

# MINUTES



## TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ▪ Kure Beach, NC 28449

Mayor Montgomery Montgomery, Mayor  
Jim Mayor Pro Tem Dugan, Mayor Pro Tem  
Commissioner Lambeth Lambeth, Commissioner  
Barry Commissioner Nelder, Commissioner  
Jim Commissioner Vattr, Commissioner

Michelle Administrator James, Town Administrator ▪ Kaysie Pralle, Town Clerk

### PUBLIC WORKSHOP

JANUARY 15, 2009 2:00 P.M.

#### COUNCIL MEMBERS PRESENT:

Mayor	Mac Montgomery
Mayor Pro Tem	Jim Dugan
Commissioner	Dean Lambeth
Commissioner	Barry Nelder
Commissioner	Jim Vattr

#### COUNCIL MEMBERS ABSENT:

None

#### STAFF PRESENT:

Town Administrator	Michelle James
Police Chief	Dennis Cooper
Fire Chief	Harold Heglar
Building Inspector	John Batson
Public Works Director	Sonny Beeker
Town Clerk	Kaysie Pralle

Town Attorney A. A. Canoutas was in attendance. There was a quorum of the Town Council present.

The Kure Beach Town Council held a Public Workshop on Thursday, January 15, 2009 at 2:00 pm for the purpose of having a joint discussion with Council, committee chair's, and staff regarding the roles of committees and the roles of Council and Staff within the committees. Council, committee chairs, and staff feel the goal of this meeting should be for each committee to have a clear mission, guideline and goal for the 2009-2010 fiscal year.

Commissioner Vattr and Chris May, Cape Fear Council of Governments will co-moderate this meeting.

### CALL TO ORDER

Mayor Montgomery called the meeting to order at 2:01 pm.

Commissioner Vatrtr - Handed out a draft version of the updated Policy & Procedures for committees to meeting attendees. He started by thanking the committees for all they do. They make Kure Beach a "better place to live." He stated that Council needs to do a better job in communicating our consensus of opinion.

I. Mayor Pro Tem Dugan - Review of committee procedures

Commissioner Vatrtr explained that recently he & Mayor Pro Tem Dugan revised the Policy & Procedures for committees.

Mayor Pro Tem Dugan - He explained that they wanted to simplify the Policy & Procedures. He began at the first item listed on the Policy & Procedures that states anyone can serve as long as you are a resident and do not owe money to the Town.

Commissioner Nedler - Pointed out that in an earlier discussion with Commissioner Lambeth, he wanted the Policy & Procedures to state you must be a Town property owner, not just a resident.

Mayor Montgomery - Disagrees with that policy recommendation. He explained that we have property owners that are not residents, yet they are able to serve. The resident, whether they own property or not, lives here, pays taxes, utilizes Town resources. Why should we limit their ability to serve?

CONSENSUS - Commissioner Vatrtr clarified that the policy will now state "Any resident and/or property owner of Kure Beach is eligible to serve on appointed committees."

Mayor Pro Tem Dugan - Discussed attendance of committee members. If a member is asked to leave due to absences, a replacement should be recommended.

Commissioner Vatrtr - The committee has the authority to have as many or few members as it deems necessary to accomplish its goals. It can bring on temporary members to assist with this as well.

Gabby Kraus, Parks & Rec. - Do committees have the authority to hire an intern?

Commissioner Vatrtr - If you need an intern, and it requires funding, you can come to the Council at any point to request they revisit the budget cycle to accomplish this request. Council may or may not approve the request due to budget limitations.

Commissioner Vatrtr - Committees should leave today and determine budget requirements and estimates for 2009-2010 fiscal year. At a later meeting, Council will hear committee requests and determine what projects could be budgeted for that year.

Mayor Pro Tem Dugan - Continued through the Policies & Procedures for committees. On section H, Item 1, there was a recommended change of service term, from one year to three years.

