



TOWN COUNCIL MINUTES

REGULAR MEETING

November 20, 2019 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Wednesday, November 20, 2019 at 6:00 pm. The Town Attorney was present and there was a quorum of Council members present.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Town Clerk – Nancy Avery
Building Inspector – John Batson
Recreation Director – Nikki Keely
Financial Officer – Arlen Copenhaver
Deputy Town Clerk – Mandy Sanders
Police Chief – Mike Bowden
Admin Assistant – Beth Chase

Mayor Bloszinsky called the meeting to order at 6:00 p.m. and Gayle Tabor gave the invocation and Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA ITEMS

1. Accept the resignation of Tony Garibay from the Board of Adjustment
2. Approve Budget Amendment 20-03 totaling \$21,140 for expansion of the storm water study to include Area A- Phase 1
3. Approve Budget Amendment 20-04 to allocate 100 percent of the salary and benefit budgets for the Ocean Rescue Director from the Fire Department budget to the lifeguard budget
4. Authorization to remove Essential Function of ‘Serve as Deputy Finance Officer and Town banking signatory’ from Town Clerk Job Description and add it to the Essential Functions for the Finance Specialist Job Description effective December 1, 2019.
5. Appoint staff member Mandy Sanders to serve on the MPO TCC effective December 1, 2019
6. Unseal closed session minutes as per N.C.G.S. 143-318.11 withheld from public inspection as public inspection might frustrate the purpose of a closed session
 - March 21, 2017
 - July 25, 2017
 - October 12, 2018
 - December 3, 2018
 - February 18, 2019
7. Minutes:
 - October 21, 2019 regular



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- November 11, 2019 special

MOTION- Commissioner Oliver made a motion to remove item number 6. Unseal closed session minutes as per N.C.G.S. 143-318.11 from the consent agenda and approve as amended

SECOND- Commissioner Whitley

VOTE- Unanimous

ADOPTION OF THE AGENDA

MOTION- Commissioner Oliver made a motion approve the agenda

SECOND- Commissioner Whitley

VOTE- Unanimous

Becky Blackmore at 2302 A Surfrider Circle stated:

- Attended the meeting tonight to say thank you
- On election day had opportunity to be Chief Judge in Kure Beach
- The Police Department and Police Chief were there at 5:15 a.m. to make sure we were able to get into the building and continued to check on us throughout the day
- A lot of citizens who came in to vote complimented the new building
- Thank you to Town Clerk Avery for everything she did for us on election day by providing us with excellent service

Mo Linquist stated:

- Thank you to the Town Council for appointing her to the WMPO Committee
- Over the past 6 months has learned a lot about mobility
- This Committee has the foresight to plan for the future for a growing population
- Not only the people who drive but people who walk, and ride bicycles
- Attended the Carolina Beach MPO as advised and listened to their ideas
- On Lake Park Blvd in Carolina Beach the Town has put at every crosswalk the pedestrians signs
- Earlier this month attended a bike walk summit in Winston Salem
- Learned about how towns like Charlotte, Durham and Raleigh are planning for the future in transportation
- Recommendation to the Town Council is to create a committee to focus on safer ways of transporting people through our Town

Mayor Bloszinsky stated the Town Council is interested in the options and financial solutions. The Town Council will look into this further at a future meeting.

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL



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1. Bernard Robinson & Co., Victor Blackburn, presentation of FY 2018-2019 audit
Mr. Blackburn reviewed highlight of the FY 2018-2019 audit as referenced in attached presentation, herein incorporated as part of these minutes.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee
Recreation Director Nikki Keely stated the community center is hosting a lighted globe glass project on December 1st for \$2 plus 2 canned goods.
2. Planning & Zoning Commission
 - Proposed memorandum from P&Z Commission to begin conforming the Town Code to recent and future comprehensive legislative amendments

Chairman Galbraith stated the recommendation to the Town Council from the Planning & Zoning Commission is to have the P&Z Attorney Eldridge spend more time getting our code in conformity with Chapter 160D.

