



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

The Kure Beach Town Council held their regular meeting on Tuesday, June 20, 2017 at 6:30 p.m. The town attorney was present and there was a quorum of council members.

### COUNCIL MEMBERS PRESENT

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

### STAFF PRESENT

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

### CALL TO ORDER

Mayor Swearingen called the meeting to order at 6:30 p.m., and MPT Bloszinsky delivered the opening invocation and led everyone in the Pledge of Allegiance.

### RECOGNITION & AWARDS

Mayor Swearingen called Kure Beach Adopt-A-Beach Volunteers to the front of the room and presented them with certificates from the town in grateful appreciation of their dedication and support to keep our beaches clean and safe through their participation in the Adopt-A-Beach program.

### APPROVAL OF CONSENT AGENDA ITEMS

1. Adopt Resolution 17-09, to authorize the KB Police Chief to temporarily provide assistance to other law enforcement agencies pursuant to N.C.G.S. 160A-288 and 160A-288.2
2. Adopt Resolution 17-10, to authorize the KB Fire Chief to provide temporary assistance to other fire protection and ocean rescue agencies pursuant to N.C.G.S. 160A-293
3. Approve Budget Amendment 17-11 to increase the Public Works budget in the General Fund by \$28,000 and the Water/Sewer Fund by \$52,500 for additional expenses incurred relating to Hurricane Matthew
4. Approve Budget Amendment 17-12 to increase the Administration budget by \$2,000 for additional expenses incurred due to a lightning strike at Town Hall
5. Approve Application for TDA Funding totaling \$4,341.56 for the 2016 Christmas Show
6. Approve Application for TDA Funding totaling \$22,575 for 2016 Ocean Front Park activities and entertainment



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

7. Appoint Bill Moore as a regular member of the Shoreline Access & Beach Protection (SLABP) Committee
8. Appoint Edward White as an alternate member of the SLABP Committee
9. Building Inspections Report – May 2017
10. Fire Department Report – May 2017
11. YTD Finance Report Meeting
12. Minutes:
  - May 16, 2017 regular meeting
  - May 30, 2017 special meeting
  - June 6, 2017 public hearing, budget

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

SECOND – Commissioner Heglar

VOTE – Unanimous

Said resolutions, budget amendments and funding applications are herein incorporated as part of these minutes.

## ADOPTION OF THE AGENDA

Commissioner Heglar said Director Beeker would address Kure Beach's water supply during his department report as Item B.

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

SECOND – Commissioner Dugan

VOTE – Unanimous

## DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Gilbert Alphin, 309 N. Fort Fisher Blvd

Mr. Alphin said he heard that council had approved a new building project for Town Hall and a new fire station, capping it at \$5 million. He said he didn't know anything about it, and he also talked with four business owners and six citizens who didn't know anything about it.

When asked by a council member if he had signed up to receive emails from the town's Notify Me system, he said he is a business owner, so he has tight SPAM controls on his email. He said he isn't blaming council for him not receiving email communications about the project, but he just wanted to ask council if they would put up a sign in the corral that announces the project for the public to see.

Mayor Swearingen said a construction company hasn't been hired for the project yet, but she likes his idea of having a sign erected to announce the project and will ask for one before construction begins.



# TOWN COUNCIL MINUTES

**REGULAR MEETING**

**June 20, 2017**

## DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee  
MPT Bloszinsky said the committee is looking for volunteers to help with the Annual Community Center Barbecue.
2. Planning & Zoning Commission  
Chairman Ellen said the commission voted to cancel their July meeting.
3. Non-town Committee Reports
  - a. Cape Fear Disability Commission  
As Deborah McKenna did not attend the meeting to give a report on the commission, as requested by Mayor Swearingen, the clerk was asked to try again to ask her to attend a council meeting.

## DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Public Works Department
  - a. Pump Station Project update and request to approve Budget Amendment 17-10 to transfer \$106,000 from the Water/Sewer Fund for additional expenses for the Pump Station #1 project.

Director Beeker said the 12-inch main running into the lift station has some cracks and the whole length of the pipe will have to be lined, which will cost an extra \$57,217 for the lining and another \$34,662.25 for additional pump work. He said the equipment is already out there and work will start tomorrow.

Mayor Swearingen asked if there were any other pipes in that part of town that had similar problems, to which Director Beeker responded they will be looking into that, and will be doing other work that has already been budgeted.

MOTION – Commissioner Heglar moved to approve Budget Amendment 17-10 to transfer \$106,000 from the Water/Sewer Fund to the Kure Beach Pump Station #1 Capital Project budget to cover additional expenses.

SECOND – Commissioner Whitley

VOTE – Unanimous

Said budget amendment is herein incorporated as part of these minutes.

### b. Kure Beach Drinking Water

Director Beeker explained that Gen-X is a Teflon-based toxin that has been detected in the drinking water, which is being pulled from the Cape Fear River by the Cape Fear Public Utility Authority. He said, in all reports he has read, there has been no Gen-X detected in the deep well system that Kure Beach uses. He said he will have Kure Beach's water tested for toxins and will



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

update council on the results. He gave council the 2016 Kure Beach water quality report and said the town follows all state and federal regulations.

Discussion ensued about doing a press release about Kure Beach's drinking water.

Director Beeker said the public could be told the water is going to be tested, but he'd rather wait until he receives the results of the water analysis before sharing any more than that.

Commissioner Heglar said, if we want to do a press release, the best thing to say is council and water specialists feel it's highly unlikely that there is Gen-X in the drinking water from the deep wells/aquifers used by Kure Beach, but we will be testing the water anyway.

MPT Bloszinsky said he understands that Gen-X is a surface pollutant that goes through the water quickly, and the only reason it remains in the water is because they keep dumping it there.

A member of the public spoke up to say that it was just reported that Chemours has announced they will no longer dump the toxin into the river.

