

TOWN COUNCIL MINUTES

REGULAR MEETING MINUTES

TUESDAY, OCTOBER 18, 2011 @ 6:30 PM

The Kure Beach Town Council held a regular Council meeting on Tuesday, October 18, 2011, at 6:30 pm. The meeting was held at the Kure Beach Community Center. Attorney Canoutas was in attendance and there was a quorum of Council present.

COUNCIL MEMBERS PRESENT:

Mayor Dean Lambeth
Mayor Pro Tem Chuck Keener
Commissioner Emilie Swearingen
Commissioner Jim Dugan

COUNCIL MEMBERS ABSENT

Commissioner vacancy

STAFF PRESENT

Building Inspector - John Batson
Finance Officer - Arlen Copenhaver
Town Clerk - Nancy Avery

CALL TO ORDER AND WELCOME

Mayor Lambeth called the meeting to order at 6:30 pm. Reverend Dr. Gary Nelson of Kure Memorial Lutheran Church delivered the invocation. Mayor Lambeth led in the Pledge of Allegiance.

RECOGNITION AND AWARDS

Mayor Pro Tem Keener, liaison to the Community Center Committee, announced that Frances Regan was being honored today with an official proclamation and plaque for her years of volunteer service to the Town. He stated that Frances' leadership helped to change the Community Center from what was once the Town Hall and Police Station into the nice center it is today. It is amazing what can happen when somebody takes charge. Today at lunch, the Community Center Committee gave Frances a plaque for lifetime achievement. He stated he didn't know of a more deserving person to receive this award.

Mayor Lambeth read and presented Ms. Regan with the proclamation from the Town declaring Tuesday, October 18, 2011 as Frances Regan Day. Said proclamation P11-09 is herein incorporated as part of these minutes.

Mayor Lambeth presented Ms. Regan with a Kure Beach banner logo throw blanket from him in appreciation for her years of service.

Mayor Pro Tem Keener and Mayor Lambeth unveiled a plaque installed in the Community Center dedicating the center in honor of Frances Regan.



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Mayor Lambeth called for a 15 minute break for refreshments provided by the Kure Beach Community Center Committee at 6:45 pm.

Mayor Lambeth resumed the meeting at 7 pm.

APPROVAL OF CONSENT AGENDA

1. Accept resignation of Anne Brodsky from P&Z
2. Appoint Sandra Sink to the Beach Protection Committee
3. Appoint Linda Mason to the Beautification Committee
4. Budget Amendment 12-02 in the amount of \$16,945 recording additional revenue from electric utility franchise taxes
5. Finance report
6. Meeting Minutes
 - September 20, 2011 regular
 - October 6, 2011 emergency meeting regarding Ocean Front Park

MOTION – Commissioner Swearingen made the motion to adopt the consent agenda with no changes.

SECOND - Commissioner Dugan

VOTE - Unanimous

ADOPTION OF THE AGENDA

Commissioner Dugan requested two items be added to the agenda:

- sidewalk project under Old Business
- Ocean Front Park letter of understanding under Old Business

Mayor Lambeth requested one item be added to the agenda:

- update on his trip to Raleigh under Old Business

MOTION – Commissioner Dugan made the motion to adopt the agenda with the addition of the three items referenced above.

SECOND – Commissioner Swearingen

VOTE - Unanimous

PRESENTATIONS TO COUNCIL

None

PERSONS TO ADDRESS COUNCIL

1) Bill Harris, resident, stated he just found out the Town doesn't have a theme and should come up with one. Mr. Harris read a poem titled 'Tourist' that he dedicated to the Town.



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MOTION – Mayor Lambeth made the motion to adopt the poem as the official poem of Kure Beach

SECOND - Commissioner Swearingen

VOTE – Unanimous

Said poem is herein incorporated as part of these minutes.

2) Christopher Richards, Pleasure Island Disc Golf Club, stated he wants to reiterate that a disc golf course tournament will be held this weekend. He stated the club needs the following from the Town:

Six tables, chairs, three tents, port-a-johns (wheel chair accessible and regular) and electricity for a bouncy house and for Rita's Ice that will be a set up.