P&Z Attorney Eldridge stated:

- General Assembly in recent session passed session law 2019-11
- The session law is 128 pages long and consists of nothing but currently effective and effective a year from now revisions and complete rewrites of Planning and Development statutes
- A significant number of legislative amendments have already become effective and include regulations on: third-party requests to downzone property; developers' choice of permits; vested rights; judicial review in lieu of current Board of Adjustment review of various zoning decisions; and awarding attorneys' fees to the prevailing party in civil actions with municipalities
- More substantial changes will become effective on January 1, 2021 as a new Chapter 160D consolidating city and county planning and development statutes into a single, unified chapter
- Indications on the complexity of this project is the UNC School of Government will be publishing a book on this matter and setting up an informational website for Chapter 160D
- UNC School of Government is planning conferences and workshops which the P&Z Commission will be attending in January
- This is a comprehensive project that will take several months if not longer to complete
- Regular review of the legislative changes, advise PZC what code amendments are deemed necessary, and draft, review and report on the proposed Code Amendments
- Recommend clear authority from Council to move forward as proposed and thereby mitigate against redundant effort and possible confusion



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MPT Heglar stated will Attorney Eldridge build a budget for this project? Can Attorney Eldridge bring a cost plan back to Town Council at the December Meeting?

P&Z Attorney Eldridge answered this project to be done regardless and it is impossible to forecast the cost of something the Commission has never done. He is estimating 5 to 10 hours a month on this project.

MOTION- Commissioner Whitley made a motion to proceed with the P&Z Commission to begin conforming the Town Code to recent and future comprehensive legislative amendments

SECOND- MPT Heglar

VOTE- Unanimous

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department

Finance Officer Copenhaver stated the recovery scoping meeting with FEMA has been held and a couple people will be here tomorrow to do site inspections with the Public Works Department.

2. Public Works Department

Public Works Director Mesimer stated:

- LDSI sent update today stating the inventory portion of the project for area B is 90% complete
- Inventory area A is 30% complete
- Begun drainage analysis assessment
- Should be complete by middle of December the inventory portion
- The Water meter project is 86% complete which is 2 and half weeks ahead of schedule

MPT Heglar stated he has requested a representative from LDSI to be at the December Council meeting.

3. Recreation Department

Recreation Director Keely stated the Holiday market is the next two Saturdays. There will be road closures at Atlantic Ave between K and L and is working with the Public Works Department and Police Department to implement it. Almost 50 vendors signed up for this weekend and 40 vendors scheduled for next weekend.



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DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. \$12,076.49 budget amendment to implement a new ranking structure for Fire Department
MPT Heglar stated:

- As the President of the Board of Directors for the volunteer Fire Department speaking tonight for the department
- Fire Chief Kennedy wrote letter to all of Town Council regarding why he recommends doing this effective January 1st instead of waiting till the new budget year
- Two key items were included in the letter
- One key item is regarding the volunteer side the Fire Department has number of senior officers who will be retiring soon
- Jim Dugan and Wayne Bostic could decide to retire at any time so using this new rate structure to get more leadership in the volunteer level
- Second key item is regarding the paid staff
- Carolina Beach Fire Department is creating in December 3 new engineering positions
- The Carolina Beach Fire Department pay rate will be higher than our Town's proposed engineer rates
- Not concerned about loses in the short term but wants to make sure in the future the Fire Department pay rate stays in line with Carolina Beach

Commissioner Oliver commented he understands what Fire Chief Kennedy is doing and is pleased with the work but thinks the timing is bad being mid budget year. The Fire Department isn't losing officers at this present time and he would rather work through this during the budget process.

MOTION- Commissioner Heglar made a motion to approve effective January 1st the additional funds for the Fire Department restructure

SECOND- Commissioner Whitley

VOTE- Motion carried 4-1 with Mayor Bloszinsky, MPT Heglar, Commissioner Whitley, and Commissioner Ellen in favor and Commissioner Oliver against

MOTION- MPT Heglar made a motion to approve Budget Amendment 20-05 totaling \$11,874 to implement a new ranking structure for Fire Department

SECOND- Commissioner Whitley

VOTE-Unanimous



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2. Additional signage at crosswalks

Police Chief Bowden gave a presentation on additional signage at crosswalks. Said presentation is herein incorporated as part of these minutes.

Mayor Bloszinsky stated thank you Police Chief Bowden for doing the investigation. He recommends the Town Council take a look at the cost of the crosswalks and do an investigation on these options.

MPT Heglar commented if a pedestrian committee is formed this would be a good item for them to research and consider. The Town Council can discuss this item at the budget retreat.