Commissioner Whitley said he spoke to two people who didn't know that the town didn't use the water from the river, and it would be good to say that in a press release to calm their fears.

Commissioner Heglar said he and Director Beeker will work on a press release, to go to the Island Gazette and town website/email, informing citizens that Kure Beach will request a water test but stating that the town doesn't get its water from the Cape Fear River.

Mayor Swearingen said she spoke with someone from the Department of Natural Resources and she was told that the state is not planning to run any test on the aquifer. She said she asked them how someone could request a test, and they haven't gotten back to her with an answer.

## 2. Administration and Recreation

a. Personnel Policy amendments for approval as discussed at January council retreat  
Town Clerk Avery said council consensus during this year's council retreat was to amend the personnel policies presented to them. She said she would like an official vote from council on the amendments, as she reviewed each of the policies to make sure council didn't have any other changes. The motions and votes were, as follows:

MOTION – Commissioner Heglar moved to eliminate all of the benefits currently listed in the town's personnel policy for part time employees, except those that are required by federal or state law, and to authorize the Town Clerk and attorney to make required changes to policy.

SECOND – MPT Bloszinsky



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

VOTE – PASSED four to one, as follows: Mayor Swearingen, MPT Bloszinsky and Commissioners Heglar and Whitley FOR, and Commissioner Dugan AGAINST.

MOTION – Commissioner Heglar moved to allow all accumulated vacation, over 30 days, to be converted to sick time that may be used as extra service credit towards an employee’s retirement, and to authorize the Town’s Clerk and attorney to make required changes to policy.

SECOND – MPT Bloszinsky

VOTE – Unanimous

MOTION – Commissioner Dugan moved to allow an employee to use sick leave to care for healthy children, and to authorize the Town Clerk and attorney to make required changes to policy.

SECOND – Commissioner Whitley

VOTE – Unanimous

MOTION – Commissioner Heglar moved to authorize the Town Clerk and attorney to make required changes to the personnel policy to clarify that the town pays 100 percent of continued health (medical, dental and vision) insurance coverage for retirees that meet certain retirement conditions, if the insurance vendor allows it. If the vendor requires a portion of the premium to be paid by the participant, then the retiree is responsible for this cost. The policy will also clarify that the town does not pay any costs associated with Medicare eligibility, such as Part B.

SECOND – Commissioner Dugan

VOTE – Unanimous

MOTION – Commissioner Heglar moved to allow the transfer of sick time for new hires from other NC governmental agencies, to be used for reporting to the NC State Retirement System upon retirement, for use towards additional service credits, and to authorize the Town Clerk and attorney to make required changes to policy.

SECOND – Commissioner Dugan

VOTE – Unanimous

### 3. Building Department

#### a. Development Line update

Inspector Batson showed council the map of the proposed Development Line that they saw at their May 16<sup>th</sup> council meeting. He said council approved it, except for a small section along The Riggings complex, which council gave him direction to draw with the help of Division of Coastal Management staff. He said the line was drawn and he was put on the agenda to present the map during the April Coastal Resources Commission (CRC) meeting; but, at the last minute, they discovered that part of the line was removed in the last PDF created by the surveyor. He said he’s bringing the map back to council one more time so they can review it, in its entirety, and direct him to take it back to the CRC for approval at their July or September meeting. He



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

said he will present the map to them and, if the CRC wants to change anything, he will bring it back to council for further review.

MOTION – Mayor Swearingen moved to approve the May 16, 2017 map, as seen by Kure Beach Town Council, mapped out and detailed from Alabama Avenue to the end of The Riggings complex, which is the end of Kure Beach’s jurisdictional line; and to direct the Building Inspector to present the map to the Coastal Resources Commission at their July meeting.

SECOND – Commissioner Heglar

VOTE – Unanimous

### b. Vacant Lots

Inspector Batson said his assistant, Kathleen Zielinski, researched and found that there are 277 lots available in Kure Beach, and 175 of those lots are duplex buildable or located in zoning areas that allow duplexes. He said that could either mean there could be 277 new houses built in Kure Beach, or there could be 102 new single-family houses and 350 duplex townhouse units built. He said the town could be built out in about ten years, if it keeps growing at its current rate.

## 4. Police Department (PD)

### a. Parking fine and penalty-type revision

Commissioner Whitley said the town charges \$50 for a parking ticket, which is higher than what other nearby municipalities charge. He said the PD would like to lower the fine to \$25 and have it become an administrative civil penalty so the revenue can go back to the town. He explained the reasoning behind lowering the fine.

Mayor Swearingen said she always thought that fines had to go towards education, to which Attorney Canoutas said, if council makes it as a civil penalty violation, the town can keep the revenue.

Commissioner Heglar asked Chief Bowden what the civil penalties are for golf carts, other than parking-related penalties.

Chief Bowden said golf carts violations are a state citation and a golf cart has to be insured, street-legal and have tags, and the driver has to be licensed.

MOTION – Commissioner Whitley moved to revise the parking fine from \$50 to \$25 and make it an administrative civil penalty.

SECOND – MPT Bloszinsky

VOTE – Unanimous

## DISCUSSION AND CONSIDERATION OF OLD BUSINESS

### 1. Adoption of the FY17-18 Proposed Budget Ordinance and Fee Schedule



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

Finance Officer Copenhaver said that the fee schedule will need to be revised with the reduced parking penalty, but no other changes have been made to the proposed budget since the May council meeting.

MOTION – Commissioner Heglar moved to adopt the FY17-18 Budget Ordinance and Fee Schedule, as presented.

SECOND – Commissioner Whitley

VOTE – Unanimous

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

2. Resolution 17-12 to adopt a pilot paid parking program and authorization for enforcement to a third party vendor

Town Clerk Avery said the leases have been signed with the lot owners, and the contract with the third party vendor has been signed. She said the vendor asked for a resolution from council to give them the authority to enforce parking violations. She reviewed the details of the program.