Mayor Lambeth said he will see if he can get someone to help out with the cost of the port-a-johns. Mayor Lambeth asked Commissioner Swearingen to contact Island Women about having recycling containers at the tournament.

3) Sean Ahlum, Cape Fear Surfrider Foundation, stated that he spoke to Council in April about plastic bags. He said Wrightsville Beach and Carolina Beach have adopted resolutions since then and he hopes Kure Beach will do the same.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Planning and Zoning Commission (P&Z)

a) Interview Stephen Currie for vacancy

Mr. Currie stated he has owned a house here since 1988, his background is in architecture, and his career has been designing scenery. He said he spoke with his friend Tim Bullard who serves on P&Z and it sounds interesting.

Council questions:

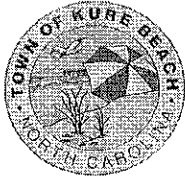
Q – What do you see as the major issues P&Z will be coming up against in the near future?

A – Mr. Currie stated he recognizes growth is inevitable and needed, and he would like to see business happen here and family and business areas get along together. He said he would like to see us stay a quiet town. He said he has time and a brain and understands traffic and development of cities and would like to be considered.

b) Appointment of Joseph Whitley, Peter Boulter, or Stephen Currie to fill vacancy left by Anne Brodsky

Discussion

None



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MOTION – Commissioner Swearingen made the motion to appoint Joseph Whitley to fill the vacancy left by Anne Brodsky.

SECOND – Commissioner Dugan

VOTE - Unanimous

- c) Renewal of Alan Votta's membership until April 2015. His 5-year term expired April 2010. Mr. Votta has indicated an interest in serving the remaining 4 years of the term.

Discussion

None

MOTION - Commissioner Dugan made the motion to continue Alan Votta's appointment until April 2015.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous

- d) P&Z request for Town Council to attend a joint work session at Town Hall on Tuesday, November 1 at 6:00 pm to discuss the possibility of rezoning K Avenue from 3rd to 7th Avenue, into a mixed-use district.

Discussion

None

MOTION – Commissioner Dugan made the motion to schedule a special meeting for the purpose of attending a joint meeting with P&Z on November 1, 2011 at 6 pm to discuss the possibility of rezoning K Avenue from 3rd to 7th Avenues.

SECOND – Commissioner Swearingen

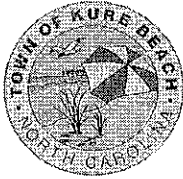
VOTE - Unanimous

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Admin and Finance

- a) Death benefit for general employees through State Retirement

Town Clerk Avery explained that it was recently discovered that the Police Officers (eleven employees) were enrolled in the death benefit through the State Retirement Plan, but the rest of the employees were not (twenty-five employees). The Death Benefit provides one time an employee's salary be paid to the spouse/estate if the employee dies while employed with the Town. The lowest amount paid is \$25,000 and the highest amount paid is \$50,000. The cost to cover the rest of the employees is \$2,000 per year. She stated she had spoken with the Department Heads and they had all agreed to cover



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the cost to enroll the other employees for the rest of Fiscal Year 11-12 out of their current budgets, so no funds would be required from the General Fund.

Town Clerk Avery requested Council adopt Resolution R11-18 to enter into agreement with the NC Local Governmental Employees' Retirement System (NCLGERS) to Provide Employee Death Benefits for General employees so that all full time employees would receive this benefit. She said this is in addition to the \$10,000 in life insurance employees already receive.

Discussion

Council members discussed on-going costs and future increases associated with the benefit.

MOTION – Commissioner Dugan made the motion to adopt Resolution 11-18 to enter into an agreement with NCLGERS to provide employee death benefits for general employees.