Mayor Bloszinsky stated this item will be tabled till the December meeting.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Appointment of new Town Clerk replacing retiring Town Clerk Avery effective December 1, 2019 and Oath of Office

MOTION- Commissioner Whitley made a motion to promote Mandy Sanders to the position of Town Clerk effective December 1, 2019 at a salary of \$65,000

SECOND- Commissioner Ellen

VOTE- Unanimous

Mayor Bloszinsky administered the oath of office to Mandy Sanders as the new Town Clerk.

2. Reschedule December Organizational meeting from December 16th

MOTION- Commissioner made a motion to reschedule the December Organizational meeting to Monday, December 9 at 6:00 pm

SECOND- MPT Heglar

VOTE- Unanimous

3. Concerns on coyote sightings

Commissioner Ellen gave a presentation on coyotes. Said presentation is herein incorporated as part of these minutes.



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4. Reception for retiring Town Clerk Avery

Mayor Bloszinsky stated:

- Town Clerk Avery has given the Town 12 years of tremendous service
- Served 5 different Mayors over those 12 years
- Over those years Town Clerk Avery pushed the Town Council to build this new structure
- This was accomplished because of her philosophy of getting things done

Commissioner Ellen stated working with Town Clerk Avery over the last 6 years has been marvelous and it was a joy working with her on the reception for the Dedication ceremony of the new building.

MPT Heglar stated Town Clerk Avery has done a great job and the Town Council will miss her. Town Clerk Avery has done a great job training her department. During Hurricane Florence she was the communication between the residents and Town Council throughout the storm. She has been a great resource for multiple Town Councils.

Commissioner Whitley stated Town Clerk Avery has been a great resource and he will miss that greatly.

Commissioner Oliver commented he met Town Clerk Avery in the first week of moving to Kure Beach and has worked with a lot of people in local government over the years but Town Clerk Avery by far functions and operates this Town in a way that would make us all proud.

COMMISSIONER ITEMS

Commissioner Whitley stated:

- Need to redo Land Use Plan by end of next year
- Recommending to form a Land Use Plan Committee
- The Committee would consist of himself, Commissioner Allen Oliver, Chairman Galbraith, P&Z member Tony Garibay, Building Inspector John Batson as staff, and open applications for two citizens
- Need to set date and time

MOTION- MPT Heglar made a motion to approve the formation of the Land Use Plan Committee and allow Commissioner Whitley to lead the committee and bring back to Council once we receive citizens input to designate the committee

SECOND- Commissioner Ellen

VOTE- Unanimous



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Commissioner Ellen stated the MPO meeting was held today. The Committee voted that the only item the committee would support is the Cape Fear River Crossing tolls. None of the other taxes or fees were supported by the MPO.

Commissioner Oliver stated last month at the Ports and Waterway Commission heard presentation on the Shoreline Mapping Program. This is a big document that is filed in the Building Inspections office. He will forward the presentation which has information regarding Kure Beach and Fort Fisher regarding the amount of sand we loose and storms.

MOTION- Commissioner Whitley made a motion to adjourn the meeting at 8:15 p.m.

SECOND- MPT Heglar

VOTE- Unanimous

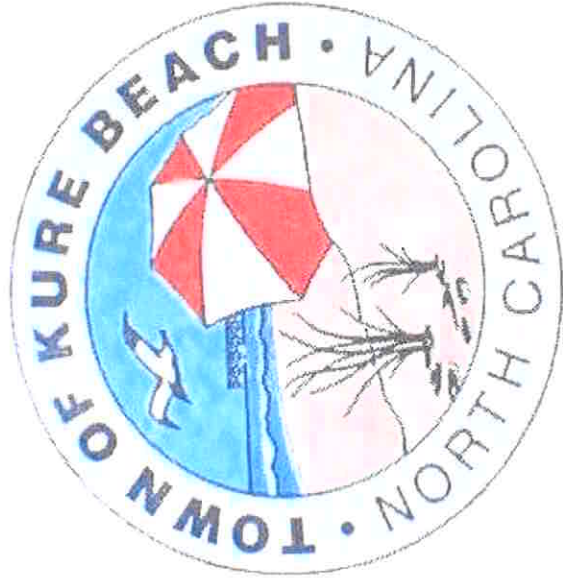
ATTEST:


