



# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 16, 2015 @ 6:30 PM

The Kure Beach Town Council held their regular meeting on Tuesday, June 16, 2015 at 6:30 p.m. The Town Attorney was present and there was a quorum of Council present.

### COUNCIL MEMBERS PRESENT

Mayor Dean Lambeth  
Commissioner Emilie Swearingen  
Commissioner David Heglar  
Commissioner Steve Pagley

### COUNCIL MEMBER ABSENT

Mayor Pro Tem Craig Bloszinsky

### STAFF PRESENT

Finance Officer – Arlen Copenhaver  
Town Clerk – Nancy Avery  
Deputy Town Clerk – Nancy Hewitt

### CALL TO ORDER AND WELCOME

Mayor Lambeth called the meeting to order at 6:30 p.m., delivered the invocation and led everyone in the pledge of allegiance.

MOTION – Commissioner Heglar moved to excuse Mayor Pro Tem Bloszinsky from the meeting.

SECOND – Commissioner Pagley

VOTE – Unanimous

### APPROVAL OF CONSENT AGENDA ITEMS

1. Appoint Sandra Capece to the Parks and Recreation Advisory Board
2. Approve Department of Cultural Resources' amendments to the Municipal Records Retention Schedule
3. Adopt Resolution R15-06, transferring funds from Contingency line item to Fire Department, Legal, and Streets and Sanitation FY14-15 Budgets, for additional expenses incurred during FY14-15
4. Approve Budget Amendment 15-06, to increase the Lifeguards Capital Outlay budget in the amount of \$6,550 obtained from sale of surplus property
5. Approve Budget Amendment 15-07, to increase the Fire Department maintenance budget for repairs that occurred in FY 2015 in the amount of \$4,100, to be transferred from the Contingency Fund (ref. R15-06)
6. Approve Budget Amendment 15-08, for additional expenses incurred under Streets and Sanitation in FY 2015 in the amount of \$40,000, to be transferred from the Contingency Fund (ref. R15-06)
7. Approve Budget Amendment 15-09, to increase the legal expense budget for the General Fund and Water/Sewer Fund, as follows: \$1,000 to be transferred from the Contingency



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Fund for the General Fund, and \$1,000 to be transferred from an appropriation of fund balance for the Water/Sewer Fund (ref. R15-06)

8. Approve Budget Amendment 15-10, to increase FY 2015 budget for Powell Bill related expenditures for street paving/patching in the amount of \$5,000
9. Building Inspections Department Report – April & May 2015
10. Fire Department Report – May 2015
11. YTD Finance Report
12. Meeting Minutes:
  - May 19, 2015 Regular
  - May 19, 2015 Closed
  - June 4, 2015 Public Hearing

MOTION – Commissioner Heglar moved to adopt the Consent Agenda Items, as presented.

SECOND – Commissioner Swearingen

VOTE – Unanimous

Said resolution and budget amendments are herein incorporated as part of these minutes.

## ADOPTION OF THE MEETING AGENDA

MOTION – Commissioner Heglar moved to adopt the meeting agenda, as presented.

SECOND – Commissioner Pagley

VOTE – Unanimous

## DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Linda Hudgins, 118 S. 3<sup>rd</sup> Avenue

Ms. Hudgins addressed Council in regards to the Town's parking lot, located between S. Fort Fisher Boulevard and the 100 block of S. 3<sup>rd</sup> Avenue, making the following points:

- Problems with navigating vehicles in and out of spaces within the lot, and in and out of the lot itself, is due in part to patrons creating an undesignated row of parking in the middle of the lot which reduces the area to move around within the lot.
- On June 7<sup>th</sup>, a man urinated beside his car which was parked directly in front of a unit where two teenaged girls live; he was standing less than 35 feet from their door. He then changed his clothes within view of their dwelling. He knew people were watching him and didn't seem to care.
- Her neighbor, Mr. Benton, informed her that someone pulled a gun on someone else in the parking lot on June 13<sup>th</sup>.
- She made the following suggestions:
  - Erect a sign in the parking lot that public urination, nudity and alcohol consumption are prohibited, so that the police can better address the issues.



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- On weekends and holidays, have an attendant oversee the parking lot from 9 a.m. to 5 p.m., preferably a patrolman, to direct traffic, to keep patrons from parking in undesignated areas within the lot and to cite violators.
- She would be glad to put something together for the Town's parking committee, if Council so desired.

Ms. Hudgins said that people are taking left turns onto K Avenue from S. 3<sup>rd</sup> Avenue, driving the wrong way in a one-way lane. This causes traffic congestion on S. 3<sup>rd</sup> Avenue from vehicles waiting to get onto K Avenue. She said there is a "Right Turn Only" sign at the exit onto K Avenue from 3<sup>rd</sup>, but it's about 10 feet from K Avenue and very high, making it inconspicuous. She suggested putting a "No Left Turn" sign on the left side of the exit onto K Avenue, to be better seen.

Ms. Hudgins said there is also an issue with vehicles taking left turns from S. 4<sup>th</sup> Avenue onto K Avenue. She said the drivers can't see the oncoming traffic on K Avenue traveling towards Dow Road because of the vehicles parked in the middle of K Avenue that block their view. She suggested a stop sign be erected at the end of the parked cars on K Avenue, at the 4<sup>th</sup> Avenue intersection.

