

KURE BEACH TOWN COUNCIL

Actions & Directives

April 20, 2010

NOTE: These actions and directives are not minutes of the meeting. They are a draft summary of the meeting to be used as a reference by the Town Council and staff.

▪ **Gilbert Alphin – Room Occupancy Tax (ROT) discussion**

CONSENSUS – Town Attorney to see if the Town can back out of this tax collection and report back to Council.

CONSENT AGENDA

1. Building Department report – March 2010
2. Finance Department report – March 2010
3. Fire Department report – March 2010
4. Police Department report – March 2010
5. Meeting Minutes
 - 2/24/2010 Administrative Workshop
 - 3/16/2010 Regular
 - 3/16/2010 Closed
 - 3/25/2010 Clerk/Finance Officer Job Descriptions and N. Hewitt Finding-of-fact
 - 3/25/2010 Closed
 - 3/29/2010 Joint meeting with SLAP, P&Z, Marketing and Beautification Committees – Economic Development Studies
 - 3/29/2010 Closed

Closed Session – Personnel in accordance with GS §143-318.11(6)

ACTION - Mayor Pro Tem Keener MADE THE MOTION to approve the Compromise Settlement Agreement. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Board/Commission/Committee Vacancy Appointments and Resignations:

Resignation of John Gordon – Board of Adjustments

Resignation of Larry Aultman – Citizens Finance & Budget Advisory Committee

Resignation of Anne Brodsky – Board of Adjustments (Effective 04/28/2010)

Appointment of Anne Brodsky – Planning & Zoning Commission (Effective 04/28/2010)

Appointment of Mark Ferrer – Citizens Finance & Budget Advisory

All above resignations and appointments were approved

Discussion and consideration of becoming a Tree City

ACTION – Commissioner Fuller MADE THE MOTION to Complete the application and proceed with submitting the application unless it is determined that the commitment for the Town would be more than \$4,500.00 per year. Commissioner Nelder seconded the motion. THE VOTE PASSED THREE TO ONE. Mayor Lambeth was opposed.

Economic Development Studies update from the Planning & Zoning Commission, Shoreline Access & Parking, Beautification and KB Marketing Advisory Committees

ACTION - Commissioner Fuller MADE THE MOTION M Commissioner Fuller for purposes of planning and discussion it is the intent of the Kure Beach Town Council that we use the Sawyer Study as the basis for planning, and that we ask the committees who submitted recommendations from the studies to pursue these items listed in this memo as their first order of business consistent with the Sawyer Study. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Citizens Finance & Budget Advisory Committee - Approval of committee mission statement

ACTION - Commissioner Fuller MADE THE MOTION to approve the mission statement of the Citizens Finance & Budget Advisory Committee. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Mayor/Council Form of Government - Continuation of discussion from previous months

ACTION - Mayor Pro Tem Keener MADE THE MOTION that the Council received 55 applications. All of Council has reviewed them. For the Finance Officer position, Commissioner Fuller and Mayor Pro Tem Keener will review the applications. For the Town Clerk position, Mayor Lambeth and Mayor Pro Tem Keener will review the applications. The entire Council will interview the final applicants. We have it down to 20 out of the 55 now. The Council will interview the final eight. The Council will interview for final selection. Commissioner Fuller seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Item 7 - Ocean Front Park engineering and construction budget and construction schedule

Item 8 - Discussion and consideration of the Engineering Services Ocean Front Park

Construction Development Administration contract

Item 9 - Discussion and consideration of the Withers & Ravenel Ocean Front Park

Architectural Design and Engineering Services contract

ACTION - Commissioner Fuller MADE THE MOTION to table items 7, 8, and 9 and continue the meeting until Thursday, April 22 at 12:30 pm for the purpose of considering those three items. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of a Workplace Violence Policy

ACTION - Commissioner Fuller MADE THE MOTION that we adopt this policy and request Mayor Pro Tem Keener and Commissioner Dugan to follow up on these items. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Seymour Johnson Air Force Base agreement

ACTION - Commissioner Fuller MADE THE MOTION to adopt the contract with Seymour Johnson Air Force Base and authorize the expenditure from the SERF Expansion Reserve Fund. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Tennis Courts Estimate

ACTION - Mayor Lambeth MADE THE MOTION to adopt the Outerbanks contract with stipulation they can provide their own liability insurance. Commissioner Fuller AMENDED THE MOTION by adding that the condition of getting this approved through the New Hanover County Parks and Recreation Bond Fund. THE VOTE OF APPROVAL WAS UNANIMOUS.

