



TOWN COUNCIL MINUTES

REGULAR MEETING

Thursday, April 25, 2024 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Thursday, April 25, 2024 at 6:00 p.m. The Town Attorney was present and there was a quorum of Council members present.

COUNCIL MEMBERS PRESENT

Mayor Allen Oliver
MPT David Heglar
Commissioner John Ellen
Commissioner Dennis Panicali
Commissioner Connie Mearkle

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Fire Chief – Ed Kennedy
Police Chief – Mike Bowden
Police Lieutenant – Brandon Bailey
Director of Recreation & Events – Nikki Keely
Director of Administration – Mandy Sanders
Finance Officer – Arlen Copenhaver
Town Clerk – Beth Chase
Code Enforcement Officer – Bethany White

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

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve the Capital Project Budget Ordinance for Replacement of Beach Access No. 140
2. Appoint Dan Tollens owner of Seabirds Motel to the Tourism Development Authority (TDA) Committee
3. Approve Budget Amendment 24-04 to increase the Beach Protection Fund Budget by \$46,489 for a transfer to the Beach Access No. 140 Replacement Capital Project Fund
4. Approve Budget Amendment 24-05 to increase the Engineering Fees budget line in Water/Sewer Operations by \$150,000 for performance of water and sewer systems asset and inventory assessments funded by grant proceeds
5. Approve Budget Amendment 24-06 to reclassify \$14,000 from the Police Dept. Salaries – Reserve Officers budget line to the Police Dept. Capital Outlay - Equipment budget line
6. Approve Budget Amendment 24-07 to increase the Elections line item in the General Fund Budget by \$500 for a cost increase from the New Hanover County Board of Elections for the 2023 municipal election
7. Minutes
 - March 18, 2024 Regular



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- March 20, 2024 Special
- April 1, 2024 Budget Workshop #1

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

SECOND- Commissioner Panicali

VOTE- Unanimous

ADOPTION OF THE AGENDA

MOTION- MPT Heglar made a motion to add to the agenda item 7.1 Approve Proclamation P24-03 May is Bike Safety Month and adopt as amended

SECOND- Commissioner Ellen

VOTE- Unanimous

PUBLIC COMMENTS

None.

PRESENTATIONS

Jim Kennedy, Executive Officer, Cape Fear Sail & Power Squadron stated requesting Town Council to adopt the Proclamation presented. The primary goal is to always promote safe boating in our area. Each year train over 150 new boaters to keep them safe on the water and inspect over 200 recreational vessels to make sure they have all their safety gear. 80% of deaths on the water are caused by drowning where 86% of drowning cases, the victim was not wearing a life jacket.

MOTION- Commissioner Ellen made a motion to approve Proclamation P23-02 in Support of National Safe Boating Week as presented

SECOND- MPT Heglar

VOTE- Unanimous

PUBLIC HEARING

None.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Bike/Ped Committee

Bike/Ped Member Elien Clute read Proclamation P24-03 in Support of May is Bicycle Safety Month and requested Town Council to approve the proclamation.



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MOTION- Commissioner Ellen made a motion to approve Proclamation P24-03 in Support of May is Bicycle Safety Month

SECOND- Commissioner Panicali

VOTE- Unanimous

Bike/Ped Member Elien Clute gave a report on the Bike/Ped Committee that is hereby incorporated as part of the minutes.

2. Marketing Committee

Marketing Chairman Dirks gave an update for the Committee that is hereby incorporated into the minutes.

3. Planning & Zoning Commission

- Action and Consideration on Proposed Text Amendments to Proposed Text Amendments to KBC Chapters 5, 6, and 7

PZC Chairman Ashbridge stated tonight have proposed text amendments for Town Council to review and approve. Chapters 5, 6, and 7 are mostly grammatical/syntactical revisions. A few amendments that are further beyond that. Section 05.06 deals with massage establishments and has very outdated language and the Town Attorney has recommended the Town refers to state regulations. KBC 5.02.040 prohibits any kind of dancing at an establishment that sells beer, so the revision is to delete. There is also current language that prohibits any type of open-air bar so it has been recommended to delete.

