



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, August 19th, 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

COUNCIL MEMBERS ABSENT

Commissioner John Ellen

STAFF PRESENT

Town Clerk – Nancy Avery
Finance Officer (FO) – Arlen Copenhaver
Public Works Director – Jimmy Mesimer
Fire Chief – Ed Kennedy
Building Inspector – John Batson

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

MOTION- MPT Heglar made a motion to excuse Commissioner Ellen from the meeting

SECOND- Commissioner Whitley

VOTE- Unanimous

APPROVAL OF CONSENT AGENDA ITEMS

1. Appoint Ann Gibson as a full member of the Marketing Committee
2. Appoint Stefanie O'Conner as an alternate member of the Marketing Committee
3. Adopt Resolution R19-08 to approve financing totaling \$109,800 with First Bank for a Police vehicle and a water collection and distribution telemetry system
4. Fall events – close Atlantic Avenue between K and L from 1-10 pm on Friday, October 4th for the Jazz Funeral and on Saturday, November 23rd and 30th for Holiday Market and allow food trucks at each event. Allow participation by food cart and pet related vendors on Saturday, October 19th at Joe Eakes Park for the Halloween event
5. Approve hosting Special Olympics Polar Plunge Saturday, February 22, 2020. Use of Ocean Front Park, K Avenue east of FFB, Atlantic Avenue and portions of the Boardwalk and Beach. Close K Avenue east of FFB and Atlantic Avenue between K and L to vehicle traffic from early morning hours through 5 pm on Saturday, Feb. 22. Allow 5K race in conjunction with event. Allow three food trucks vendors and waive associated fees due to non-profit status
6. Minutes:
 - July 15, 2019 Regular
 - July 15, 2019 Closed



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

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

SECOND- Commissioner Oliver

VOTE- Unanimous

ADOPTION OF THE AGENDA

MOTION- Commissioner Oliver made a motion to adopt the agenda as presented

SECOND- MPT Heglar

VOTE- Unanimous

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee

Recreation Director Keely stated the Community Center held the annual BBQ this past weekend and it was a huge success.

2. Planning & Zoning Commission

a) Proposed text amendment Chapter 19 (Zoning), Article II (Administration), Division 3 (Amendments), Section 61 (Amendment and Changes)

b) Proposed text adoption Chapter 19 (Zoning) Article II (Administration), Division 3 (Amendments), Section 62 (Rezoning Applications)

Clarifies that only property owner or property buyer may apply for rezoning. Current code allows anyone to apply

Chairman Craig Galbraith stated this text amendment is a recommendation from P&Z. This came from an issue in Carolina Beach where one person applied for rezoning on 25 different parcels. Spoke with the P&Z attorney who wrote up a proposal to address this specific issue. Recommendation is to clean up the language so the Town doesn't have a problem going forward.

MOTION- Commissioner MPT Heglar made a motion to schedule a Public Hearing for the Proposed Text Amendment Chapter 19 (Zoning), Article II (Administration), Division 3 (Amendments), Section 61 (Amendment and Changes) and the Proposed text adoption Chapter 19 (Zoning) Article II (Administration), Division 3 (Amendments), Section 62 (Rezoning Applications) starting at 5:30 p.m. on September 16th

SECOND- Commissioner Whitley

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration

- Approval to adopt reorganized and renumbered Code of Ordinances

Town Clerk Avery stated:

- **MAINTENANCE OF CODE OF ORDINANCES**
 - The Office of the Town Clerk has always maintained and kept current the Code of Ordinances
 - A Code of Ordinances is the combination of individual ordinances or laws passed by the Town Council into one document, organized by broad subject matters, to make finding and cross-referencing multiple ordinances on the same subject matter easier.
 - We currently have both a hard copy printed version in a black binder and a link on the Town's website to an electronic version.
- **CURRENT CODE UPDATE PROCESS**
 - The Town uses the third party vendor MuniCode to manage the formatting.
 - Amendments to the Code originate as a word document. Once approved, the amendment is emailed to MuniCode to add to the Code format.
 - This is a cumbersome process which can get confusing as amendments circulate from Planning & Zoning to the Town Council.
 - Amendments go into a separate section of the Code on the website titled 'view what's changed' until we request the printed version called a Supplement. At that time, the amendments are incorporated into the formatted Code. This creates confusion if someone is searching the Code online and does not notice the 'view what's changed' section. Under this method it is possible to access the old Code by mistake, rather the amended one.
- **SELF PUBLISHING VERSION**
 - We are changing to what's called 'self publishing' software
 - This means amendments will originate in the software itself, then once approved, staff will upload the change to the Code with no delay
 - We will no longer use the small black book printed copies of the Code
 - Hardcopies will be provided upon request and will be 8 1/2 x 11 inches in size
- **REORGANIZATION AND RENUMBERING**
 - As part of this change in software and publishing, we looked at the organization and numbering system of the current format.
 - Our current Code format has Chapters, Articles, Divisions, Sections and Subsections, etc. to identify ordinances. An amendment may be referenced as 19-76, but translates to Chapter 19, Article III, Division 1, Section 76. This format is also labor intensive during the amendment process.