SECOND – Commissioner Swearingen

VOTE – Unanimous

Said resolution R11-18 in herein incorporated as part of these minutes.

b) Adoption of 2012 Holiday calendar

Town Clerk Avery stated that, per the Personnel Policy, Council must decide in October of each year which two days will be staff holidays for Christmas. She presented a proposed calendar for consideration and asked Council to adopt it.

Discussion

None

MOTION – Commissioner Dugan made the motion to adopt the 2012 Holiday calendar as presented with no changes.

SECOND – Commissioner Swearingen

VOTE - Unanimous

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Appointment to New Hanover Commission for Women
(Tabled from September meeting to receive more information)

Town Clerk Avery stated she had requested information but has yet to receive it and asked Council to table the item until the November meeting.



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MOTION – Commissioner Dugan made the motion to table the appointment to the New Hanover Commission for Women.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

2. Adoption of Resolution R11-19 regarding plastic bag usage

Commissioner Swearingen stated:

- The first ‘supporting’ on the resolution should be marked through.
- The agenda packet contains resolutions adopted by the towns of Wrightsville Beach and Carolina Beach.
- She changed our resolution some because the County is still working on their initiatives for plastic bag usage and it would be a little hard to support initiatives when we don’t know what there are yet.
- This resolution is to encourage the County Commissioners to put together an ad hoc committee to review all the alternatives to plastic bag usage that are available.
- Most of all it is to have the opportunity to sit down with some of the larger businesses such as Food Lion and Harris Teeter, who are already doing this in other communities, to talk to them about this issue and the pros and cons.
- Ace Hardware has been doing this internationally for several years and they see this as nothing but an advantage.
- She would like for Kure Beach to be involved in this effort.

MOTION – Commissioner Dugan made the motion to adopt Resolution R11-19 regarding plastic bag usage.

SECOND – Commissioner Swearingen

VOTE - Unanimous

Said resolution R11-19 is herein included as part of these minutes.

3. Sidewalk project

Mayor Pro Tem Keener stated that the earlier meeting regarding a proposed sidewalk on the north side of K Avenue was over quickly because we had not notified the people that lived out of town. Larry (Fowler) was very upset that no one had been notified. He stated we need to redo the public hearing and send letters to all the addresses on K Avenue from 4th Avenue to Settlers Lane.

Discussion

Commissioner Dugan said Mr. Fowler did state no one was against the sidewalk.



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Mayor Lambeth asked Mayor Pro Tem Keener if he was going to have a map with better dimensions. He said he is apprehensive until he gets a scale drawing. No dimensions are listed for the sidewalk.

Mayor Pro Tem Keener stated that the map shows the sidewalk will come down Settlers Lane and up to 7th Avenue. In the case of CAMA and DOT, you don't have to have a scale drawing to get it approved. Are we going to pay money for this?

Commissioner Dugan said he is for scheduling the meeting and coming up with what we can for the meeting. He said we have already approved a certain amount and he is okay with going forward with what we have already allocated.

MOTION – Mayor Lambeth made the motion to schedule a public hearing for November 15 at 5:30 pm with a letter to be sent to property owners via regular mail, per the attorney.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous

4. Letter regarding Ocean Front Park

Mayor Lambeth stated there have been some problems with the contractor not following the stamped plans, particularly with the finished work, and some liability problems. At a called meeting, the contractor agreed that he was going to fix it. At another informal meeting that he and I had, he was a little reserved with agreeing to fix it.

Mayor Lambeth asked Commissioner Dugan to read a letter that will be sent to the contractor, Integrity Builders, and asked Council to approve sending the letter.

MOTION – Mayor Pro Tem Keener made the motion to adopt the letter read by Commissioner Dugan and authorized the sending of the letter to Integrity Builders.

SECOND – Commissioner Dugan

VOTE – Unanimous

Said letter is herein incorporated as part of these minutes.

