

# MINUTES

## TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ▪ Kure Beach, NC 28449



Mac Montgomery, Mayor  
Jim Dugan, Mayor Pro Tem  
Dean Lambeth, Commissioner  
Barry Nelder, Commissioner  
Jim Vattrt, Commissioner

Michelle James, Town Administrator ▪ Kaysie Pralle, Town Clerk

### REGULAR MEETING

AUGUST 18, 2009 6:30 P.M.

#### COUNCIL MEMBERS PRESENT:

Mayor	Mac Montgomery
Mayor Pro Tem	Jim Dugan
Commissioner	Dean Lambeth
Commissioner	Barry Nelder
Commissioner	Jim Vattrt

#### COUNCIL MEMBERS ABSENT:

None

#### STAFF PRESENT:

Town Administrator	Michelle James
Police Chief	Dennis Cooper
Town Clerk	Kaysie Pralle

Town Attorney A. A. Canoutas was in attendance. There was a quorum of the Town Council present.

#### CALL TO ORDER AND WELCOME

Mayor Montgomery called the meeting to order at 6:30 pm. Mayor Montgomery delivered the invocation and led in the Pledge of Allegiance.

#### RECOGNITION AND AWARDS

- × Recognition of newly appointed New Hanover County Sheriff Ed McMahon  
Chief Cooper said of Sheriff McMahon's new appointment, "He's earned every bit of it, he wasn't given anything." Mayor Montgomery stated "On behalf of the Council we will never hesitate to call on you for anything." Sheriff McMahon replied "I consider it a great blessing to be the Sheriff of New Hanover County and a challenge. I stand committed and will not forget about Kure Beach." He went on to say that Chief Cooper is not only respected in New Hanover County but throughout the State of North Carolina and Kure Beach is lucky to have him.
- × Recognition of appointment for Town Clerk Kaysie Pralle to the North Carolina Association of Municipal Clerks Program/Education Committee
- × Town Administrator Michelle James has been asked to serve on the NC City County Managers' Association Program Committee again and has also been appointed to the Association's Professional Development Committee

- ✗ Police Chief Dennis Cooper has been appointed to the Law Enforcement Technical Advisory Committee with the NC League of Municipalities

## PRESENTATIONS TO COUNCIL

- ✗ Gabby Kraus, Parks & Recreation Committee, to discuss design cost for Disc Golf Course  
Gabby stated the total cost would be \$11,335.00. He is here on behalf of the Parks & Recreation Committee requesting funds approval so work can begin on the course. Commissioner Lambeth explained the disc nets for the course are approximately \$300.00 each. The Parks & Recreation Committee is researching Kure Beach businesses to advertise on the nets which would ultimately pay for the nets.

ACTION - Commissioner Vatrtr MADE THE MOTION to commit \$11,335.00 from the NHC Parks and Recreation Fund Bond balance to move forward with the Disc Golf Course. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

- ✗ Presentation by Judy Shaw and Don Skinner for the Phoenix Employment Ministry  
Mayor Montgomery explained having representatives from the Phoenix Employment Ministry speak here tonight was for the purpose of raising public awareness for their organization.

## PERSONS TO ADDRESS COUNCIL

(3 minutes- please sign in with the clerk before the meeting)

- ✗ Tony Gonsalves, SLAP Committee  
Tony explained that earlier this year Council directed him to examine all beach access points. Upon inspection it was discovered the crossovers are in good shape, but the walkways are too short, ending at the dunes.  
He is requesting Council direct Michelle to request funds from CAMA that were left over from the Atlantic Avenue walkway project to redo the walkways and install platforms. The committee is also requesting approval to get pricing for installing platforms and extending walkways at four locations on Atlantic Avenue.  
Mayor Montgomery suggested adding the discussion of this topic to the workshop being scheduled later in the meeting to address boardwalk signs.

## APPROVAL OF CONSENT AGENDA

1. Building Department report: July 2009
- ~~2. Finance report: July 2009~~
3. Fire Department report: July 2009
4. Police Department report: July 2009
5. Equipment financing for Public Works
6. Accept appointment of Elaine Eisberg to the SLAP Committee
7. Naming of Atlantic Ave. walkway in memory of former Commissioner Bill Ufferman
8. Job descriptions for:

- × Finance Officer
  - × Finance Specialist
  - × Payroll & Benefits Specialist
9. Meeting Minutes
    - × 07/21/09 Regular
  10. Approval of applying to the Waterfront Access Marine Industry Fund with the purpose of applying for a \$1 million dollar Ocean Front Park Land Acquisition Grant

The Consent Agenda is amended by removing Item #2 Finance Report: July 2009.  
This item is to be added to the September agenda.