MPT Bloszinsky said there are 120 parking spaces provided in the three, private-owned lots. He said that the town will split the proceeds with the lot owners, after all expenses are paid.

MOTION – Commissioner Heglar moved to approve Resolution 17-12 to adopt a pilot paid parking program and to authorize enforcement by a third party vendor.

SECOND – MPT Bloszinsky

VOTE – PASSED four to one, as follows: Mayor Swearingen, MPT Bloszinsky and Commissioners Heglar and Dugan FOR, and Commissioner Whitley AGAINST.

Said resolution is herein incorporated as part of these minutes.

## DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Amend the code by revising the language in Sections 1-15 Administrative Civil Penalties, 10-237 Penalty (Motor Vehicles), 10-308 Penalty (Bicycles) and 10-234 (Time Limit Parking).

Town Clerk Avery asked council to adopt the ordinances pertaining to the parking regulations that were discussed earlier. She said one thing that wasn't mentioned in the earlier discussion was there is a reference to the Shoreline Access and Parking Committee in the ordinance that needs to be removed.

MOTION – Commissioner Heglar moved to amend the town code by revising the language in Sections 1-15 Administrative Civil Penalties, 10-237 Penalty (Motor Vehicles), 10-308 Penalty (Bicycles) and 10-234 (Time Limit Parking) to lower parking fines from \$50 to \$25, allow the



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 20, 2017

revenue to stay with the town and remove a reference to the Shoreline Access and Parking Committee, as presented.

SECOND – Commissioner Whitley

VOTE – Unanimous

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

### 2. Request to reschedule August Council meeting

Mayor Swearingen said she will be away on the date of the August council meeting and asked council if they wanted to reschedule the meeting or have it without her.

MOTION – Commissioner Heglar moved to reschedule the regular August council meeting from Tuesday, August 15, 2017 to Thursday, August 17, 2017.

SECOND – Commissioner Dugan

VOTE – Unanimous

3. Consideration of use of Port-A-Lets at seven beach accesses from July 1 through Labor Day  
Town Clerk Avery said she decided to suggest installing port-a-lets at the beach accesses because she received complains about people urinating in public. She asked council if they wanted to consider putting in port-a-lets at seven public beach accesses that she listed. She presented the rental cost of the port-a-lets and the cleaning fees, adding that they would be handicapped accessible and would be cleaned twice a week.

Mayor Swearingen said this has been considered by council in past years and one of the big concerns for people whose homes are near the accesses is the foul odor coming from the port-a-lets, especially when they are being cleaned.

Commissioner Heglar said Public Works would be contacted about the port-a-lets every time someone has a complaint, even though they won't be responsible for them. He recommended only putting them at accesses where complaints were made.

Discussion ensued about reporting public urination to the PD, and about the high cost of the seven port-a-lets.

Consensus – Council agreed to take no action on this item.

## COMMISSIONER ITEMS

### a. MPT Bloszinsky

He asked council how they felt about having orange cones put up to reserve parking for events at the Community Center or at the Ocean Front Park. He said he will talk to the Chief Bowden and Director Beeker for their thoughts on this.





TOWN COUNCIL  
TOWN OF KURE BEACH, NC

*R*ESOLUTION R17-09

**A RESOLUTION AUTHORIZING THE KURE BEACH POLICE CHIEF TO ENTER INTO MUTUAL AID AGREEMENTS TO TEMPORARILY PROVIDE ASSISTANCE TO OTHER LAW ENFORCEMENT AGENCIES PURSUANT TO N.C.G.S. 160A-288 AND 160A-288.2**

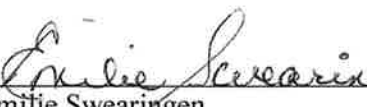
*WHEREAS*, N.C.G.S. 160A-288 and 288.2 provide that the governing body of the Town of Kure Beach may authorize the Chief of Police to temporarily provide assistance to other law enforcement agencies enforcing the laws of North Carolina, if so requested in writing by the head of the requesting agency; and,


*WHEREAS*, N.C.G.S. 160A-461 allows units of local government to enter into agreements to execute various undertakings;

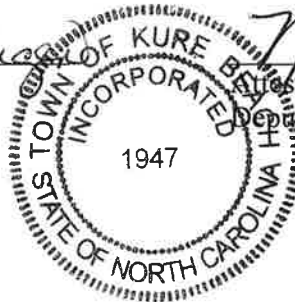
*NOW, THEREFORE BE IT RESOLVED* by the Kure Beach Town Council that the Chief of Police:

1. Is hereby authorized to provide assistance to other law enforcement agencies within the State of North Carolina pursuant to the provision of N.C.G.S. 160A-288 and 288.2;
2. Shall not provide assistance to any requesting agency if doing so would impair the ability of the police department to provide effective police protection for the citizens of Kure Beach; and
3. Is hereby authorized to enter into and sign written mutual aid agreements with other law enforcement agencies, provided such agreements are consistent with the provision of N.C.G.S. 160A-288 and 288.2 and other applicable state statutes.

Adopted by the Kure Beach Town Council this 20th day of June, 2017.