MPT Heglar stated Public Works Director Mesimer and himself met with Member Barlok and went through Chapter 7, and he appreciates all Member Barlok's work on this project. The Public Works Department agrees with all the recommended changes.

MOTION- MPT Heglar made a motion to approve Proposed Text Amendments to Proposed Text Amendments to KBC Chapters 5, 6, and 7

SECOND- Commissioner Ellen

VOTE- Unanimous

4. Shoreline Access and Beach Protection

- Presentation from Chairman Jackson on BeBot

SLABP Chairman Jackson gave a presentation on "The Bebot Sand Sifter" that is hereby incorporated into the minutes.



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Mayor Oliver stated Attorney Eldridge would need to review the agreement.

MPT Heglar asked what hours and days would it be on the beach strand?

SLABP Chairman Jackson stated it would be up to Kure Beach. The Town Council would control it.

Dick Brightman, Chairman of Keep New Hanover Beautiful stated he spent the whole day in Carolian Beach today and the group handled the permit process and the letters to the adjacent property owners in Carolina Beach. The agreement would be that Keep New Hanover Beautiful is the contractor and the Town is the applicant. The frequently, time of day is totally up to the Town.

MPT Oliver asked do you have insurance coverage?

Dick Brightman, Chairman of Keep New Hanover Beautiful stated that question has not been raised by Carolina Beach or Wrightsville Beach.

CONSENSUS- Town Council agreed for Attorney Eldridge to review the CAMA permit agreement and have Keep New Hanover Beautiful look into insurance

SLABP Chairman Jackson gave a presentation on "Beach Toy Boxes" that is hereby incorporated into the minutes.

MPT Heglar stated he would like SLABP Chairman Jackson to discuss with Ocean Rescue and Carolina Beach about their program.

CONSENSUS- Shoreline Access and Beach Protection Chairman Jackson to speak with Ocean Rescue and the Fire Department regarding the program

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Fire Department

Fire Chief Kennedy stated the Department will be holding 3 upcoming lifeguard tryouts over the next 3 weekends. Also just selected the 4 winners for the two scholarship programs from the Fire Department and will host a meeting on May 20th at the Fire Department at 7:00 p.m. to award them to the winners.



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2. Public Works Department

MPT Heglar commented there is work to be completed on the pipes in May between N 5th Street and Surf street. It should not close the roads.

3. Recreation Department

Recreation Director Keely stated active filming will end tomorrow morning and the equipment will start being removed from the beach strand. Ocean Front Flicks will begin tomorrow evening at the Ocean Front Park and the Kure Community Fest on Saturday.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Discussion and follow up of Seagull Ordinance

Mayor Oliver stated a memo is included in the agenda packet that Lieutenant Bailey did research for Town Council. He has heard from 6-8 individuals requesting an ordinance. Carolina Beach has an ordinance against feeding wildlife. Sunset Beach has an ordinance for water birds. He reached out to the National Wildlife Resource Commission that provided information on how its not healthy to feed wildlife. Town Council needs to make the decision does the Town want an ordinance.

MPT Heglar commented if citizens are being inconvenienced than Town Council should address it. He wants the police to have the authority when a person is being harassing. He thinks the Town Council should give them an ordinance for when citizens are being harassing. This would be compliant driven.

Mayor Oliver commented yes he would want it to be complaint driven.

Commissioner Mearkle stated she agrees.

Commissioner Panicali stated in the code there is currently a provision that states “no one shall feed any non-domesticated animal in any park”. As he reads what other Towns have done may just modify to not feed any non-domesticated animal or bird.

Attorney Eldridge stated need to be careful an ordinance as that will reach all the way to backyard bird feeders. The Town could draft an ordinance very specific to seagulls on the beach or look at the nuisance ordinance and add a statement there. He thinks making it specific to the beach strand would be better for the Town.

CONSENSUS- Town Council agreed for Attorney Eldridge to draft an ordinance that is compliant driven regarding feeding seagulls on the beach strand.