Sandy Cox, Citizens Beach Protection Chair - What do we do if a Chair steps down, and there is no person willing to replace them?

Commissioner Vatrtr - Council discussed having the liaison step in as Chair until a replacement can be found.

Sandy - Can committee liaison take suggestion from committee to Council for consideration?

Mayor Pro Tem Dugan - Liaison cannot determine what projects committees should pursue. Three or more Council members (quorum) cannot gather to discuss any Town business outside of a public meeting based on Open Meetings Laws.

Mayor Montgomery - Liaison can speak up at Council meeting when you present project or suggestion before Council.

Gilbert Alphin, ADA Chair - Questioned if when traveling to committee meetings, should a committee member get into an accident, are they covered under the Town's liability insurance?

Chris May, Cape Fear Council of Government - Council should discuss this with the Town Attorney.

Mayor Montgomery - What if Council directs member to attend a meeting?

Commissioner Vatrtr - Council directed Town Administrator to look into this further and return to Council with her findings.

## II. Administrator James - Review of committee types & requirements

The required committees by Town Ordinance are as follows: Board of Adjustments, Planning & Zoning Commission, Parks & Recreation, and the Community Center.

By definition, ad hoc committees are usually appointed for a special purpose. They dissolve upon completion of task and have a beginning, middle and end.

Administrator James - They have secretary, regular meeting times, schedule of events, and a support staff member. She went through the Open Meeting Laws for committees and boards. Committees need to notify Town Clerk if a regularly scheduled meeting time changes.

Mayor Montgomery - Can committee hold any meeting at public residence instead of on Town property?

Administrator James - As long as it meets notice requirements and is open to the public.

Chris May - Establish your rules of procedure as a body. If you want to change the procedures, you must achieve the majority vote.

Sandy Cox - Is there any rule that limits how many committees a resident can serve on?

Chris May - You cannot hold more than two appointed positions.

Commissioner Vatr - Discussed several different situations regarding committees listed below.

What is role of the Councilmen at committee meetings? Council has established that we are serving in an advisory position.

Should committees have a beginning, middle and an end? He gave the example of the Ocean Front Park Utilization Committee.

The budget process for committees is discussed annually by Council. February or early March, committees should return to Council with estimated annual budget needs. Council will then determine what projects or needs will be budgeted for the following fiscal year.

Mayor Montgomery - Suggested committees approach outside resources that can help find funding sources for projects, such as the Council of Governments. Committees could then approach Council with their funding request along with the sources of outside funding to help Council to better understand the funding stream and to better "sell" your project idea.

Administrator James - Suggested committees consult with her, Commissioner Vatr, or department heads who can offer technical assistance with funding needs. We are also good resources for the committees.

Mayor Montgomery - Committees can call any state or federal agency to inquire about project funding without Council's prior approval. Once you have your project proposal together, you can then approach Council with your request.

Mayor Pro Tem Dugan - Pointed out that committees cannot contact the Town Attorney. They must contact Council for approval to contact Attorney.

Commissioner Vatr - Stated committees are advisory boards to the Council. Do research to approach and advise Council on a particular project.

- III. Commissioner Vatr - Pointed out that there are several committees that need no discussion today. Those include Board of Adjustments, Planning & Zoning, Parks & Recreation, and Community Center because they are required by Town Ordinance. However, there are several others that either have a permanent purpose for the Town, or will end once their purpose is achieved. Those include Annual Street Festival, Ocean Front Park, Emergency Management, Hurricane Damage Assessment, and Marketing.

### **Parks & Recreation**

Initiatives: 5k Walk  
Sandman  
Pump Track (Bike track)  
Bocce Ball  
Continuing with recreation events & activities

Commissioner Vatr - Parks & Recreation and Beautification have a similar purpose with some small differences.

Chris May - In Blowing Rock, NC their Parks & Recreation and Beautification were forced to work on similar projects. There were sub-committees under the Parks & Recreation Committee.