  
Emilie Swearingen  
Mayor

  
Attest: Nancy Hewitt, CMC, NCCMC  
Deputy Clerk





KURE BEACH TOWN COUNCIL  
TOWN OF KURE BEACH, NC

**R**ESOLUTION R17-10

**A RESOLUTION AUTHORIZING THE KURE BEACH FIRE CHIEF TO ENTER INTO MUTUAL AID AGREEMENTS TO TEMPORARILY PROVIDE ASSISTANCE TO OTHER FIRE PROTECTION AND OCEAN RESCUE AGENCIES PURSUANT TO N.C.G.S. 160A-293**


*WHEREAS*, N.C.G.S. 160A-293 provides that the governing body of the Town of Kure Beach may authorize the Fire Chief to temporarily provide assistance to other fire protection and ocean rescue agencies, if so requested in writing by the head of the requesting agency; and,

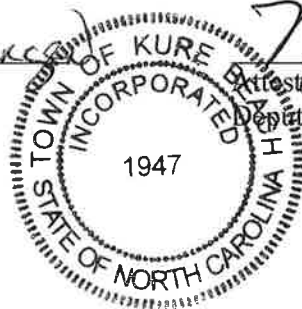
*WHEREAS*, N.C.G.S. 160A-461 allows units of local government to execute various undertakings;

*NOW, THEREFORE BE IT RESOLVED* by the Kure Beach Town Council that the Fire Chief:

1. Is hereby authorized to provide assistance to other fire protection and ocean rescue agencies within the State of North Carolina pursuant to the provision of N.C.G.S. 160A-293;
2. Shall not provide assistance to any requesting agency if doing so would impair the ability of the fire and ocean rescue departments to provide effective fire and ocean rescue protection for the citizens of Kure Beach;
3. Is hereby authorized to enter into and sign written mutual aid agreements with other fire protection and ocean rescue agencies, provided such agreements are consistent with the provision of N.C.G.S. 160A-293 and other applicable state statutes.

Adopted by the Kure Beach Town Council this 20<sup>th</sup> day of June, 2017.

  
Emilie Swearingen  
Mayor



  
Attest: Nancy Hewitt, CMC, NCCMC  
Deputy Clerk

BUDGET AMENDMENT  
 FISCAL YEAR ENDING JUNE 30, 2017  
 AMENDMENT DATE: 06/12/2017

Budget Amendment No.: 17-11

DESCRIPTION/PURPOSE OF AMENDMENT

As a result of Hurricane Matthew in October 2016, the Public Works department incurred additional expenses for personnel, supplies and equipment rentals that were directly attributable to storm protective measures and debris removal. This Budget Amendment is to increase the Public Works budget in both the General Fund and Water/Sewer Fund for these additional expenses. The revenue source for these additional expenses is the reimbursement received from FEMA and various other revenue sources where amounts received have exceeded the original budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-550-02-01	Overtime	\$4,000	
10-550-21-00	Equipment Rental	\$3,500	
10-550-33-00	Materials & Supplies	\$20,500	
10-343-00-00	Hurricane Reimbursement		\$28,000
30-810-02-01	W/S Overtime	\$4,000	
30-810-21-00	W/S Equipment Rental	\$28,500	
30-810-33-00	W/S Materials & Supplies	\$20,000	
30-343-00-00	Hurricane Reimbursement		\$29,690
30-371-00-03	Sewer Charges Collected		\$13,010
30-373-00-00	Water Tap & Connection		\$4,600
30-373-00-01	Sewer Tap & Connection		\$4,600
30-375-00-00	Cutoff & Reconnection Fees		\$600

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

Requested By: Sonny Beeker, Public Works Director Date: 06/12/17

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 06/12/17

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



Approved by Council 06/20/17 Emilie Swearingen Emilie Swearingen, Mayor

Nancy Avery Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2017

AMENDMENT DATE: 06/12/2017

Budget Amendment No.: 17-12

DESCRIPTION/PURPOSE OF AMENDMENT

As a result of a lightning strike at the Town Hall complex on May 13, 2017, unbudgeted expenses were incurred due to damaged equipment (HVAC, computers, routers, etc.), as well as damage to some of the wiring for internet connectivity. This Budget Amendment is to increase the budget for various expenses with the offset being current year property taxes that have been received in excess of the budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-420-15-00	Administration – Building Maintenance	\$1,000	
10-420-73-00	Administration – Minor Equipment	\$1,000	
10-301-00-00	Ad Valorem Tax - Current		\$2,000

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

Requested By: Nancy Avery, Town Clerk

Date: 06/12/17

Approved By: Arlen Copenhaver, Finance/Budget Officer

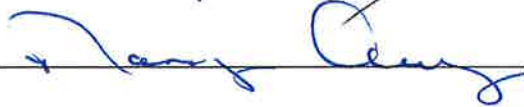
Date: 06/12/17

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

Approved by Council 06/20/17



Emilie Swearingen, Mayor



Nancy Avery, Town Clerk



BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2017

AMENDMENT DATE: 06/12/2017

Budget Amendment No.: 17-10

DESCRIPTION/PURPOSE OF AMENDMENT

There have been additional costs that were not included in the Kure Beach Pump Station #1 Amended Capital Project Budget Ordinance. These include the following:

- Construction-related expenses (total of \$100,000)
  - Relining 150 ft. of sewer pipe feeding the lift station (\$57,217)
  - T&H Construction Change Order #2 – Bypass for pumping during lining of pipe (\$34,662)
  - Miscellaneous construction-related expenses (\$8,121)
- Other project costs (total of \$6,000)
  - LGC loan application fee (\$1,250)
  - Attorney fees for loan closing and tax opinion (\$4,750)

An additional transfer from the Water/Sewer Fund totaling \$106,000 is required to fund these additional expenses. As a result, this Budget Amendment is to increase the Water/Sewer Fund transfer budget with the offset being tap and connection fees that have been received in excess of the budget and an appropriation of the Water/Sewer Fund balance. This Budget Amendment also increases the Kure Beach Pump Station #1 Capital Project budget for the additional expenses.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
30-999-00-00	Transfers Out	\$106,000	
30-373-00-00	Tap & Connection Fees		\$4,000
30-373-00-01	Sewer Tap & Connection Fees		\$4,000
30-310-10-00	Appropriate W/S Fund Balance		\$98,000
43-585-02-00	Construction Expenses	\$100,000	
43-585-05-00	Other Project Costs	\$6,000	
43-315-00-00	Transfers In		\$106,000