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DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Resolution R24-05 in of support for their application to USDOT's Multimodal Project Discretionary Grant program for the replacement of the Cape Fear Memorial Bridge

MOTION- MPT Heglar made a motion to approve Resolution R24-05 in of support for their application to USDOT's Multimodal Project Discretionary Grant program for the replacement of the Cape Fear Memorial Bridge

SECOND- Commissioner Ellen

VOTE- Unanimous

MAYOR UPDATES

Mayor Oliver commented Coffee with the Mayor will be held this Saturday and the Kure Community Event this Saturday.

COMMISSIONER ITEMS

MPT Heglar commented he will work with the Administration Department to schedule the Hurricane Information Sessions on May 16th and May 18th.

CLOSED SESSION

Closed Session for a personnel issue per N.C.G.S. 143-318.11(a)(6).

MOTION- Commissioner Ellen made a motion to go into closed session per N.C.G.S. 143-318.11(a)(6).

SECOND- MPT Heglar

VOTE- Unanimous

MOTION- Commissioner Ellen made a motion to return to open session

SECOND- MPT Heglar

VOTE- Unanimous

Attorney Eldridge commented in Closed Session no actions or votes were taken.

ADJOURNMENT

MOTION- MPT Heglar made a motion to adjourn the meeting at 8:12 p.m.

SECOND- Commissioner Ellen

VOTE- Unanimous



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A handwritten signature in cursive script, appearing to read "Beth Chase", written over a horizontal line.

ATTEST: Beth Chase, Town Clerk

A handwritten signature in cursive script, appearing to read "Allen Oliver", written over a horizontal line.

Allen Oliver, 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>agendas&minutes](#)

Honorable Mayor Oliver and commissioners,

What a great month we have to report on!

- First of all, we received a grant from NCDOT for 25 children's helmets which will be given out at the Traffic Garden on May 17. What is so exciting about this, is the fact that MAY IS BIKE MONTH and we are joining 'BIKE TO SCHOOL DAY' with Carolina Beach Elementary School, leaving Joe Eakes Park at 7:15am to arrive at school by 7:45. Chief Bowdin is aware, and we invite you, Mayor, commissioners and any other parents and children who want to bike together to the school. Then that day we are presenting a Traffic Garden for the second graders, about 80 students in all, to learn safety practices focusing on safety practices like stopping for pedestrians in crosswalks, learning how to read street signs and bicycle ABC's. This is also being used as the pilot program 'Let's go NC' a Statewide safety based curriculum which we would like to see instituted in the school in the future.
- Why is the crosswalk component so important to us? Because last week, after 4 years of auditing, planning, finding funding and getting on NCDOT's schedule we finally have the first 4 lighted crosswalks installed on Ft. Fisher Blvd at 1004.5 (near Ocean View), M by the post office, Blakeslee Air Force Rec Area, and Surf Rider near Ocean Dunes.
- A PSA about Pedestrians having the right of way in a crosswalk was posted by the Kure Beach Recreation FB page.
- Our committee will have a booth focusing on education at the Kure Community Fest. Our campaigns are "Be Safe, Be Seen" and "Heads Up, Phones Down."
- We were also asked by a resident if we could have a FUN RIDE. For Bike Month we are planning a bike ride on May 19th. The ride will start at 1pm from the Town Hall parking lot. More information to follow.
- Join the Kure Krusiers on Saturday June 15th in Burgaw for the Tour de Blueberry Bike Ride. Choose your distance (10, 22, 33, or 66 mile ride) and select the Kure Kruisers as your team! Complete the sign up and waiver on the committee website. Both forms need to be completed to ride in this event. Be sure to check out the festival afterwards!

What an exciting time this is making our town safer for all vulnerable road users, residents, and visitors. Mark your calendars for all these dates and join us.

- Kure Community Fest – Saturday, April 27, 2024
- Bike to School Day – Friday, May 17, 2024 7:15AM – 7:45AM
- Kure Beach Fun Ride – Sunday, May 19, 2024 at 1:00PM
- Tour de Blueberry – Saturday, June 15, 2024 at 8:30AM in Burgaw, NC
 - Kure Kruisers (Kure Beach Bike Team)



OCEAN VIEW



M AVENUE



BLAKESLEE AIR FORCE RECREATION AREA



SURFRIDER CT.