Commissioner Vatr - They have three entities under one umbrella: Public Works, Beautification of Grounds, and Activities. He suggested having Kure Beach P&R and Beautification combine into one.

Ken Withrow, Beautification Chair - Likes it the way it is being small and easy to work with.

Bob Fitzsimons, Parks & Rec. Chair – Agreed that the two can work together, but likes the fact they can keep their focus separate on projects.

Mayor Montgomery – Pointed out there is no staff counterpart for the activities side, but on the other side, plants & grounds, there is a staff counterpart. Public Works assists with Beautification and not Parks & Rec.

Bob Fitzsimons – Went through the Parks & Recreation Advisory Committee Report for the next fiscal year.

Commissioner Vatr – Commented that all these are all activities, with the exception of Sandman. His point is if Parks & Rec. is going to focus on activities, grounds issues are included in these projects.

Commissioner Vatr – Suggested having a Co-Chair that focused on activities and a Co-Chair that focused on beautification of grounds under the umbrella of one committee.

Gilbert Alphin – Gave an example of if someone were to request a public pool, who would they approach?

Commissioner Vatr – They would address Parks & Rec.

### **Beautification**

Initiatives: Atlantic Avenue  
Standardizing sign design

Mayor Montgomery – Are we asking a committee to do what staff should be doing? For example, there was a person contracted to maintain Town Hall by a committee. Once Council approved the committee's request, a staff member should be in charge of that contract.

Commissioner Nelder – Mentioned finding funding resources for these projects so the financial burden will not fall on the property owners.

Ken Withrow – Beautification considered dropping any projects that would require maintenance.

Gabby Kraus – The life of a project depends on who pays the bill. Council is responsible for the issuance of any project, therefore they have the authority to cancel contract.

Commissioner Vatrtr - At next meeting, Beautification and Parks & Rec. will discuss combining their committees. They will discuss long term project responsibility and/or maintenance.

### **Citizens Beach Protection**

Initiatives: Education  
Beach Cleanup  
Dune/Beach Protection  
Signage

Sandy Cox - Does not think turtles should be under her committees' responsibilities.

Commissioner Vatrtr - Mission is to protect the beach and educate the public. Turtle program should be linked to the staff, and not a committee.

Mayor Montgomery - The Town is contracted by the Pleasure Island Sea Turtle Program.

### **SLAP**

Initiatives: Parking in Kure Beach  
Bathrooms  
Solar Lighting  
Walkway on J Avenue  
Ocean Front

Tony Gonzalves, SLAP Chair - For the next year, the priority is parking issues in Kure Beach. They have been offered a free parking study, but first they need a scope of work (master plan) for this project. The Wilmington MPO will not go ahead until they have this scope.

Mayor Montgomery - Wilmington MPO will conduct a free parking survey for Kure Beach.

Mayor Montgomery - Council did ask SLAP to look into parking issues of Kure Beach. The committee went to the Wilmington MPO and requested a parking study. The MPO will come in the spring, but they need a scope of work from the Town first.

Administrator James - Clarified that she went before Council after meeting with the Wilmington MPO. The MPO stated they could do the study free of charge. She brought it before Council and Council referred it to SLAP. SLAP had a meeting with MPO. She was aware they needed a scope of work. She had a meeting with Tony and Jim from SLAP. They developed a very large scope of



work they had been working on for several years which is currently in her office. Council and SLAP have different ideas for the scope of work needed. Shouldn't Council determine the scope of work with SLAP, or should this project be a staff project or a committee project?

Commissioner Vatrtr - Is study about parking issues now, or for future parking issues?

Tony Gonsalves- It is for future issues.

Commissioner Vatrtr - Suggested making sure the Council is aware of the full scope of work for these projects.

Mayor Pro Tem Dugan - In the last survey, they determined there were not enough spaces to earn a profit.

Administrator James - This has been an issue she and Tony have been dealing with for some time now. She suggests Council and SLAP have a future meeting to decide how to move forward with this.

