



# TOWN COUNCIL MINUTES

**REGULAR MEETING**

**Monday, June 17, 2024 @ 6:00 p.m.**

The Kure Beach Town Council held its regular meeting on Monday, June 17, 2024 @ 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**

Director of Administration – Mandy Sanders  
Code Enforcement Officer – Bethany White  
Finance Officer – Arlen Copenhaver  
Fire Chief – Ed Kennedy  
Police Chief – Mike Bowden  
Director of Recreation & Events – Nikki Keely

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. Appoint James Fitzgerald as a full member to the Community Center Committee
2. Minutes
  - May 20, 2024 Closed Session
3. Approve the Capital Project Budget Ordinance for design and construction of a new Public Works building
4. Approve Budget Amendment 24-08 to provide for a \$62,500 transfer from the General Fund to the Fort Fisher Boulevard and K Avenue Intersection Improvement Capital Project Fund for the Town's percentage match in accordance with the CRRSSA grant
5. Approve Budget Amendment 24-09 totaling \$35,000 to increase paid parking program expenses for additional costs relating to signage, other improvements and labor
6. Approve Budget Amendment 24-10 totaling \$40,000 to increase engineering expenses in the Streets and Sanitation Dept. for costs relating to the mid-block crossing improvement project
7. Approve Budget Amendment 24-11 totaling \$15,000 to increase lifeguard pay rates for the 2024 season

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

**SECOND** – Commissioner Ellen

**VOTE** – Unanimous



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## ADOPTION OF THE AGENDA

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

SECOND – Commissioner Ellen

VOTE – Unanimous

## PUBLIC COMMENT

None

## PRESENTATIONS

Marketing Advisory Committee Chairman Mark Dirks gave a presentation of the proposed FY24-25 marketing budget hereby incorporated into the minutes. He states this draft is proposed by the Wilmington and Beaches Convention and Visitors Bureau (CVB) and recommended for approval by the Committee.

Mayor Oliver stated this is a critical year with the long-range plan, so Council should be able to set some goals and ensure everyone from the Committee is involved.

MOTION – Commissioner Mearkle made a motion to approve the FY24-25 marketing budget as prepared and submitted by the CVB

SECOND – Commissioner Panicali

VOTE – Unanimous

## DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

### 1. Bike/Ped Committee

Bike/Ped Secretary Candy Ashton-Forrester stated the Committee would like to start moving ahead with a strategic plan project focusing on Spot Lane Connector beautification. The Committee would like to begin immediately on a split-rail fence and installing signposts for existing signs. There is money in the Committee budget for materials, but volunteer labor is being proposed. Attorney Eldridge recommended that any volunteers installing fencing sign a waiver of liability. Mayor Oliver commented that he would feel better with Public Works staff installing the fencing, even if it happens after June 30. Other Council members agreed. The project also proposes second and third phases to be discussed in more detail later.

### 2. Community Center Committee

Recreation Director Keely stated the Committee is in the process of purchasing ping pong tables with open play planned on Sunday afternoons in July.

## DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

### 1. Administration

Director of Administration Sanders stated Judy Royal will be helping with Council minutes while Town Clerk Chase is out.



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### 2. Public Works Department

MPT Heglar stated cross-connect for the stormwater lagoon was done over two years ago to see if it's paying off, and it has been determined that the Town has treated almost twice as much water as it sent to Carolina Beach, resulting in savings.

### 3. Recreation Department

Recreation Director Keely stated her department is in the thick of summer programming at Ocean Front Park, including Turtle Talk, the market and other events throughout the week.

## DISCUSSION AND CONSIDERATION OF OLD BUSINESS

### 1. Action and Consideration on Proposed Civil Penalty and Fee Schedule Changes

Attorney Eldridge stated Council is adopting a fee schedule with the budget, and this fee schedule is up to date with all the proposed civil penalties discussed tonight included and inconsistencies cleaned up. He asked Council to approve these text amendments.

MOTION – MPT Heglar made a motion to adopt the text amendments as presented

SECOND – Commissioner Ellen

VOTE – Unanimous

## DISCUSSION AND CONSIDERATION OF NEW BUSINESS

### 1. Adoption of FY24-25 Budget Ordinance and Fee Schedule

Finance Officer Copenhaver stated there is nothing new to go over and no revisions made between the main meeting and tonight. He reviewed key points of the proposed budget.

Mayor Oliver expressed appreciation for Finance Officer Copenhaver and staff for the work everyone has put into the budget.

MOTION – Commissioner Panicali made a motion to accept the FY24-25 budget ordinance and the FY 24-25 fee schedule

SECOND – MPT Heglar

VOTE – Unanimous

### 2. Consideration and Action on Resolution R24-06 Exempting Certain Engineering and Surveying Agreements from Mini-Brooks Act Requirements

Attorney Eldridge stated the Town is looking to exempt Andrew Consulting Engineers, S&ME and Bateman Civil Service Company, contractors proposed for the No. 140 Beach Access project, from the Mini-Brooks Act due to previous satisfactory work from the contractors. The proposed cost for services



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from each company is less than \$50,000, which allows exemption from the qualifications-based selection process if authorized by the Town and gives Mayor Oliver authorization to accept and execute the agreements on behalf of the Town.

MOTION – Commissioner Ellen made a motion to adopt Resolution R24-06

SECOND – MPT Heglar

VOTE – Unanimous

## MAYOR UPDATES

Mayor Oliver stated the North Carolina State Ports Authority is looking to deepen the navigational channel from 42 to 47 feet to get large ships into the port, and the U.S. Army Corps of Engineers is undergoing an environmental assessment and holding public meetings. Mayor Oliver has been to several meetings and an open house and plans to write a letter with Council's comments and concerns. He commented that he is in favor of the port, but he also wants to ensure the Town's water supply is protected from saltwater infiltration that has the potential to occur if dredging of more than 5 feet is done.

## COMMISSIONER ITEMS

Commissioner Panicali stated that the number of visitors parking in the Town is up from previous years, and the parking program is operating efficiently and on target to reach budget goals for this year.

MPT Heglar commented that he appreciates Mayor Oliver's work on the water issue, and he encouraged all residents to sign up for emergency alerts from the Town and New Hanover County. He stated it is an easy process that involves a website and two clicks.

Commissioner Ellen, who is the Town representative to the Wilmington Urban Area Metropolitan Planning Organization (WMPO), stated that WMPO and the North Carolina Department of Transportation (DOT) Integrated Mobility Division are in the process of conducting a feasibility study to determine the most suitable route for the Wilmington Downtown Trail, which is proposed to run parallel to Burnt Mill Creek from the Archie Blue Park area to Forest Hills Drive near the elementary school. He stated there is a meeting tomorrow at the YWCA in Wilmington where people can make comments and give input, or they may participate in a survey that is available until July 15.

## ADJOURNMENT

MOTION – MPT Heglar made a motion to adjourn the meeting at 6:42 p.m.

SECOND – Commissioner Ellen

VOTE – Unanimous



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*Mandy Sanders*

ATTEST: Mandy Sanders, Deputy Town Clerk

*Allen Oliver*

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