



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, May 18, 2020 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 – Mandy Sanders
Building Inspector – John Batson
Recreation Director – Nikki Keely
Financial Officer – Arlen Copenhaver
Deputy Town Clerk – Beth Chase
Police Chief – Mike Bowden
Fire Chief – Ed Kennedy
Public Works Director – Jimmy Mesimer

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

Call to Order – Mayor Bloszinsky
Invocation & Pledge of Allegiance – Mayor Bloszinsky

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve the monthly report and invoice for the consulting contract in the amount of \$6,914 with Nancy Avery
2. Adopt Resolution R20-04 to approve financing with First Bank for a fuel tank with dispensing and monitoring systems not to exceed \$125,000 at an interest rate of 1.56% for five years
3. Approve the May Recreation Department report
4. Minutes:
 - May 4, 2020 Special
 - April 20, 2020 Regular
 - April 3, 2020 Budget Workshop #2
 - March 12, 2020 Public Hearing



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

MOTION- MPT Heglar made a motion to approve as presented
SECOND- Commissioner Whitley
VOTE- Unanimous

ADOPTION OF THE AGENDA

MOTION- Commissioner made a motion to add under New Business Hurricane Plan and Information Sessions
SECOND- Commissioner Whitley
VOTE- Unanimous

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee

Recreation Director Keely stated the Community Center Committee has canceled the annual BBQ in August and the Committee will not meet again till July

2. Planning & Zoning Commission

Proposed text amendment to Chapter 15 (Zoning) Article 40 (Signs) Section 40 (Exceptions)

MOTION- MPT Heglar made a motion to schedule a public hearing on Monday, June 15, 2020 at 5:30 for the proposed text amendment to Chapter 15 (Zoning) Article 40 (Signs) Section 40 (Exceptions)

SECOND- Commissioner Whitley

VOTE- Unanimous

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 15 (Graffiti Nuisance)

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 20 (Complaint; Investigation)

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 30 (Notice to Abate)

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 40 (Abatement By Town - Upon Failure Of Owner)

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 50 (Same - Costs Charged To Owner)



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 60 (Same - Unpaid Charges Become A Lien)

Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 70 (Additional Remedies)

P&Z Chairman Galbraith stated:

- The proposed text amendments are to Chapter 8 and does not require a public hearing
- Graffiti is the number one vandalism in the United States
- Kure Beach does not currently have a graffiti problem at this time
- When he was on City Council in Orange County had over 100 tagging's in one night
- Several issues in NC Towns recently where a building was tagged but the property owner refused to clean up the building
- The proposed text amendment also cleans up the current ordinance

MOTION- MPT Heglar made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 15 (Graffiti Nuisance)

SECOND- Commissioner Whitley

VOTE- Unanimous

MOTION- MPT Heglar made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 20 (Complaint; Investigation)

SECOND- Commissioner Whitley

VOTE- Unanimous

MOTION- MPT Heglar made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 30 (Notice to Abate)

SECOND- Commissioner Whitley

VOTE- Unanimous

MOTION- MPT Heglar made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 40 (Abatement By Town - Upon Failure Of Owner)

SECOND- Commissioner Whitley

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

MOTION- Commissioner Whitley made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 50 (Same - Costs Charged To Owner)

SECOND- Commissioner Ellen

VOTE- Unanimous

MOTION- Commissioner Whitley made a motion to approve proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 60 (Same - Unpaid Charges Become A Lien)

SECOND- MPT Heglar

VOTE- Unanimous

MOTION- Commissioner Whitley made a motion to approve Proposed text amendment to Chapter 8 (Public Health and Safety) Article 02 (Weeds, Weed Growth, Trash, Garbage, Refuse, Debris, and Graffiti) Section 70 (Additional Remedies)

SECOND- Commissioner Ellen

VOTE- Unanimous

Chairman Galbraith stated the Planning and Zoning Commission is looking into a Lightening Ordinance. He wanted to make sure the Commission has approval from Town Council to move forward with drafting an ordinance for the Town.

Mayor Bloszinsky stated the Town Council supports P&Z drafting an ordinance and looking into it further.