Mayor Montgomery - Does Town need additional parking other than on July 4<sup>th</sup>?

Commissioner Nelder - When Ocean Front Park is completed, this will pose a parking issue for the Town.

Tony listed the initiatives for the SLAP committee.

Commissioner Vatrtr - Questioned if SLAP had prior approval from Council to do these projects?

Tony Gonsalves- Stated that they do not as of yet.

Commissioner Vatrtr - Suggested Tony get a cost of these projects for future meeting with Council for budget consideration.

### Stormwater

Initiatives:   Public Education  
                  Ocean outfalls  
                  Cutter court  
                  Town drainage

Mayor Montgomery - DOT has agreed to fund two outfalls this year. In the future it will depend on how much money DOT has. The director of the Clean Water Management Trust Fund has indicated they would pay for replacing some



of them, but there is a cost match on behalf of the Town. Eventually it will have to be done. DOT created the problem and has taken some of the initiative to solve it. However, in the long run it rests on the Town to solve it.

Commissioner Vatrtr - Is this technical study better accomplished by staff that are certified to do this?

Mayor Montgomery - The responsibility of Stormwater falls on the Council and the Stormwater Manager. Funding additional staff is also an issue.

### ADA

Commissioner Vatrtr - Explained that ADA is mandated and therefore does not need to include their initiatives in this meeting.

Gilbert Alphin explained how the ADA has worked on several issues in the Town including how uneven Fort Fisher Blvd. is, speed humps instead of speed bumps for ADA access, and motorized ADA wheelchair for beach access.

### CONCLUSION

Commissioner Vatrtr - There is a need for each Chair to return to their committee with the issues discussed today and rethink initiatives to develop a cost for them. There will be a calendar within the next week for upcoming meetings with Council and committees.

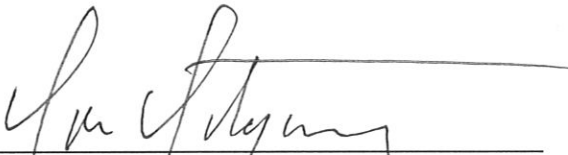
Mayor Montgomery - At what point does the Council communicate to the committees that their initiatives are either a good idea worth pursuing or not. Bob presented many ideas, and we are not sure if Council is supportive of any of them. At what point do we give them the go ahead.

Sandy Cox - Agrees with Mayor Montgomery in saying that the committees need to know what projects Council will even consider before going ahead with costing out the projects which take a considerable amount of time.

Mayor Montgomery - Proposes having committees return to the next meeting with a list of projects they would like Council to consider. Once the Council approves certain projects, the committees can then cost out the projects for budget consideration.

**ADJOURNMENT**

ACTION - Commissioner Nelder MADE THE MOTION to adjourn the meeting at 4:55 pm. Mayor Pro Tem Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

  
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Mac Montgomery, Mayor

  
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Kaysie Pralle, Town Clerk



NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.

## KURE BEACH STORMWATER COMMITTEE

### MISSION STATEMENT

The mission of the Kure Beach Stormwater Committee is to assist Town Council and Staff to protect, maintain and enhance the public health, safety, environment and general welfare by providing assistance in developing and implementing stormwater projects and activities. This includes work required to meet legal requirements imposed by various governmental agencies as well as Town of Kure Beach Ordinances, public education and outreach projects and structural stormwater projects incorporating stormwater best management practices (BMPs) where practical.