Town Clerk is to draft a letter to contractor.

Debt Setoff Program

ACTION - Commissioner Nelder MADE THE MOTION to move forward with this. Commissioner Fuller seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS. Town Clerk is to notify Finance Officer of the Council's approval.

Board of Adjustment Interview - Dolores Coe - Discussion and consideration of a temporary appointment as an alternate member

ACTION - Commissioner Nelder MADE THE MOTION to appoint Dolores Coe to the Board of Adjustment as an alternate member, to be made a regular member following the resignation of Anne Brodsky. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of parking restrictions for Big Daddy's restaurant

Discussion and consideration of scheduling a Public Hearing

ACTION - Mayor Lambeth MADE THE MOTION to schedule a special meeting of the Planning and Zoning Commission on Wednesday, April 28, 2010 at a time to be determined. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS. Town Clerk is to email P&Z member, Alan Votta the date of the meeting as to coordinate a meeting time with the commission members.

Discussion and consideration of the following resolutions:

Local Government Other Post-Employment Benefits Fund (OPEB Fund)

CONSENSUS - This item is tabled until further notice.

Workplace Violence

ACTION - Commissioner Fuller MADE THE MOTION to adopt this resolution. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Supporting the Preservation of a Future Corridor for the Cape Fear Skyway

Supporting the "Gap" Funding for the Cape Fear Skyway

ACTION - Commissioner Fuller MADE THE MOTION to not adopt resolution C or resolution D. Mayor Lambeth seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of the following budget amendments:

\$6,089.48 from Water/Sewer Reserve Fund

\$6,089.48 to FY08-09 Worker's Comp Audit (1/2 Balance)

\$18,850.78 from General Fund Reserve

\$6,089.48 to FY08-09 Worker's Comp Audit (1/2 Balance)

\$12,761.30 to Unemployment Taxes

ACTION - Commissioner Fuller MADE THE MOTION to approve the budget amendments. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of Community Center request for \$500 for new counter tops for Community Center kitchen

ACTION - Commissioner Fuller MADE THE MOTION to transfer \$545.90 from the General Fund to the Community Center budget to authorize that work. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion of Council liaison for Kure Beach Board of Adjustment

ACTION - Commissioner Fuller MADE THE MOTION to do away with the liaison for the Board of Adjustment. Commissioner Nelder seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of waiving the \$250.00 permit fee, per Kure Beach Ordinance Sec. 12-45, for Street Festival Tent

ACTION - Mayor Lambeth MADE THE MOTION to waive the 500.00 permit fee. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Discussion and consideration of adopting 2010 Emergency Management Plan

CONSENSUS - This item is tabled until the May meeting.

Intern Corey Mullen

ACTION - Commissioner Nelder MADE THE MOTION to move forward with the internship and approve 180 hours during the prescribed time bringing up to date the issues with John. Commissioner Fuller AMENDED THE MOTION to table this until Thursday until John and Corey have had a chance to talk. Commissioner Fuller seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Moratorium for video poker machines in Kure Beach

ACTION - Commissioner Nelder MADE THE MOTION to adopt the ordinance. Mayor Pro Tem Keener seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Sea Oat Fencing

CONSENSUS - Council would like to move forward with the sand fence.

Beach Access Point Build Up

CONSENSUS - Building Inspector Batson to discuss this with Public Works Director Beeker and Fire Chief Heglar and use common sense on this.

Indecent Attire on beach

CONSENSUS - It is the consensus of Council that thongs are inappropriate attire in the Town of Kure Beach and are not allowed within Town limits.

Police Chief Cooper is to relay the consensus of Council to the person making the inquiry. This item will be further addressed at the continued meeting at 12:30 pm on Thursday, April 22, 2010.