3. Historical Preservation Commission

HPC Chairman Galbraith stated:

- The Commission held a virtual conference with the State regarding the HPC report
- The State has requested a complete inventory of all buildings and lots in the Town
- The Commission may need help in the future with the design guidelines
- Hopefully will bring final report recommendation to July meeting

4. Pedestrian Committee

Commissioner Oliver stated the Pedestrian Committee has met and once the minutes have been approved will bring forward the Town Committee purpose.



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration

- Schedule date in June for Department Head evaluations

MOTION- MPT Heglar made a motion to schedule the department evaluations for 12:00 p.m. on Monday, June 15, 2020

SECOND- Commissioner Whitley

VOTE- Unanimous

- Proposed amendment to the Committee Policy

Town Clerk Sanders stated:

- Committee Policy amendment is regarding Town Commissions being allowed to serve on more than one board
- P&Z Attorney Eldridge drafted this amendment

MPT Heglar stated he does not think Board of Adjustment should serve on any other board or committee. It protects the Town to keep Board of Adjustment independent.

Commissioner Whitley stated he doesn't think Planning & Zoning should serve on any other board besides the Historical Preservation Commission and Land Use Plan Committee.

Town Clerk Sanders to bring revisions to Committee policy at the June meeting to include an exception that P&Z can serve on the Historical Preservation Commission and the Land Use Plan Committee

2. Building Inspections Department

Building Inspector Batson stated:

- Code Enforcement issue at 205 Alabama Avenue
- Not been able to get hold of the property owner and this has been an ongoing issue for the last 3 years
- Property is currently in bad repair and Building Inspector Batson has sent several certified letters to the property owners at multiple addresses
- Tried to contact the mortgage holder on the property but was unsuccessful
- The taxes on the property have been paid but the property has \$5,000 in unpaid water bills to the Town
- The property currently has the water and power turned off



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

Attorney Canoutas stated the Town will by publication let the property owner know that the Town will be applying for a magistrate warrant to inspect the property. Then the Town will again by publication as to the results thereof to give the property owner the proper time to fix the repairs. If the property owner does not fix the repairs the Town Council will pass the ordinance to condemn the property to sell or destroy the property.

3. Finance Department

Presentation of budget message, draft FY20-21 budget ordinance and fee schedule.

Finance Officer Copenhaver gave an overview of the proposed FY20-21 budget. The presentation including the Budget Message, Budget Ordinance and Fee Schedule is herein included as part of these minutes.

MOTION- MPT Heglar made a motion to direct Town Clerk to advertise that the proposed budget is available for inspection with a public hearing on Monday, June 8, 2020 at 6:00 p.m

SECOND- Commissioner Whitley

VOTE- Unanimous

MOTION- MPT Heglar made motion to follow the Finance Officer Copenhaver recommendation to restart charging for trash pickup at the end of the June billing Cycle

SECOND- Commissioner Whitley

VOTE- Unanimous

4. Police Department

Police Chief Bowden stated:

- Received a complaint from a concerned citizen regarding an intersection at 3rd and I Avenue that has had multiple accidents
- The Town has already ripped out a bush for better visibility and roped off the section
- Recommends the Town to install two more stop signs on I Ave to create a 4 way stop
- The gas tank has been installed and will hoping have the final parts done by the end of May
- Contacted by the Wilmington Police Department to ask the Kure Beach Police Department to start using the helicopter unit to help with water rescues and missing children etc.
- This is at no cost to the Town and allows Wilmington Police to receive Federal funding
- Already Spoke with the Town Attorney and the Town would be covered under the umbrella of the Sheriff Department when the department is using the helicopter
- The Department needs to look into receiving a quote for a new security light to install at the pavilion near the restrooms



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

- Need to readdress the Prohibited weapon ordinance
- Spoke with MPT Heglar and he would like to receive a quote from Lanier Parking to assist on Saturdays and Sundays through Labor day for parking throughout Town
- The Marines will be training on the airbase from June 13th through the 15th and it will be loud as they will be using blanks, boats, and helicopters throughout the night

MOTION- MPT Heglar made a motion Authorized Public Works Department to install 2 additional stop signs, East and West of I Avenue and 3rd Avenue