## 2009-2010 STORMWATER COMMITTEE PLANS

### **I. Assist Town Staff and Council in meeting requirements of Town's Phase II NPDES Permit**

- A. Public Education and Outreach
  - 1. Support booths at local public functions to educate residents and visitors on stormwater issues and remedies.
  - 2. Provide stormwater materials to be included in Town Newsletters
  - 3. Organize/conduct education and training sessions for residents, contractors and students
- B. Public Involvement
  - 1. Offer rain barrels to residents
  - 2. Storm drain marking
  - 3. Beach sweep in coordination with Beach Protection Committee
  - 4. Regular Stormwater Committee meetings as a mechanism for public involvement
- C. Illicit Discharge Detection and Elimination
  - 1. Assist Storm water administrator as needed.
- D. Post Construction Runoff Controls
  - 1. Assist Stormwater Administrator as needed in meeting requirement of annual submission of Maintenance Inspection Report for each structural BMP in the Town of Kure Beach.
- E. Pollution Prevention and Housekeeping of Municipal Operations.
  - 1, Provide Stormwater Administrator with assistance as needed.

### **II. Assist Town Council and Staff to Prioritize and Obtain Funding for Town Stormwater Projects such as:**

- A. Ocean Outfall underground infiltration systems
- B. Completion of Cutter Court Project
- C. BMPs at locations with standing stormwater
- D. Stormwater plan and projects for areas of town not supported by storm drains.

**Michelle James**

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**From:** Kurebeachgram@aol.com  
**Sent:** Friday, January 16, 2009 5:21 PM  
**To:** mjames@townofkurebeach.org  
**Subject:** Re: Next Meeting and Submitting Initiatives by January 23

**Beach Protection Committee Initiatives 2009**

1. Sea Oats plantings and fertilization.
2. Educating the public about beach guidelines
3. Sponsoring and conducting beach clean up projects.
4. Advising council on safety issues or any issues concerning the protection of the dunes and beach.
5. Recommendations for replacement of signs for dunes and other informational beach protection signs,

**2009 Budget**

**This does NOT include any budget items for the Turtle Project. We recommend the removal of their budget items from the Beach Protection Committee's budget.**

Beach Fertilization (based on last fertilization)	\$5500
Sea Oats Plantings and associated costs.	500
Education and awareness projects	
Printings	300
Awareness activities	500
Beach Cleanups	300
<b>Total</b>	<b>\$7100</b>

Note: This assumes that recommendations made to the sign committee for replacing existing signs and any additional signs we would like to put up would be covered in their budget upon approval by them to proceed with our request. It also assumes that recommendations we make to the SLAP committee for extensions of walkways over the dunes and sand fencing needed to block off vacant lots to keep foot traffic off the dunes, would be covered under their budget. If these items need to be included in our budget then please let me know how to proceed. These items may not be included in their budget due to the fact that we have not discussed any of these projects with those committees and may NOT be one of their priorities but it is ours. Again, who is responsible for overlapping areas such as this?

In a message dated 1/16/2009 3:59:41 P.M. Eastern Standard Time, mjames@townofkurebeach.org writes:

**MEMORANDUM**

Plan for Development and Maintenance of Public Beach Access sites and Parking within the Town Limits.

Meets 1<sup>st</sup> Tuesday of the month at 5:00pm at Town Hall.

#### PARKING:

1. New impervious surface parking space in close proximity to Eakes Park  
On Sunny Point Land.
2. Extension of parking spaces on "I" Ave. to church.
3. "K" Ave west parking extension and sidewalks; around about at 3 locations  
with 10 spaces at each location.
4. New entrance to corral parking lot
5. Implementation of B1 parking plan
6. Need to complete a scope of work for the Metropolitan Planning Organization  
for a parking study.

#### BATHROOMS:

Permanent Restroom locations

1. Ocean Park
2. Eakes Park
3. I Ave
4. J Ave
5. E Ave

The above Restroom plans are on hold pending the design for Ocean Front Park

#### SOLAR LIGHTING

1. Beach Access locations...to be Turtle Friendly
2. Town of Kure Beach Sign
3. Fire and Police Sign

New Walkway and Lifeguard Relief station at J Ave.