PROCLAMATION

May is Bicycle Awareness Month

WHEREAS, the month of May is observed as National Bike Month, and the Kure Beach Town Council is committed to the promotion of safe and convenient bicycling for both transportation and recreation; and

WHEREAS, the Town of Kure Beach is committed to promoting the safe use of bicycles on the Town's streets and trails through planning and project activities that include the Kure Beach Bicycle and Pedestrian Plan in 2022, the ongoing Island Greenway Paved Trail Feasibility Study, and design of pedestrian safety improvements at the intersection of Fort Fisher Boulevard and K Avenue, and

WHEREAS, the Town of Kure Beach supports education about bicycle safety through the Wilmington Urban Area Metropolitan Planning Organization's (WMPO) Be A Looker campaign which encourages children and adults to operate their bicycles in a safe manner and educates drivers on how to share the road with bicyclists; and

WHEREAS, the Kure Beach Town Council is committed to alleviating traffic congestion by providing choices in transportation infrastructure and ensuring a clean and healthy environment.

NOW, THEREFORE, BE IT PROCLAIMED that the Kure Beach Town Council hereby proclaims May as Bicycle Awareness Month and will continue to promote safe cycling opportunities for Kure Beach's citizens.

Actually, I had a lot to say tonight, because I'm very frustrated with this Town Council. But I decided to keep it short as this is not the place.

For 2 years now, I have chaired the KB Marketing Advisory Committee – a group that contains very sharp, passionate marketing and business minds with every bit of Kure Beach's best interest at heart. We are very lucky to have these volunteers that CARE immensely about KB.

For 2 years I have come to the Council with well-supported ideas, new objectives, and considerations regarding the marketing of Kure Beach. The intent was for the town to take more responsibility in promoting tourism and do it more effectively, while protecting our unique brand and way of life. The big question still remains, "How do we control and manage the marketing strategy to serve BOTH our residents and tourism at the same time."

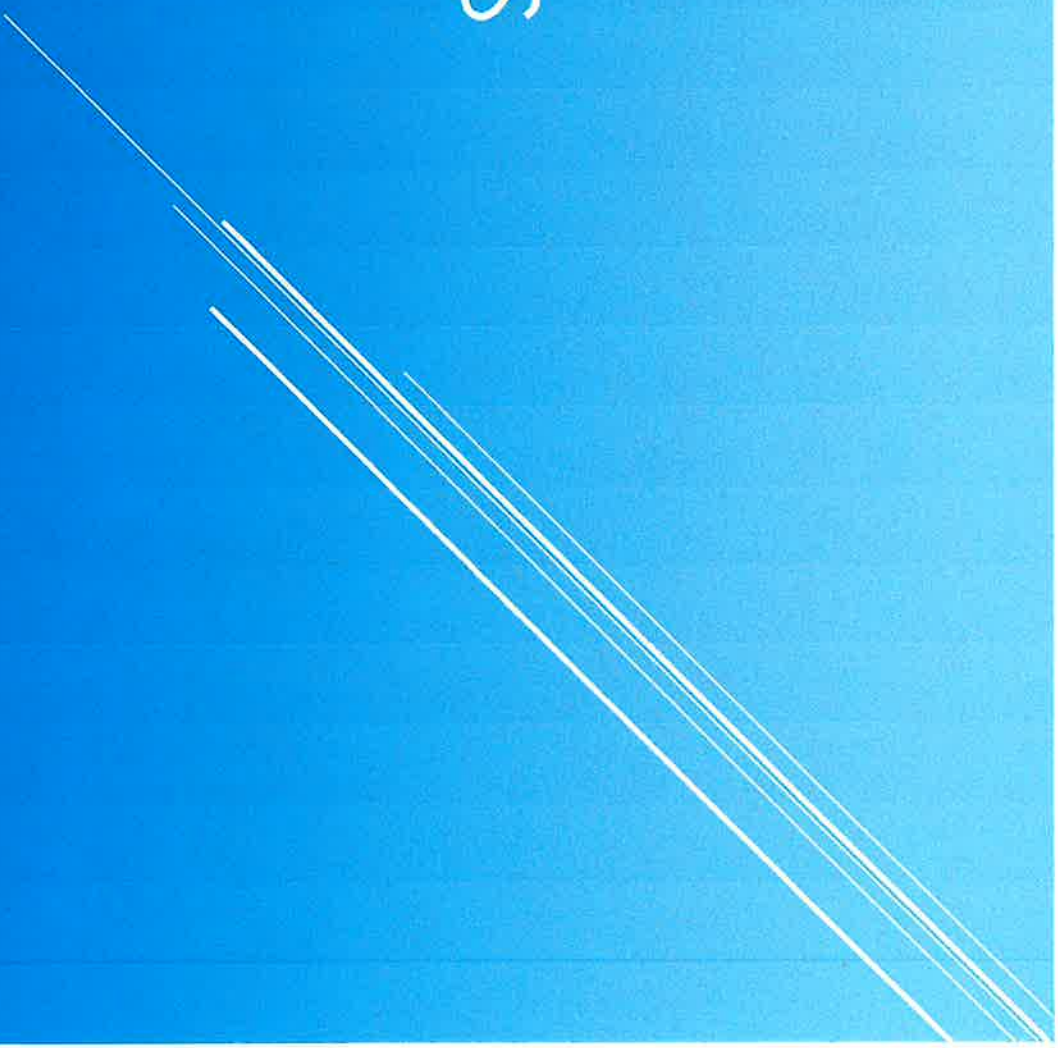
I'm at a loss because I'm not sure the Town Council really cares about this. This is where I'm holding back the details for more of a private discussion, if you are interested.