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

Requested By: Sonny Beeker, Public Works Director

Date: 06/12/17

Approved By: Arlen Copenhaver, Finance/Budget Officer

Date: 06/12/17

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



Approved by Council 06/20/17

*Emilie Swearingen*

Emilie Swearingen, Mayor

ATTEST:

*Nancy Avery*

Nancy Avery, Town Clerk



Ordinance Number: FY 2017-18  
Date Adopted: June 20, 2017  
Effective Date: July 1, 2017

**BUDGET ORDINANCE FY 2017-2018  
KURE BEACH, NORTH CAROLINA**

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

**Section I.** Budget Adoption: There is hereby adopted the following operating budget for the Town of Kure Beach for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018; the same being adopted by fund. Activity within each fund is listed as follows:

**GENERAL FUND**

**EXPENDITURES:**

Governing Body	\$ 38,505
Committees	120,010
Finance	150,786
Administration	407,848
Community Center	23,300
Elections	3,000
Emergency Management	100
Tax Collections	27,000
Legal Department	28,950
Police Department	1,308,960
Fire Department	701,867
Lifeguards	196,850
Parks & Recreation	146,027
Building Inspections	135,201
Streets & Sanitation	863,848
Debt Service	360,615
Transfer to Beach Protection Fund	46,450
Contingency	<u>48,100</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$4,607,417</u></b>



**GENERAL FUND (continued)**

**REVENUES:**

Property Tax (current & prior years)	\$2,491,300
Sales Tax	850,075
Franchise & Utility Tax	234,500
Garbage & Recycle Fees	382,350
TDA Funds	205,650
Motor Vehicle License Tax	9,500
ABC Revenue	14,600
Building Permits/Impact Fees/ CAMA Fees/Fire Inspections	61,600
Communication Tower Rent	79,125
Town Facility Rentals	15,000
Parks & Rec/Community Center/ Street Festival	31,500
Other Revenue	162,217
Other Financing Sources	<u>70,000</u>

**TOTAL REVENUES** **\$4,607,417**

**POWELL BILL FUND**

**EXPENDITURES:**

Street Maintenance & Repair	<u>\$ 65,070</u>
-----------------------------	------------------

**TOTAL EXPENDITURES** **\$ 65,070**

**REVENUES:**

Powell Bill Allocation	\$ 65,000
Interest Income	<u>70</u>

**TOTAL REVENUES** **\$ 65,070**

**STORM WATER FUND**

**EXPENDITURES:**

Storm Water Operations	\$ 630,094
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 630,094</u></b>

**REVENUES:**

Storm Water Monthly Fees	\$ 223,000
Storm Water Building Fees	40,000
Interest Income	875
Other Financing Sources	35,000
Fund Balance Appropriated	<u>331,219</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 630,094</u></b>

**BEACH PROTECTION FUND**

**EXPENDITURES:**

Beach Protection Reserves	\$ 47,090
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 47,090</u></b>

**REVENUES:**

Interest Income	\$ 640
Transfer from General Fund	<u>46,450</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 47,090</u></b>

**FEDERAL ASSET FORFEITURE FUND**

**EXPENDITURES:**

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

**FEDERAL ASSET FORFEITURE FUND (continued)**

**REVENUES:**

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

**WATER AND SEWER FUND**

**EXPENDITURES:**

W/S Governing Body	\$ 17,505
W/S Legal Department	28,950
W/S Finance	186,200
W/S Administration	260,170
W/S Operations	<u>1,657,830</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$2,150,655</u></b>

**REVENUES:**

Water Charges	\$ 805,000
Sewer Charges	1,155,000
Tap & Reconnection Fees	37,200
Other Revenue	8,455
Other Financing Sources	<u>145,000</u>
<b>TOTAL REVENUES</b>	<b><u>\$2,150,655</u></b>

**SEWER EXPANSION RESERVE FUND (SERF)**

**EXPENDITURES:**

Sewer Reserve	\$ 30,330
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 30,330</u></b>

**SEWER EXPANSION RESERVE FUND (SERF) (continued)**

**REVENUES:**

Fees	\$ 30,000
Interest Income	<u>330</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 30,330</u></b>

<b>EXPENDITURES</b>	<b>ALL FUNDS</b>	<b><u>\$7,580,656</u></b>
<b>REVENUES</b>	<b>ALL FUNDS</b>	<b><u>\$7,580,656</u></b>

**Section II.** Levy of Taxes: There is hereby levied, for the Fiscal Year 2017-2018, an Ad Valorem tax rate of 28.5 cents (\$0.285) per one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2017. This rate shall be levied entirely in the General Fund.

The tax rate is based on an estimated total valuation of property for the purposes of taxation of eight hundred eighty-two million nine hundred twenty-five thousand seventy-five dollars (\$882,925,075) and an estimated collection rate of ninety-eight and three-quarter percent (98.75%).

**Section III.** Revenue-Neutral Tax Rate: As required by N.C.G.S., Section 159-11(e), in each year that a general reappraisal of real property has been conducted, a statement of the revenue-neutral tax rate must be presented for comparison purposes. In regard to the January 1, 2017 reappraisal, the revenue-neutral tax rate, adjusted for growth, has been calculated at 27.13 cents (\$0.2713) per one hundred dollars (\$100) valuation.

**Section IV.** Salaries: The following shall govern salary and wage compensation for Fiscal Year 2017-2018:

A. Pay Plan. There is hereby adopted a pay plan that includes an across the board cost of living adjustment in the amount of 1.5% applicable to all Town employees.

B. Salary Adjustments. Each employee's salary shall be examined to ensure that the pay grade reflects the years of service, proficiency and quality of work. Merit raises are allotted at 2.5% this year for employees.