**ACTION** - Commissioner Vattr MADE THE MOTION to adopt the amended Consent Agenda. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

#### **ADOPTION OF THE AGENDA**

The Agenda is amended by removing Item #7 Solar/wind energy sources for the Town and/or Ocean Front Park update (Dugan)

**ACTION** - Commissioner Lambeth MADE THE MOTION to adopt the amended Agenda. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

#### **OLD BUSINESS**

1. Economic Development Study Committee Update (Vattr)
 

Commissioner Vattr explained that Bill McDowell from the Wilmington MPO presented a preliminary report on a parking study. They reported over the July 4<sup>th</sup> weekend, approximately 18,000 vehicles passing through the intersection of Fort Fisher and K Avenue. They estimated 8,000 vehicles entered through access points they weren't counting. They also reported approximately 40,000 people were looking for parking spaces to get to the beaches. This report gave the Economic Development Committee a better understanding of how many people are actually visiting the Town on holidays.

The NC State School of Design is preparing their final presentation to the Town to be complete in late September or early October. A full report will be available and on the Town's website from the school by the end of September.

Mayor Montgomery requested that when the MPO study becomes available we put it on the Town's website as well.
2. Approval from Sunny Point regarding Disc Golf Course request (Montgomery)
 

Mayor Montgomery stated that Don Parker from Sunny Point approved, in writing, the use of land at Joe Eakes Park for a Disc Golf Course.

Mayor Montgomery pointed out that there has been discussion of a restroom and food court facility at the Park. He stated that he will write the request for this type of usage at the Park, but he first needs a written request from the committee.

3. Discussion and consideration of regulation for Golf Carts (Montgomery)  
Mayor Montgomery stated that the Town of Carolina Beach has an ordinance that allows the usage of golf carts on public streets within the Town limits. House Bill 121 was recently passed, stating "any town or municipality" may allow the usage of golf carts within their limits. The new bill requires drivers must be at least 16 years of age. This law goes into effect October 1, 2009. Council will reconsider this again with the guidance of Chief Cooper.
4. Discussion and consideration of Council training (Montgomery)  
Commissioner Nelder recommended training for Council members earlier this year. Mayor Montgomery contacted the NC School of Government to inquire about training that focuses on a working relationship within Council and how the Council relates to Department Heads. He is working with John Stephens at the School of Government whose specializes in conflict resolution. The session would take place in or near the Town and would be an all day event in late September or early October. It would be considered a special meeting of Council and therefore open to the public. Mr. Stephens suggested inviting the Council candidates. The flat rate for having a speaker from the School of Government is \$1000.00 per day plus travel expenses. Commissioner Nelder stated that Council needs to improve the way they interact with staff.  
The Clerk is directed to schedule and coordinate a date and location for session.

ACTION - Commissioner Nelder MADE THE MOTION to commit \$1000.00 plus travel expenses for the training session. Commissioner Vatr seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

5. Discussion and consideration of scheduling a workshop for boardwalk signs (Montgomery)  
This workshop will include input from the SLAP Committee. The purpose is to discuss and receive information regarding improvements to Atlantic Avenue walkway/boardwalk, such as walkway/boardwalk signs, walkway/boardwalk crossovers, repairs to old walkway/boardwalk, etc.  
Commissioner Nelder suggested adding the discussion of the Beautification Planting Plan to this workshop agenda.  
Commissioner Vatr suggested having Public Works Director Beeker at the workshop with Council, SLAP and Beautification Committees.

ACTION Commissioner Lambeth MADE THE MOTION to schedule workshop with the SLAP and Beautification Committees on Tuesday, September 15, 2009 at 5:00 pm. Mayor Pro Tem Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

CONSENSUS - Council gave approval to the SLAP committee to get pricing for installing platforms and extending walkways at four locations on Atlantic Avenue.