SECOND- Commissioner Whitley

VOTE- Unanimous

CONSENSUS- Town Attorney Canoutas to bring drafted concealed weapons ordinance to the June 15, 2020 Town Council meeting for the consent agenda

5. Public Works Department

Public Works Director Mesimer stated:

- Regarding the curiously pickup thank you to all residents for complying with the changes the Department made this past year
- In 2018 the cost of the pickup was \$10,549 and this year's cost was \$659
- The LDSI Storm Water assessment was received and he is reviewing to discuss at the June meeting

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Stormwater update

MPT Heglar Stated:

- Received the report from LDSI regarding the Storm Water and it will be shared with the Town Council later this week
- Also, will be emailing HOAs that own a pond in Town as each HOA needs to recommend a member to be on the Town Stormwater committee

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

2. Deck construction in setback at 309 Settlers Lane

Building Inspector Batson stated:

- Received request from Jeff and Lisa Leppo at 309 Settlers Lane on April 27th and submitted to Town Council on April 30th for review
- Along Settlers Lane the Town has a 25-foot and a 30-foot easement based on the property due to utilities



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

- The Town Council has approved easements in the past and the most recent was approved on July 22, 2015 to allow a 7x13 deck to go into the easement
- The Leppo's have submitted a signed agreement to remove the deck at the property owners expense if the Town determines

MPT Helgar stated he thinks there should be a time requirement of 30-days for the removal of the deck in the setback.

Jeff Leppo stated he agrees with the 30-day removal.

MOTION- Commissioner Whitley made a motion to approve the deck construction in the setback at 309 Settlers Lane with the agreement of 30-day removal amendment received

SECOND- Commissioner Oliver

VOTE- Unanimous

3. Proposed amendments to Articles I, V, IX X and XI of the Personnel Policy for consideration

Nancy Avery stated in the agenda packet is the proposed amendment to the personnel policy as part of her consulting contract. Reworded and clarified to give better guidance to staff. Also added a definition for the Personnel Officer. Recommendation is for the Department Heads and Town Attorney to review and submit any revisions necessary.

Town Clerk Sanders stated she will send out the policy for department heads to review.

CONSENSUS- Department Heads to review proposed amendments to Articles I, V, IX X and XI of the Personnel Policy and bring back recommendations at the June 15, 2020 meeting

4. Hurricane Information Sessions

MPT Heglal stated

- Revised the Hurricane Operations Plan and submitted the changes to Town Council and Department heads to review
- Requesting Town Council approvals to record the hurricane information session this year and upload to the website
- Once the video has been presented to the citizens then schedule the two question and answer sessions via conference call

CONSENSUS – Town Council authorized MPT Heglal to schedule two public information sessions to be held electronically on hurricane preparedness



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

MAYOR UPDATES (no action required)

COMMISSIONER ITEMS (no action required)

MOTION- Commissioner Whitley made a motion to appoint Commissioner Oliver, Commissioner Whitley, Craig Galbraith, Tony Garibay to the Lane Use Committee and schedule the meeting for the second Tuesday of the month at 6:00 p.m.

SECOND- MPT Heglar

VOTE- Unanimous

CLOSED SESSION

Closed session for consultation on a personnel matter with the attorney as per N.C.G.S. 143-318.11(a)(6)

MOTION- Commissioner Oliver made a motion to go into closed session for consultation on a personnel matter with the attorney as per N.C.G.S. 143-318.11(a)(6)

SECOND- Commissioner Ellen

VOTE- Unanimous

MOTION- MPT Heglar made a motion to return to open session

SECOND- Commissioner Whitley

VOTE-

ADJOURNMENT

MOTION- MPT Heglar made a motion to adjourn the meeting at 9:20 p.m.

SECOND- Commissioner Whitley

VOTE- Unanimous



TOWN COUNCIL MINUTES

REGULAR MEETING

May 18, 2020 @ 6:00 p.m.

ATTEST: Mandy Sanders
Mandy Sanders, Town Clerk

Craig Bloszinsky
Craig Bloszinsky, Mayor

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