5. Update on Mayor Lambeth's trip to Raleigh

Mayor Lambeth stated he spent most of the day in Raleigh talking to the chief operator of the Department of Transportation. We had frank discussions on the rank of small towns in the MPO. Council sent a resolution stating it was unfair for tourist area homeowners and residents to pay and an unfair burden for larger infrastructure to make sure tourists are safe, but they don't contribute to the ad valorem taxes. The DOT has a ranking system that he was pleased to find where tourist towns will have a special ranking for DOT projects. We should be getting that in writing from the state soon. There was discussion



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with Senators Rouzer and Morgan that the Dow Road project is a legitimate project for maintenance. The maintenance would include leveling the road and the extension on each side of 5 feet for a bicycle path sometime in the near future. After today's meeting, we will have some attention from Raleigh.

Discussion

Commissioner Swearingen said there is still a grant for pedestrian walkways that she would like to secure Nancy's (clerk) assistance in applying for. The deadline is December.

Mayor Lambeth asked Mayor Pro Tem Keener to assist Commissioner Swearingen with the grant. He said Carolina Beach is on board with this and he is sure they will assist.

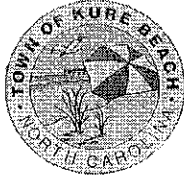
Commissioner Swearingen said that is good since a big part of it is in Carolina Beach.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. National Flood Insurance Program, Community Rating System

Commissioner Swearingen stated:

- She attended a Sea Grant meeting that they had over in Wrightsville Beach last week and every, every speaker they had was extremely informative.
- She told John (Inspector Batson) that she wished she had taken him with her because most of the people in the audience were Building Inspectors.
- The very first speaker dealt with the National Flood Insurance Program and the community rating system. Most towns had at least a 10% cut for their residents and businesses in their flood insurance program, but Kure Beach does not.
- One of the building inspectors there, maybe it was Ocean Isle, gave information about the regional coordinator for this program; Mandy Todd? She sent me information and a sample letter we can send to Raleigh asking to be considered to be a part of this program. That starts the process, and then she will come and sit with John (Batson) and also meet with our storm water committee. She will write the application for the Town with information John (Batson) provides. One of the things you can get credit for is public relations with your realtors.
- A lot of things on their list we already do, so there is no reason we couldn't reach the 10% reduction immediately.
- It starts with Grade 10 for a 5% reduction for homeowners and property; at Grade 8 you get a 10% discount, which is hard to get. Hopefully, Grade 7 will be easier to get to than in the past. We should be able to get at least a Grade 10.
- There is no charge to the Town to participate.



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Discussion

Mayor Lambeth stated if there is no obligation to the Town, let's go for it.

CONSENSUS – Commissioner Swearingen to run this program with Building Inspector Batson to gather community information that will be pertinent to the citizens of Kure Beach.

2. Sponsorship request from Cape Fear Resource Conservation & Development in amount ranging from \$100 to \$1,000 for annual meeting

Discussion

Commissioner Dugan asked if anyone knows about the organization.

Mayor Lambeth stated he receives emails from them. He thinks they had something to do with the Fort Fisher basin improvement.

Commissioner Swearingen stated she feels like we have local organizations that need the money a lot more and we have turned them down. She said she doesn't want to give money to organizations off of the island.

CONSENSUS – no action

CLOSED SESSION

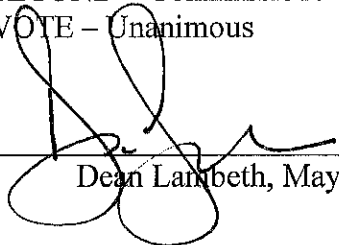
None

ADJOURNMENT

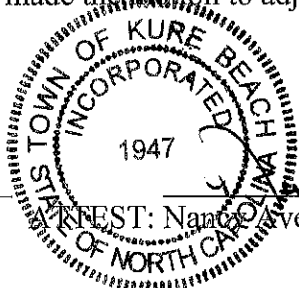
MOTION – Mayor Pro Tem Keener made the motion to adjourn at 8:15 pm.

SECOND – Commissioner Dugan

VOTE – Unanimous



 Dean Lambeth, Mayor



 TOWN CLERK: Nancy Every, 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