For tonight, I just wanted to inform you that we will be significantly dialing back the KB MAC's efforts to shape the Town's strategy until we can get some guidance, support and sincere interest from the Mayor & KB Town Council. I just don't want to waste the time of the Committee members any further.

My only ask is that I can discuss the direction further with Commissioner Maerkle and you commit to engaging me, or someone from the KBMAC, with the TDA's 10-year strategy meetings.

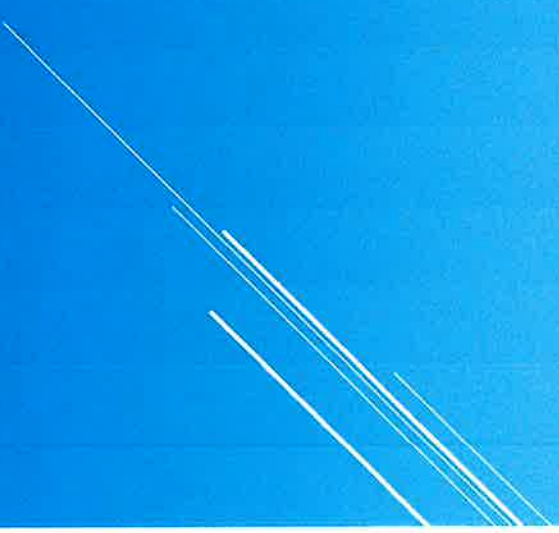
Just like you, I desperately want to protect our small town feel and KB as an amazing place to live. Otherwise, I wouldn't be standing here, nor chairing a committee of 6 volunteers.