6. Discussion and consideration of an Ocean Front Park marketing plan (James)  
Administrator James and Mayor Montgomery are working on a Marketing Plan for Ocean Front Park. A draft will be distributed to Council by early September. Administrator James distributed, to Council, a handout with the following information:

**Marketing & Development Plan for Ocean Front Park**

- Creating Development Brochure which includes OFP Conceptual Plan, Recognition Opportunities and Benefactor Gift Campaign Plans
- Researching Corporate Giving and Foundation Programs to Target This Year
- Creating Development Team with the Mayor to Call Upon Targeted Corporations and Foundations
- Team Effort to Begin in early September. Schedule of visits will be distributed to Council

Administrator James gave a grants update to Council with the following information:

**Grants Update**

- Conservation easement is completed with the Natural Heritage Trust Fund and the State Property Office. Subsequently, we were awarded the grant check of \$500,000. These funds were applied to the principal of the OFP mortgage. Still awaiting \$600,000 from CAMA. When received these funds will pre-pay the mortgage payment to BB&T.
- Applied yesterday for a NC Waterfront Access and Marine Industry Fund Grant (WAMI). I applied for \$1 million land acquisition for the park and beach access
- Working on two ARRA Energy Grants for Solar and Wind Power at Ocean Front Park

- ~~7. Solar/wind energy sources for the Town and/or Ocean Front Park update (Dugan)~~

Meeting was recessed at 8:04 pm.

Meeting resumed at 8:19 pm.

**NEW BUSINESS**

1. Discussion and consideration of Beautification Planting Plan (Nelder)  
Mayor Montgomery stated that the NC Legislature approved a budget that indicates that there is no more money for the Town to apply for. He questioned what is the best way to spend the remaining funds the Town has from this grant?  
Administrator James and Commissioner Vattr informed Council that the Town had received another invoice from RTM Landscapers for the landscaping plans for Atlantic Avenue.

**ACTION** - Mayor Pro Tem Dugan **MADE THE MOTION** to return the landscaping plans for the Atlantic Avenue walkway to RTM Landscapers. Commissioner Vattr seconded the motion. **THE VOTE OF APPROVAL WAS UNANIMOUS.**

2. Discussion of trash pickup on Fort Fisher Blvd. and K Avenue (Lambeth)  
Commissioner Lambeth clarified that after a discussion with Public Works Director Beeker, trash is currently, and will continue being picked up first on Fort Fisher Blvd. and K Avenue for aesthetic reasons.  
This issue was first brought to Council's attention earlier this year by resident Karen Vattrt. She explained that trash pickup on Fort Fisher and K Avenues would often not happen until later in the day. This was very unappealing to both residents and tourists entering the Town.
3. Discussion of recommendation from P&Z to consider a sub-committee for Overlay Districts  
Administrator James explained, per her conversation with Planning & Zoning Chair, Jim Schutta, the possibility of forming an ad hoc working group/committee to study overlay districts and make recommendations to the Planning & Zoning Commission. Administrator James and Building Inspector Batson would be appointed as the committee liaisons. Mayor Montgomery would distribute a memo to all committee chairs requesting they designate a member of their committee to the working group. The P&Z Chair would appoint a Chair to this working group/committee.  
Notice is to be posted on the website and list serv asking the general public to participate with a closing date of September 13th.

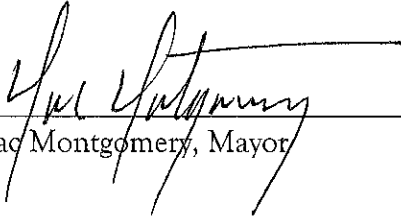
ACTION - Commissioner Nelder MADE THE MOTION to form an ad hoc working group/committee to study overlay districts and make recommendations to the Planning & Zoning Commission. Notice is to be posted asking for participation with a closing date of September 13<sup>th</sup>. Mayor Pro Tem Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

4. Discussion and consideration of enforcing ordinance addressing delinquent accounts (James)  
The Town is currently enforcing the current ordinance regarding delinquent accounts. Administrator James and Attorney Canoutas would like to bring ordinance amendment recommendations to Council in September, if necessary and as determined legally.  
Administrator James explained that the Town gets much praise from the residents regarding working with delinquent accounts and allowing payment plans.
5. Discussion and consideration of scheduling Department Head evaluations (Montgomery)

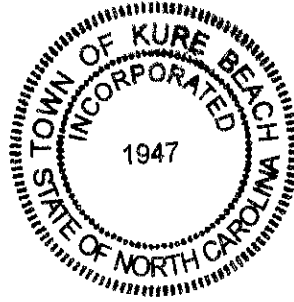
ACTION - Commissioner Vattrt MADE THE MOTION to schedule a Closed Session meeting on Tuesday, September 22, 2009 at 6:00 pm, or soon thereafter to conduct Department Head evaluations. Commissioner Lambeth seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

ADJOURNMENT

ACTION - Commissioner Nelder MADE THE MOTION to adjourn the meeting at 9:00 pm. Mayor Pro Tem Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

  
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Mac Montgomery, Mayor

  
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Kaysie Pralle, Town Clerk



NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.