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

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

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

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

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

**Section VII.** Encumbrances: All outstanding encumbrances from prior fiscal years are to be carried forward to Fiscal Year 2017-2018. All Project Ordinance appropriations are continued.


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

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

**Section X. Fees and Charges:** There is hereby established, for Fiscal Year 2017-2018, various fees and charges as contained in the attached Fee Schedule. Changes from the Fiscal Year 2016-2017 Fee Schedule are as follows:

Residential Garbage Collection Fee – per cart after the first cart	Increase from \$6.00 to \$12.00
Trash Pickup - Minimum	Increase from \$10.00 to \$15.00
Trash Pickup – ¼ Load	Increase from \$30.00 to \$45.00
Trash Pickup – ½ Load	Increase from \$60.00 to \$90.00
Trash Pickup – ¾ Load	Increase from \$90.00 to \$135.00
Trash Pickup – Full Load	Increase from \$120.00 to \$180.00
Trash Pickup - Appliance	Increase from \$10.00 to \$15.00

This ordinance being duly passed and adopted this 20<sup>th</sup> day of June, 2017.



*Emilie Swearingen*  
 Emilie Swearingen, Mayor

*Nancy Avery*  
 Nancy Avery, Town Clerk



**TOWN OF KURE BEACH  
FEE SCHEDULE  
FISCAL YEAR 2017-2018**

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

<b><u>AD VALOREM TAX RATE per \$100</u></b>	\$0.285
<b><u>MOTOR VEHICLE LICENSE TAX (per vehicle registered in Kure Beach)</u></b>	\$5.00
<b><u>WATER FEES</u></b>	
Residential (monthly minimum - up to 2,500 gallons)	\$13.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum:	
2,501 gallons to 7,000 gallons	\$0.45
Over 7,000 gallons	\$0.675
Commercial (monthly minimum - up to 2,500 gallons)	\$18.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.694
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$23.00
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7875
<b><u>SEWER FEES</u></b>	
Residential (monthly minimum - up to 2,500 gallons)	\$23.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum:	
2,501 gallons to 7,000 gallons	\$0.58
Over 7,000 gallons	\$0.87
Commercial (monthly minimum - up to 2,500 gallons)	\$25.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7125
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$40.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$1.0125
<b><u>OTHER WATER &amp; SEWER FEES</u></b>	
Water Service Fee - nonrefundable fee for service technician site visit	\$30.00
Additional Water Service Fee - fee for each additional visit if customer fails to meet technician at site	\$10.00
Water Service Meter Check Fee - customer request that a meter be read, checked, or turned on or off. If problem found with meter, fee can be waived at discretion of the Public Works Director	\$30.00
Water Cut-ons Outside Working Hours	\$25.00
Special Meter Tests - if customer requests meter test and the meter is found to be defective, charge will be refunded	\$50.00
Reconnection Fee - if water is cut-off due to non-payment	\$60.00
Returned Check Fee	\$25.00
Account Past Due Charge - per month	\$10.00

**WATER TAP FEE**

3/4 X 5/8	\$1,500.00
1 Inch	\$2,000.00
1 1/2 Inch	\$2,500.00
2 Inch	\$3,000.00
Irrigation	\$4,000.00

**SEWER TAP FEE**

4 inch	\$1,500.00
4 inch	\$1,500.00
6 inch	\$2,000.00
6 inch	\$2,000.00

**USER FEE Sect 17-127 of Code**

Common Areas - No Charge	\$2,500.00
--------------------------	------------

**IMPACT FEE**

Voluntary Annexation Only Sect 17-128 of Code	\$400.00
---	----------

**STORM WATER FEES**

Building Fee - may be waived w/installation of engineered storm water system and approval of building inspector and public works director	\$4,000.00
Residential-monthly	\$8.71
Business - monthly	varies by account

**RECYCLE FEE - per bin monthly (residential)**

\$4.88

**GARBAGE COLLECTION FEES**

Residential - per cart monthly - 1st cart	\$6.00
Residential - per cart monthly - after the 1st cart	\$12.00
Commercial - per can monthly	\$26.25
Garbage cart purchase	\$80.00
Additional Vacation Rental (Summer) Garbage Collection (June until Labor Day): - Per cart per month (minimum of 2 months)	\$50.00

**TRASH PICKUP FEE**

Minimum	\$15.00
1/4 load	\$45.00
1/2 load	\$90.00
3/4 load	\$135.00
Full load	\$180.00
Appliances (per appliance)	\$15.00

**CITY BEER AND WINE RETAIL LICENSE**

As stipulated in N.C. General Statute 105-113.77

**RE-ENTRY DECAL FEES**

Resident or non-resident property owner, January 1 to March 31	\$5.00
Resident or non-resident property owner, after March 31	\$15.00



**COPY/FAX FEES**

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

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

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

**OTHER FEES COMMUNITY CENTER**

Service charge for cancellation of contract	\$50.00
Rental fee will not be refunded for cancellation of lease by lessee made within 30 days before the event. Security deposit will be refunded.	