Mandy Sanders, Town Clerk


Craig Bloszinsky, Mayor

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

**TOWN OF KURE BEACH
FINANCIAL HIGHLIGHTS
AUDIT PERFORMED BY
BERNARD ROBINSON & COMPANY, L.L.P.
AS OF JUNE 30, 2019**



TOWN OF KURE BEACH TOTAL NET POSITION



DOLLARS

TOWN OF KURE BEACH GOVERNMENTAL ACTIVITIES NET POSITION



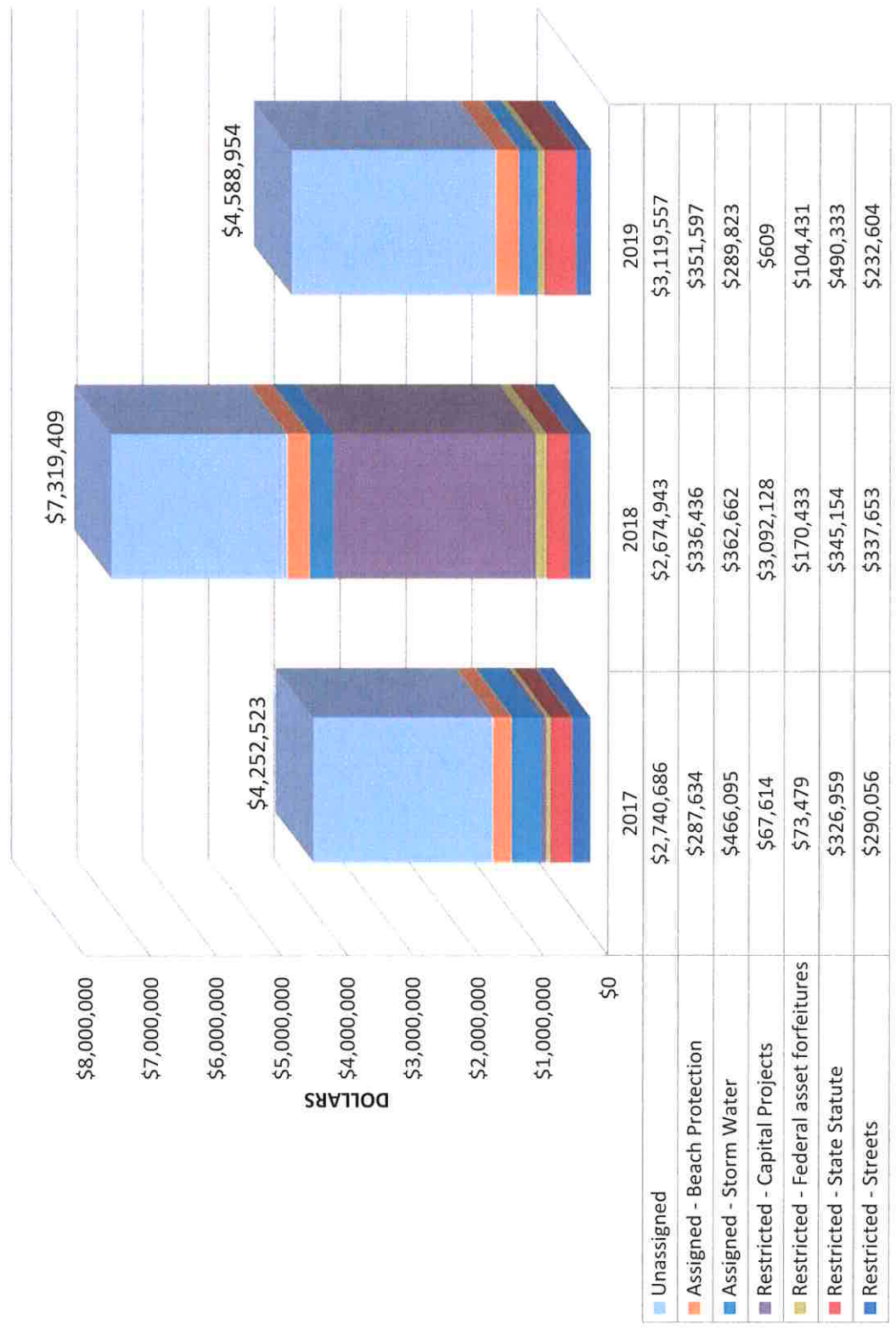
DOLLARS

TOWN OF KURE BEACH BUSINESS-TYPE ACTIVITIES NET POSITION



DOLLARS

**TOWN OF KURE BEACH
GOVERNMENTAL FUNDS
(General, Powell, Storm Water, Forfeiture, Beach Protection, Capital Projects)
FUND BALANCE**