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

- The renumbered version will use 'KBC' reference for 'Kure Beach Code' to maintain a structure using a decimal numbering system which identifies the chapter and section (for example: 1.01.010).
 - The *first* number in the sequence (1.01.010) designates the **Chapter** level
 - The *second* series of numbers (1.01.010) designates the **Article** level
 - The *last* series (1.01.010) designates the **Section** level
 - If a *fourth* series exists comprising letters or numbers beyond a section level, it designates a **Subsection** level
- NEW NUMBERING SYSTEM
 - Chapter 19 (Zoning), Article III (District Regulations), Division 1 (Generally) Section 76 District becomes Chapter 15.08 or KBC 15.08 which is Chapter 15, Section .08
 - Why Chapter 15 and not Chapter 19?
 - Another change is that with reorganization of certain ordinances, the Code will no longer have 20 chapters, but 15
 - Example – Chapter 6 on Fire Protection and Chapter 13 on Police have been moved into Chapter 2 on Administration, where other departments are established
- ADOPTION
 - I will ask Council to adopt this renumbered/reorganized version of the Code at its August meeting.
 - The Town Attorney has reviewed and approved the change and the P&Z Attorney has been given a copy to review.
 - No existing content of the Code has been changed or removed.
 - Getting used to the new version will take time, but I think it will be a much easier way of providing and amending the multitude of data contained within the Code.
 - Once approved, hard copies will be provided to P&Z to give you a chance to familiarize yourselves with the changes in the Code.
- The Town Attorney has given a recommendation to the Town Council regarding the code stating he found the reorganized code easily accessible and up to date.

MOTION- MPT Heglar made a motion to schedule a public hearing for the reorganized and renumbered Code of Ordinances starting at 5:00 p.m. on September 16, 2019

SECOND- Commissioner Whitley

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

- Adopt the Waste Management Recycling Contract

Town Clerk Avery stated:

- The Town has used Waste Management since 2003
- The contract expired last year
- Waste Management is the middle person as they collect it and take it to a third party vender to process
- The increase last year from \$4.88 to \$7.40 was due to an increase Waste Management was being charged from the third party vender

Town Council had discussion on how to eliminate the usages of five recycling bins and the increase of rates.

MOTION- MPT Heglar made a motion to direct Public Works Director Mesimer and SLABP Dennis Panicali to review the least used five public beach accesses and eliminate the recycling bins to replace with a second garbage can

SECOND- Commissioner Oliver

VOTE- Unanimous

MOTION- MPT Heglar made a motion to approve the increase of the recycling fee in the amount of .75 cents for the cost of each bin from \$7.40 to \$8.15 to cover the residential cost of recycling

SECOND – Commissioner Oliver

VOTE- Unanimous

MOTION- MPT Heglar made a motion after the public beach accesses are identified by Public Works Mesimer and SLABP Dennis Panicali modify the contract and execute a 3 year contract excluding the 5 bins with Waste Management

SECOND- Commissioner Oliver

VOTE- Oliver

- ICompass agenda software demonstration

Administrative Assistant Chase stated:

- The administration department is currently in the process of transitioning to a new software system for our minutes and agendas
- The Administration department currently uses a word document to create the agendas.
- This new software will allow us to upload directly from our computer drive to the agenda packet
- By using this software it will make the minutes, agendas, and any agenda packet information searchable in the portal.