Ocean Park Walkway and Gazebo

Repair of existing Boardwalk at Atlantic Ave

Walkways at Beach Crossovers to be extended

Additional topics for consideration:

1. The addition of a Flag Pole to be located at the entrance of the Police and Fire  
Department driveway.
2. Purchase of portable trailer lighting for Town events ie, public information during  
Storms, Town celebrations, Fireworks thereby elimination rental costs.

Submitted by Anthony Gonsalves, Chairperson, SLAP Feb. 2<sup>nd</sup>, 2009

**Michelle James**

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**From:** Robert Fitzsimons [bobfitzsimons@earthlink.net]  
**Sent:** Tuesday, January 20, 2009 10:55 AM  
**To:** 'Michelle James'  
**Subject:** RE: Initiatives from Parks and Recreation Committee

Good morning,  
Here is a copy of the initiatives. If you have any questions please call me. 910 200-6025.  
Thanks,  
Bob

## Parks and Recreation Advisory Committee Report

Our Mission Statement: To create and facilitate Parks and Recreation in order to encourage residents to have a more active and healthy lifestyle.

### Items Parks and Recreation Committee Feel are Priorities for 2009

1. 5 K Walk/Run in connection with Street Fair
  - a. Concerns with Police Participation – Costs
  - b. Need to utilize previous Race Officials as consultants
  - c. Goal is to be self-sufficient and paid with entry fees
2. Sandman Property Resolution
  - a. Get Simple Irrigation installed, level ground and seed area
3. Pump Track For Joe Eakes Park
  - a. Synopsis of what is a pump track
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  - c. Minimal Costs due to simplicity of layout
  - d. Estimates are between \$6,000 to \$9,000
4. Bocce Ball Court at Joe Eakes Park
  - a. Committee and Sonny have already done extensive research and idea is very feasible and inexpensive. Based upon models in Wilmington and other local areas.
5. Continuing with Recreation Programs and activities
  - a. Recruit UNCW Intern to help with Program Management
  - b. Plan the bulk of programs in Spring/Summer
  - c. Augment Program with Bus Trips and Day Trips during Winter/Fall
  - d. Explore on-going activities like Bingo at Community Center
  - e. Continue with seminar program like Fishing Seminar



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4. Advising council on safety issues or any issues concerning the protection of the dunes and beach.
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**MEMORANDUM**

Plan for Development and Maintenance of Public Beach Access sites and Parking within the Town Limits.

Meets 1<sup>st</sup> Tuesday of the month at 5:00pm at Town Hall.

PARKING:

OK

1. New impervious surface parking space in close proximity to Eakes Park On Sunny Point Land.
2. Extension of parking spaces on "I" Ave. to church.
3. "K" Ave west parking extension and sidewalks; around about at 3 locations with 10 spaces at each location.
4. New entrance to corral parking lot
5. Implementation of B1 parking plan
6. Need to complete a scope of work for the Metropolitan Planning Organization for a parking study.

BATHROOMS:

Permanent Restroom locations

OK

1. Ocean Park
2. Eakes Park
- ~~3. I Ave~~
- ~~4. J Ave~~
- ~~5. E Ave~~

The above Restroom plans are on hold pending the design for Ocean Front Park

SOLAR LIGHTING

OK

1. Beach Access locations...to be Turtle Friendly
2. Town of Kure Beach Sign
3. Fire and Police Sign

New Walkway and Lifeguard Relief station at J Ave. ??

Ocean Park Walkway and Gazebo - Utiliz. Committee

Repair of existing Boardwalk at Atlantic Ave - Staff, Council & Beaut.

Walkways at Beach Crossovers to be extended - Beach protection & SLAP

Utiliz. Committee

Additional topics for consideration:

1. The addition of a Flag Pole to be located at the entrance of the Police and Fire Department driveway.
2. Purchase of portable trailer lighting for Town events ie, public information during Storms, Town celebrations, Fireworks thereby elimination rental costs.

Submitted by Anthony Gonsalves, Chairperson, SLAP Feb. 2<sup>nd</sup>, 2009