TOWN OF KURE BEACH
GOVERNMENTAL FUND BALANCE
(includes General, Storm Water, Powell, Beach Protection & Federal Asset Forfeiture)
June 30, 2019

	FINAL BUDGET	ACTUAL AMOUNTS	VARIANCE – POSITIVE/ (NEGATIVE)
Total Revenue	\$5,780,568	\$6,300,380	\$519,812
Total Expenditures	<u>\$6,369,913</u>	<u>\$6,173,676</u>	<u>\$196,237</u>
Revenues over (under) expenditures	(\$589,345)	\$126,704	\$716,049
Other Financing Sources (Uses) & Transfers	\$275,000	\$234,360	<u>(\$40,640)</u>
Fund Balance Appropriation	<u>\$314,345</u>	<u>\$0</u>	<u>(\$314,345)</u>
Net Change in Fund Balance	<u>\$0</u>	\$361,064	<u>\$361,064</u>
Fund Balance, beginning		<u>\$4,227,281</u>	
Fund Balance, ending		<u>\$4,588,345</u>	

TOWN OF KURE BEACH
WATER AND SEWER FUND (including SERF)
REVENUES, EXPENSES AND NET POSITION
JUNE 30, 2019

	ACTUAL AMOUNTS
Total Operating Revenues	\$2,144,521
Total Operating Expenses	<u>\$1,901,158</u>
Operating Income	\$243,363
Total Non-Operating Revenue/(Expense)	<u>\$58,729</u>
Change in Net Position	\$302,092
Total Net Position, Beginning	\$6,734,349
Total Net Position, Ending	<u>\$7,036,441</u>

CROSSWALK OPTIONS

TOWN OF KURE BEACH

CROSSWALKS

There are six crosswalks within the Town's limits located at:

- Sealane
- Beach access # 630 N Fort Fisher Blvd (between Sea View and Sea Watch HOAs)
- M Avenue
- I Avenue
- E Avenue
- Fort Fisher Air Force Rec Area/Ocean Dunes

OPTION 1 – REFLECTIVE SIGNS

- Per D.O.T., reflective signs may only go in midblock crosswalks located between intersections
- There are only two midblock crosswalks located at the FFAir Force Rec Area and between Sea View and Sea Watch
- Reflective signs in the middle of crosswalks are \$400 per unit X2 plus 2 spares at total cost of \$1600.00. Vendor is Tapco Safety Company.



OPTION 2 – SOLAR FLASHING LIGHTS

- 24 hour Solar Flashing lights at all crosswalks at cost of \$28,866.89 plus installation.
- Lights would flash 24 hours a day. Drivers would have to become accustomed to constant flashing lights and homeowners in the area would probably not like the lights flashing all the time.
- Vendor - Tapco Safety Company



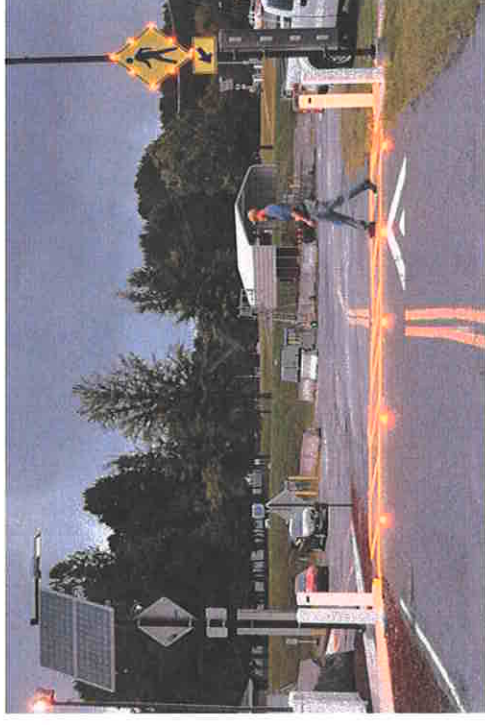
OPTION 3 – PUSH BUTTON SOLAR CROSSING SIGNAL

- Push button solar crossing signal at all crosswalks at cost of \$44,495.22 plus installation.
- Activated by pushing button lights on pole to light up crosswalk at night.
- Same lighting Carolina Beach has installed at crosswalks.
- Option 3 keeps the lighting the same on the island.
- Light mounted on the pole for night visibility in crosswalks
- Vendor - Tapco Safety Company