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

- Commissioners, you will each be receiving a username and password for your Icompass account and will have the ability to download the Agenda Notes app onto your Ipad.
- If you choose to use the app it will allow you to electronically make notes on the agenda or agenda packet.
- You will still receive a link to your email alerting you the agenda is available for viewing
- As shown here on the screen the new agenda packet will be available in a split screen version.
- This will allow for you to view the agenda on the left hand side of the screen while the agenda packet is displayed on the right.
- This system will also come with a new recording system that will be connected to the microphones.
- For Residents visiting our website they will enter the portal by clicking on a link on our home page.
- The portal as shown is mirrored to look very similar to our website design.
- The portal will make the meeting calendar more accessible to residents and will also have the option to subscribe for alerts on upcoming meetings.
- Make it easier for viewing of the minutes, agendas, and the agenda packets.
- The residents will now access the portal to view the agendas and minutes and will also be able to listen to the audio recordings from the meetings in the portal.
- The Administration Department hopes to be live with this new software at the September or October meeting.

2. Fire Department

Fire Chief Kennedy stated:

- Lifeguards will be headed back to school next week
- Ocean Rescue will now have 5 to 10 lifeguards working during the week but will still be full staff on the weekends
- More black flags will be used and will continue to put lifeguards at the higher volume towers
- Ocean Rescue Supervisor JD Lanier has done a fantastic job this past year
- The Department has only received two complaints this entire summer
- This was a slower year with only 40 rescues but a higher fire call month
- Two fire structure calls and a vehicle fire
- The one fire structure was the second largest fire Kure Beach has experienced
- Police Department did a wonderful job confirming all citizens were out of the homes
- Thank you to Police Chief Bowden, Public Works Director Mesimer and Building Inspector Batson who helped out with this process
- Fire Department will hold an open house in October to kick off Fire Prevention week



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

3. Public Works Department

Public Works Director Mesimer stated the first preconstruction meeting has been held and the water meters will start being installed on September 9th. The new system comes with a portal but he recommends holding off on using it till all the bugs are fixed in the system.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Safety Audit results

Mayor Bloszinsky stated:

- Town Council took a proactive position to look at the safety of Town employees
- It helps with insurance rates and makes Town employees feel safe
- The Town found in the audit results that each department does a great job being proactive and some of the OSHA requirements the Town departments can work on if it applies to their specific department
- Town Council has created a safety committee with Commissioner Oliver and all Department Heads
- The goal is to define a single safety plan for the Town that each Department can follow

2. Additional Crosswalks

Mayor Bloszinsky stated:

- The Town has looked at a variety of different signs
- Not here tonight to tell citizens the Town has decided on what will be done
- But to say there is no protection from a distracted driver
- Citizens please don't use your phone while driving and look both ways when crossing the street
- Currently looking at a variety of signs that may bring more awareness to the crosswalks the Town already has
- Commissioner Heglar has reviewed studies from the NDOT that shows having too many crosswalks creates the wrong problem
- It makes drivers accustom to them and gives pedestrians a false sense of security



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

3. Storm water Study

MPT Heglar stated:

- Received two proposals from:
 - Engineering Services, PA
 - LDSI, Inc
- Engineering Services
- Proposal was shared with Council separately
- Detailed breakdown of services as requested.
 - Largest cost driver was CCTV video and cleaning in each area
 - This is out of scope for the project – and is part of the standard maintenance that occurs by public works
 - Below is the cost proposal taking CCTV/Cleaning out of the study
 - Area #1 - \$71,000
 - Area #2 - \$35,000
 - Area #3 - \$30,500
 - Total Proposal for all work \$136,500
- LDSI Inc
 - Proposal shared with Council separately
 - Broke down project by phases – but did not break down by multiple areas in pricing, however separate area Insets were highlighted in attached map.
 - Phases of review match scope requirements
 - One issue for review with company is Inset B of the associated map does not come south to the outfall of the second Beachwalk pond – this will be discussed with company
 - Below is the cost proposal for all areas:

○ Inventory / Assessment	\$34,710
○ System Analysis	\$24,480
○ Infrastructure Improvement	\$24,440
○ Assess Funding Opportunities	\$ 7,560
○ Ordinance Review	\$ 6,840
○ Total Proposal	\$98,030
- Recommendation
 - 2019/2020 FY Budget has \$30,000 allocated for this issue. This will support the Initial Inventory and Assessment of the current Stormwater system.
 - Recommendation – Council direct the Public Works Director to work with LDSI to detail their proposal with the following direction:
 - Inset B must continue South to include the southern Beachwalk pond outfall and evaluation of the entire Beachwalk system capacity
 - LDSI break down in detail by INSET areas the proposal for



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

- Phase 1 Inventory and Assessment
- Phase 2 System Analysis
- Public Works Director to bring details and final recommendation on study to the September meeting with a formal request for council approval to proceed.