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

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

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

**PARKS AND RECREATION PROGRAM FEES**

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

**SPECIAL EVENT FEES**

General Use Impact Fees:

minimal use of public property - low impact - per day	\$150.00
includes intermittent traffic control - medium impact - per day	\$300.00
includes closing of public streets - high impact - per day	\$500.00

Personnel:

Police - minimum of four hours - per hour (includes overhead)	\$40.00
Sanitation - per hour (includes overhead)	\$40.00
Street - per hour (includes overhead)	\$40.00
Fireman - per hour (includes overhead)	\$40.00

Facilities Rental:

Council Chambers - per day	\$100.00
Public land per site - per day	\$100.00
Public building - per day	\$100.00

Equipment:

Police/Fire/Lifeguard or other Town Vehicle - per hour	\$25.00
Trash pickup - per cart per pickup	\$15.00
- minimum 2 carts required for recyclable materials and one for regular trash	

**PERMIT/CONSTRUCTION FEES**

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

**PLANNING/ZONING FEES**

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

**BOARD OF ADJUSTMENT FEES**

Appeal/Variance	\$375.00
-----------------	----------

**FIRE INSPECTION AND PERMIT FEES**

Commercial New and Existing Construction Permit Fees:

A= Total gross building floor area of construction

B= Fee per Square Foot

0 - 5,000 sf

5,001-15,000 sf

Over 15,000 sf

$A \times B = \text{Permit Fee}$

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

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

Occupancy Type:

Residential

Storage

Assembly

Institutional

Business

Mercantile

Hazardous

Factory Indust

Education

Fee Per Square Foot

\$0.05

\$0.035

\$0.06

\$0.06

\$0.06

\$0.06

\$0.05

\$0.04

\$0.065

Construction Permits:

Sprinkler Systems

Fire Alarm Systems

Suppression Systems

Fire pump and related Equipment

Private Fire Hydrants

Standpipe Installation per Riser

\$85.00

\$85.00

\$85.00

\$85.00

\$85.00

\$85.00

Additions

Up Fits

Mobile Buildings

Accessory Structures

Commercial Inspection Fee

Occupancy Certification

Occupying building without CO

Working without Permit

Stop Order Removal

Failure to Obtain Final Inspection

Afterhours/Weekend/Holiday Inspections

ABC Permit

Fire Flow Test

Day Care State Inspection

Witness Fire Flow/Pump Test

Commercial Construction Inspection

Reinspection Fee

Scheduled Fire Inspection

Standpipe Test per Riser

Temporary Structures (Tents, Etc.)

Use Schedule or Min. \$45 + Inspection Fees

Use Schedule or Min. \$45 + Inspection Fees

\$45 + Inspection fee

\$45 + Inspection fee

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

\$25 + Inspection Fee

\$250

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

\$200

\$100

\$120

\$45

\$45

\$45

\$45

\$45

\$45

\$45

\$75

Revert to Building Permit Fee

**CIVIL CITATION PROGRAM FEES**

Beach:

	<u>1st Offense</u>	<u>2nd Offense</u>
Dogs prohibited on beach strand Sec. 4-17	\$150.00	Misdemeanor
Vehicles prohibited on beach strand Sec. 10-104	\$25.00	Misdemeanor
Fire prohibited on beach strand Sec. 12-40	\$100.00	\$200.00
Litter, glass & alcohol prohibited on beach Sec.12-35	\$150.00	Misdemeanor
Boats, jet skis prohibited w/in 300' from high tide mark Sec. 12-37	\$25.00	\$50.00
Surfing regulations Sec. 12-33	\$25.00	Misdemeanor
Dune trespassing prohibited Sec. 12-39	\$100.00	Misdemeanor
Digging holes in the beach/beach restoration Sec. 12-46	\$100.00	Misdemeanor
No items on beach between 7pm-8am/No beach equip. within 15 ft of turtles/No -beach equip. within 25 ft of emergency access points Sec. 12-43	\$50.00	\$100.00
Sleeping on beach after midnight prohibited Sec. 12-31	\$25.00	Misdemeanor
Nude bathing, including thong bathing suits or similar attire, prohibited Sec. 12-32	\$25.00	Misdemeanor
Leaping from commercial pier Sec. 12-34	\$250.00	

Animals/Pets:

Dogs must be on a leash Sec. 4-16	\$150.00	Misdemeanor
Animal/Pet waste removal Sec. 4-16.1	\$150.00	Misdemeanor


Vehicles/Parking:


Parking Ticket Sec. 10-222 - 235	\$25.00	
Parking in a handicap space	\$150.00	Misdemeanor
Soliciting transportation Sec. 10-68	\$10.00	
Vehicles prohibited certain areas Sec.10-60	\$50.00	Misdemeanor

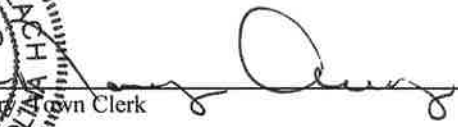
Miscellaneous:

Bicycle regulations Sec. 10-291-308	\$25.00	\$50.00
Noise violations prohibited Sec. 11-31	\$250.00	Misdemeanor
Alcohol consumption/open containers prohibited on public property Sec. 3-1	\$50.00	Misdemeanor
Requirements for taverns and bars Sec. 3-2	\$50.00	G.S.18B-302.1
Beach Vitex Prohibited Sec. 12-41	\$25.00	\$50.00
Numbering of buildings Sec.5-121	\$50.00	
Real estate signs on Town property Sec. 11-80	\$50.00	

Adopted by Town Council on June 20, 2017.



  
 \_\_\_\_\_  
 Emily Swearingen, Mayor

  
 \_\_\_\_\_  
 Attest: Nancy Averett, Town Clerk



KURE BEACH TOWN COUNCIL  
TOWN OF KURE BEACH, NC

**R**ESOLUTION R17-12

**A RESOLUTION ADOPTING A PILOT PAID PARKING PROGRAM AND  
AUTHORIZATION FOR ENFORCEMENT TO A THIRD PARTY VENDOR**

**WHEREAS**, two local business owners approached the Town Council about using three lots owned by them for the purpose of paid parking; and,


**WHEREAS**, the Town Council voted four to one at its May 16, 2017 meeting to enter into a private/public revenue share partnership with these business owners; and,

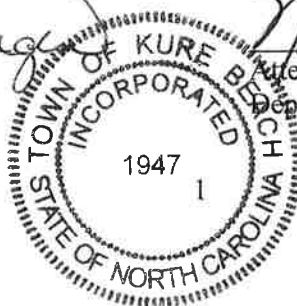
**WHEREAS**, the Town Council will conduct this pilot program to test paid parking through the months of July, August and September for the purpose of gathering data concerning possible revenue and issues that may arise;