OPTION 4 – PUSH BUTTON SOLAR POWERED LIGHTS TO FLASH AND SHINE LIGHTS ACROSS CROSSWALKS

- Push button solar powered lights installed in the road at a cost of \$187,034.55 plus installation.
- Lights flash in the road when activated by pushing button.
- Takes approximately two days per crosswalk to install.
- Vendor - Tapco Safety Company



OPTION 5 – SQUARE BALLARD SIGNAL

- Square Ballard crosswalk signal at cost of \$185,601.61 plus installation.
- Has lights that shine across the road at night.
- Vendor - Emedco Safety Company



- D.O.T said it is the Town's responsibility to purchase and install the appropriate signage.
- D.O.T will not maintain any equipment purchased by the Town
- These estimates do not address the traffic light at K and Fort Fisher.
- Photos are a close representation to actual signage.



Coyote Characteristics



- Coyotes are smart and very adaptable.
- Have grayish-brown to yellowish-brown fur on top and whitish fur on its underparts. It has large triangular ears on the top of its head and a long, narrow muzzle. It has a black nose; yellow eyes; and a long, bushy tail.
- Coyotes are opportunistic omnivores, eating whatever is available.
 - They are hunters and scavengers that eat anything from mice, rabbits and squirrels to frogs, lizards, fish, fruit and carrion.
 - Eat anything that has calories (rodents, cats, dogs, deer, fruit, pet food).
- Able to jump six-foot fence.
- Are famous for their wide repertoire of sounds, from yips and barks to howls and huffs.

Coyote Menace to Humans?

- Coyotes don't typically attack humans, but as they creep into urban areas in the US, your pets may be at risk.
 - They may view large dogs as rivals, and small dogs and cats as prey.
- When living in close proximity to humans, coyotes tend to be nocturnal but may also be active in the early morning and at sunset.
 - In areas with little or no human activity, coyotes will hunt during the day, and when a litter of pups needs to be fed, they may have to hunt around the clock.
- U.S Coyote attacks: from 1970-2015 there were 367 documented attacks
 - Two were fatal
- In comparison: 4.5 million dog bites annually
 - In 2016, 31 dog bites were fatal





Coyote Environment

- Live in forests and urban settings.
- Live alone or in small packs.
- Mostly active at night but can be seen in day depending on scarcity of food sources.
- Adjust their hunting style to what foods are available.
- Mate from January to March, the average gestation period is about 60 days; therefore pups are born from mid-March to mid-May.
 - Pups become hunters and leave for new territory in September through November.

Coyote & Humans Co-existing

- **Keep cats and small dogs indoors or in close presence of an adult.**
- **Remove potential food/water sources from your yard (fallen fruit, pet food, standing water, exposed garbage).**
- **Coyotes are attracted to animal feces.**
 - **Keep yard clear of dog and cat feces and other wild animal feces that you discover in your yard.**
- **Remind children to avoid areas with dense vegetation or brush.**
- **Hazing is very effective.**
 - **Loud noises: yelling or noise makers.**
 - **Spray with hose or douse with water.**
 - **Use a paint ball gun.**



Coyote Hunting & Trapping



- There is no closed season for coyotes on private lands from the hours of one-half hour before sunrise until one-half hour after sunset.
 - Hunting of coyote at night in the area covered by the coyote hunting permit is not legal.
 - There is no bag limit on coyote, and hunters may use electronic calls.
- For the most part, state law allows you to shoot a coyote any day of the year.
 - All you need is a hunting license. According to the state, the majority of people who kill coyotes are “incidental” hunters, meaning they set out to take deer and happened upon a coyote.
- North Carolina's Coyote hunting season is year round.
 - Trapping season is from December 1 - February 28.
 - It is allowed after February on private property, if the property owner gets a depredation permit from the wildlife commission.

Coyote Hunting & Trapping Permit



- **A depredation permit authorizes you to capture or kill wild animals to reduce damage caused by these animals or to protect other interests such as human health and safety or personal property.**
 - **To obtain a Coyote Depredation Permit, contact Wildlife Enforcement Officer.**
 - **North Carolina Wildlife Resources Commission
Customer Service Section
1707 Mail Service Center
Raleigh, NC 27699-1700**
 - **888-248-6834 or 919-707-0391**
 - **The permit is only good for the property for which it is certified.**
 - **Traps must be checked daily.**
 - **Trapped Coyotes may not be relocated.**



Questions?

