one parking spot at Stormy Petrel.

MOTION- MPT Heglar made a motion to direct the Public Works Department to install 189 new parking spaces and bumpers on E, I and 6th Avenues and at Fort Fisher Boulevard and Surfrider in front of Ocean Dunes with a review of Stormy Petrel

SECOND- Commissioner Whitley

VOTE-Unanimous

COMMISSIONER ITEMS

1. Resolution opposing rate increase by NC Rate Bureau

Commissioner Ellen commented:

- Drafted resolution opposing the rate increase
- The NC rate Bureau filed a rate increase on December 21st 2018
- Average increase is 17.4 % across the state
- Discuss as a Council to take an official position of adopting a resolution
- Encourage people of the Town to submit written comments and concerns to the Department of Insurance
- Or go to the Public Hearing in Raleigh on March 26th to discuss this issue in person

MOTION- Commissioner Ellen made a motion to approve Resolution R19-03 on the rate increase by NC Rate Bureau

SECOND- MPT Heglar

VOTE-Unanimous



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2. Drainage Walkthrough

Commissioner Whitley stated:

- Walked every foot of the drainage lines to see if there were any problems with blockage on the land of the Military Operations Terminal at Sunny Point
- Started at the water tower and went all the way back to Dow Rd
- Town Council is asking MOTSU for permission to do these walks twice a year

MOTION - MPT Heglar made a motion to go into closed session at 7:43pm (as per NCGS 143-318.11(a)(3) for consultation with the attorney.

SECOND- Commissioner Oliver

VOTE- Unanimous

MOTION- Commissioner Whitley made a motion to return to open session at 7:52 pm

SECOND- Commissioner Ellen

VOTE- Unanimous

MPT Heglar stated Town Council discussed in closed session a request from a storm water system owner to assist in the damages from Hurricane Florence. After reviewing all the information, the Town has a significant amount of storm water that goes through this system so the Town Council has decided to assist Ocean Dunes with the repairs.

MOTION- MPT made a motion to approve payment of \$32,500 from storm water fund to Ocean Dunes HOA for storm water repairs needed after Hurricane Florence to handle Town storm water that flows through their pipes to ocean outfalls pipe

SECOND- Commissioner Whitley


VOTE- Unanimous

MOTION- Commissioner Ellen motioned to adjourn the Council meeting at 7:55 pm.

SECOND- Commissioner Whitley

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.