**NOW, THEREFORE BE IT RESOLVED** by the Kure Beach Town Council that this pilot program will consist of:

- Authorization to a third party parking vendor for installation of equipment in the form of one pay station per lot; enforcement of paid parking to include the issuance, collection, problem resolution and appeal of parking tickets with a fine of \$25.00 per instance and the towing of cars as needed; monitoring of the lots for violations; hiring of adequate staff; collection of cash; processing of credit cards; and remittance of net revenue to the Town on a monthly basis
- The lease by the Town of these privately owned lots with a 30 day 'out' option to the owners
- The Town hiring a third party vendor to manage and enforce said pilot program
- The Town assumption of the financial risk with a 30 day 'out' clause
- The preparation, layout, on-going maintenance and cleanliness of the lots to be managed by individual owners
- The Town providing one garbage cart in each lot with weekly pickup by Town staff at no cost
- The Town providing any unused parking bumpers on site for use in these lots at no cost
- The program consists of a 50 percent revenue share between the Town and each individual lot owner. The share will be based on gross revenue generated per lot, less the expenses incurred with the third party vendor
- Availability of the lots for public parking on a 24/7 basis, with paid parking enforced daily from the hours of 8 a.m. to 6 p.m., at a cost of \$1.50 per hour or \$10.00 per day
- No enforcement responsibility of this pilot program by Police Department staff
- Authorization to the town attorney to file suit on behalf of the town to collect any unpaid citations and authorization to the Town Finance Officer to verify and sign complaints on behalf of the town in such suits

Adopted by the Kure Beach Town Council this 20th day of June, 2017.

  
Emilie Swearingen, Mayor



  
Attest: Nancy Hewitt, CMC, NCCMC  
Deputy Town Clerk

**ORDINANCE AMENDMENTS**

That the Code of the Town of Kure Beach, North Carolina, is hereby amended by adding language at the end of the existing paragraph in Subsection (a) of Chapter 1 (General Provisions), Section 1-15 (Administrative Civil Penalties), as follows:

**SECTION 1-15(a)**

**Violations of the provisions of this chapter shall subject the offender to a civil penalty. Civil penalties may be recovered by the town in a civil action in the nature of debt, if the offender does not pay the penalty within the prescribed period after he has been cited for violation of the ordinance. In accordance with G.S. 160A-175(b), a violation of the parking ordinances shall not be subject to the penalty provision of G.S. 14-4 and shall not be considered an infraction or a breach of the penal laws of the state.**

---

That the Code of the Town of Kure Beach, North Carolina, is hereby amended by repealing Sections 10-237 and 10-308, Chapter 10 (Motor Vehicles and Traffic), Article VI (Stopping, standing and parking), Division 1 (Generally), and replacing with the following language. This amendment also changes the parking fine from \$50.00 to \$25.00 for each offense in Section 10-237 and changes the fine to \$25.00 for each offense in Section 10-308.

**SECTION 10-237 – Penalty**

**Violations of the provisions of this chapter shall subject the offender to a civil penalty as hereinafter enumerated. These ordinances shall be referred to as parking ordinances. Civil penalties may be recovered by the town in a civil action in the nature of debt, if the offender does not pay the penalty within the prescribed period of time after being cited for violation of the ordinance. In accordance with G.S. 160A-175(b), a violation of the parking ordinances shall not be subject to the penalty provision of G.S. 14-4 and shall not be considered an infraction or a breach of the penal laws of the state. The civil penalty shall be in the amount of \$25.00.**

**SECTION 10-308 - Penalty**

**Violations of the provisions of this chapter shall subject the offender to a civil penalty as hereinafter enumerated. These ordinances shall be referred to as parking ordinances. Civil penalties may be recovered by the town in a civil action in the nature of debt, if the offender does not pay the penalty within the prescribed period of time after being cited for violation of the ordinance. In accordance with G.S. 160A-175(b), a violation of the parking ordinances shall not be subject to the penalty provision of G.S. 14-4 and shall not be considered an infraction or a breach of the penal laws of the state. The civil penalty shall be in the amount of \$25.00.**


---

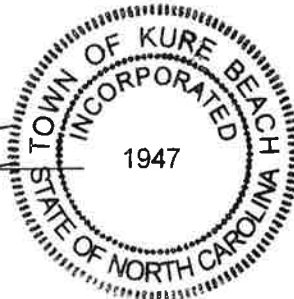
That the Code of the Town of Kure Beach, North Carolina, is hereby amended by **DELETING** the following language from Section 10-234, Chapter 10 (Motor Vehicles and Traffic), Division 2 (Parking Rules)

**SECTION 10-234**

**“...shoreline access and parking committee and coordinate with the...”**

  
Emilie Swearingen, Mayor

ATTEST:   
Nancy Hewitt, CMC, NCCMC  
Deputy Town Clerk





# TOWN COUNCIL MINUTES

**REGULAR MEETING**

**June 20, 2017**

Mayor Swearingen suggested the Community Center Committee come up with a proposal and present it at a council meeting.

Town Clerk Avery said they've tried doing this in the past and no one pays attention to the cones. She said it would require staff to monitor the parking.

b. Commissioner Heglar

He thanked council and staff for helping him out while he has been on travel for work.

**ADJOURNMENT**

**MOTION** – Commissioner Whitley moved to adjourn the meeting.

**SECOND** – Commissioner Heglar

**VOTE** – Unanimous

The meeting adjourned at 8:02 p.m.

  
Emilie Swearingen, Mayor

  
TEST: Nancy Hewitt, CMC, NCCMC  
Deputy Clerk

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