MOTION- Commissioner Oliver made a motion to Direct Public Works Director Mesimer and MPT Heglar to work with LDSI Inc to detail their proposal with the following direction on Inset B must continue South to include the southern Beachwalk pond outfall and evaluation of the entire Beachwalk system capacity. LDSI to break down in detail by INSET areas the proposal for Phase 1 Inventory and Assessment and Phase 2 System Analysis

LDSI to get a better breakdown of numbers

SECOND- Commissioner Whitley

VOTE-Unanimous

4. Resolution R19-09 CAMA final application to replace a beach crossover with stairs at access # 1004.5 near Oceanview with a flat, wider ADA ramp with solar lighting. Town cash amount \$30,000 and in-kind amount of \$3,622

Town Clerk Avery stated:

- In April Council directed to submit a pre application to apply for the CAMA grant to replace the existing access #1004.5
- Bringing this back to Council tonight to confirm the Town Council still wants to move forward
- Getting approved for the pre application is a good indication that the Town will receive the grant
- Applying for the final application means the Town is committing to a cash match of \$30,000 and in-kind amount of \$3,622
- The In-kind amount is for the staff time
- Recommends approving the Resolution R19-09 if Council wants to move forward with the final application

MOTION- MPT Heglar made a motion to approve Resolution R19-09 for the CAMA final application to replace a beach crossover with stairs at access # 1004.5 near Oceanview with a flat, wider ADA ramp with solar lighting in the cash amount of \$30,000 and in-kind amount of \$3622

SECOND- Commissioner Oliver

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

5. Social Media Policy

Town Clerk Avery stated:

- At the July meeting the Administration Department presented the initial policy
- Town Council wanted more clarification on public records
- Went back through the current policy the Town already has in the policy manual under Public Notification Content
- Modified the policy to add the social media section into the manual
- Included the section on the public record retention into the policy
- Advises each department to be very cautious before deleting anything from the social media site
- If the item is the original document and has historical value before deleting the department needs to save a copy
- Does Council want the Department to come to Council before the department can administrate a social media page?
- Does Council want Department heads to have the authority to respond to comments?

MPT Heglar stated “responding within 48 hours” seems like a tight requirement and thinks it needs to be removed from the policy. He is comfortable with the Department heads handling the responses back to citizens.

MOTION- Commissioner Oliver made a motion to adopt the amendment to Public Notification Content policy to include Social Media Sites in Section 10.01, as presented

SECOND- MPT Heglar

VOTE- Unanimous

6. MOTSU Update

Commissioner Whitley stated:

- MOTSU Land Use Plan went out for public comment and never heard any comments back
- The Town is still trying to get permission to do work on Settlers Lane
- Waiting on security clearance and will get the surveyor and work started once received hopefully later this week



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. HPC and P&Z UNCW Interns

Commissioner Whitley stated:

- P&Z Chairman Galbraith has already introduced the interns
- Historical Preservation Commission had their first meeting last week
- The Commission is expecting big things from our interns and hopefully will have lots of examples to draw from to craft the best one for Kure Beach

2. Memorial Bench selection

Recreation Director Keely stated:

- Speaking tonight for the Community Center Committee
- Presented in the agenda packet is the selected option for a potential memorial bench for the Town
- Need Town Councils approve for the memorial bench to allow the community center to use
- Been approached multiple times throughout the years for memorial benches so there seems to be a lot of interest
- The weight of the bench is 119 pounds and it is made with 100% recycled plastic
- The bench will be mounted to the surface

MOTION- MPT Heglar made a motion to approve the memorial bench as presented in the agenda packet as the selected memorial bench for the Town

SECOND- Commissioner Whitley

VOTE- Unanimous

MPT Heglar stated just a reminder it is still hurricane season. The 911 center will be moving back to the original building next week.

MOTION- MPT Heglar made a motion to adjourn the meeting at 7:48 p.m.

SECOND- Commissioner Whitley

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

August 19, 2019 @ 6:00 p.m.

ATTEST: BChase
Beth Chase, Administrative Assistant

Craig Bloszinsky
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.