BEACH TOY BOXES





EXAMPLES OF BEACH TOY BOXES





MORE EXAMPLES

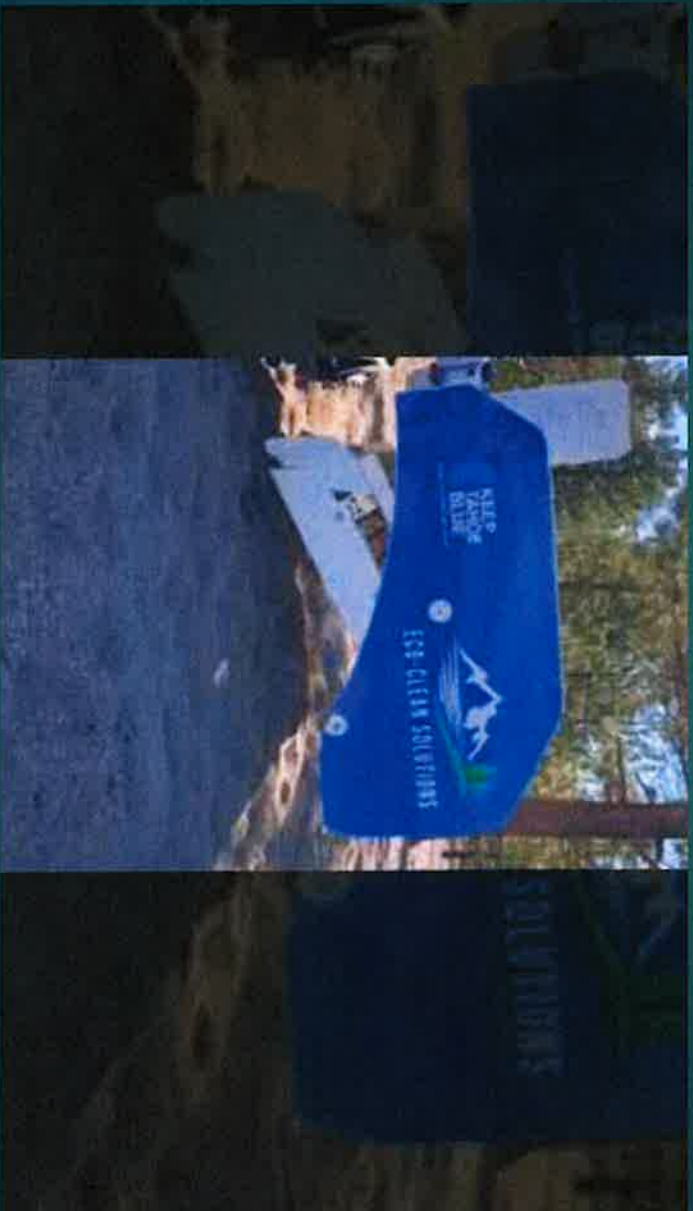
BeBot



What is BeBot: A battery powered, walk-behind, sand sifting robot



Lake Tahoe BeBot



Suggested BeBot Use Areas

- ▶ Basically the most heavily used beach areas; north and south of the pier
- ▶ Possibly beach sweeps use, BeBot is a kid magnet
- ▶ Great to get community support during beach sweeps

Who will operate BeBot

- ▶ The "Keep New Hanover Beautiful" group will be responsible for the operation of BeBot on the beach but we can be trained to use it.
- ▶ Keep New Hanover Beautiful (KNHB) encourages that stakeholders get to use the unit....under supervision!

Benefits for Keep New Hanover Beautiful Group

- ▶ They will sell sponsorships to be placed on the BeBot to local businesses and other groups. This is a critical component as there are fixed costs for insurance and maintenance.
- ▶ Example: The Ron Jon Surf Shop (Florida) bought two of the BeBots for use near their shops. They have stenciled their name on the BeBot

Benefits to The Town Of Kure Beach



- ▶ A cleaner beach is a safer beach for our Kure Beach residents and our guests.
- ▶ Less trash will be going in the ocean

Costs to Town Of Kure Beach

- ▶ Approximately \$100.00 for the CAMA permit and the associated costs of completing the permit. The Town of Kure Beach must apply for the permit as owner and authorized agent (KHNB is the contractor)
- ▶ Cleanup costs: A tarp/blanket to dump the spoils on and buckets to remove the trash.

Costs to Keep New Hanover Beautiful

- ▶ \$9.00 per letter for the "Adjacent Riparian Property Owner Notification" for those businesses and/or homes in the suggested areas of use.

Recommendation

- ▶ Town of Kure Beach enters into an agreement with Keep New Hanover Beautiful group regarding the use of the BeBot in Kure Beach
- ▶ Any event with KNHB would be approved by Kure Beach
- ▶ If events are planned during turtle nesting season, KNHB will work closely with the local turtle nesting groups (and will walk the planned area with this group the morning of an event)