She commended the Police department for monitoring the parking lot on Memorial Day and said that Officer Kennedy came to their house this weekend to check on them, which they greatly appreciated.

### 2. Mike Benton, 117 S. 3<sup>rd</sup> Avenue

Mr. Benton addressed Council in regards the Town's parking lot, as well, making the following points:

- The speed bumps and "No Parking" signs have helped.
- A parking lot patron pulled a gun on another patron due to a parking-related altercation which, fortunately, ended safely; but that sort of behavior is a huge concern.
- There needs to be a right turn exit from the lot onto Fort Fisher Boulevard, which would help alleviate traffic within the lot. Once the parking lot is full of cars, there is a constant flow of cars going in and out at 3<sup>rd</sup> Avenue, causing a lot of congestion.
- There are still people parking overnight in the lot, even with the "No Overnight Parking" signs in the lot.
- We need a patrolman to monitor the lot on Sundays during peak hours, between 11 a.m. and 12 p.m., and then again around 5 p.m. That's about when public nudity and urination issues arise.
- He liked Ms. Hudgins idea about the signs for no public nudity, urinating and alcohol consumption, and suggested putting the dollar amount of the fine on the signs to deter violators, and the police need to follow-up by issuing citations to violators.



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- It would be nice if the Town would do something about the dust in the lot, but the speedbumps have helped.

Mayor Lambeth said that they discussed the problem earlier today and will be getting together with the Police Chief to work out solutions to the problems.

## DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

### 1. Marketing Committee

#### a. Presentation of FY15-16 Marketing Budget

Marketing chairperson, Robin Nalepa, said that the Marketing budget was approved on May 26<sup>th</sup> by the committee with the overall budget increased by four percent, based on conservative predictions from the TDA and NHC Budget office. She said the total draft budget is \$147,199, and \$11,775.92 has been held back at the request of Council.

MOTION – Commissioner Swearingen moved to approve the FY15-16 Marketing Budget, as presented.

SECOND – Commissioner Heglar

VOTE – Unanimous

### 2. Planning & Zoning (P&Z) Commission

#### a. Short-term Rental Complaint Tracking Update

P&Z member, Joseph Whitley, said P&Z will work with Building Inspector Batson and Police Chief Cooper over the summer to get their tracking information on code violations coming from short-term rental properties, and they will report their findings to Council in the fall.

b. Draft text amendment to the Code, requested by Richard and Ann Lawing Chapter 19 Zoning, Article IV Supplemental District Regulations, Section 19-329 Modification of required yard, to add clarification to the term “architectural features” to include fireplaces, and to add the following text to the end of the current ordinance: “On corner lots, architectural features may extend twenty-four (24) inches into the 10’ side setback.” This change is meant to allow flexibility and tolerance of side yard setbacks for corner lots.

Mr. Whitley told Council that P&Z unanimously approved the draft amendment.

MOTION – Commissioner Heglar moved to direct the Clerk to advertise a Public Hearing on Tuesday, July 7, 2015, beginning at 6:00 p.m. for the purpose of receiving public comments on the proposed draft amendment to Section 19-329 of the Code.

SECOND – Commissioner Pagley

VOTE – Unanimous



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### DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

#### 1. Administration and Recreation

##### a. Equity Adjustment Payments 2015 Salary Study

Town Clerk Avery said that she presented a salary study to Council at their January retreat that showed 16 employees who were at least six percent below benchmark, comparing information gathered from 13 other towns in North Carolina with similar components as Kure Beach. She said part of the discussion from Council during the budget work sessions was to raise those 16 employees' salaries no more than fifty percent of the difference between employee salary and benchmark salary.

MOTION – Commissioner Heglar moved to approve equity adjustment payments for 16 employees whose salaries were six percent or more below the benchmark salary set in the 2015 salary study. The adjustments are to be no more than fifty percent of the difference between employee salary and benchmark salary and will be effective July 1, 2015 as part of the FY15-16 budget.

SECOND – Commissioner Pagley

VOTE – Unanimous

##### b. Amendment to Personnel Policy, Article III, Section 16, Longevity Pay

Adoption ceasing eligibility for Longevity Pay to employees hired on or after June 16, 2015, and continuing eligibility for employees hired before June 16, 2015.

Town Clerk Avery said she was asked by Council to put this proposal together and asked Council if they wanted to approve it.

Commissioner Heglar said that this action follows what most towns are now doing.

Town Clerk Avery said that this is what some towns are doing, but not most towns.

MOTION – Commissioner Heglar moved to approve the amendment to Personnel Policy, Article III, Section 16, Longevity Pay, which ceases eligibility for Longevity Pay for employees hired on or after June 16, 2015, and continues eligibility for employees hired before June 16, 2015.

SECOND – Commissioner Swearingen

VOTE – Unanimous

### DISCUSSION AND CONSIDERATION OF OLD BUSINESS

#### 1. Adoption of the FY15-16 Proposed Budget Ordinance and Fee Schedule

Finance Officer Copenhaver reviewed the changes made to the budget since the May 19<sup>th</sup> Council meeting.



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June 16, 2015

MOTION – Commissioner Heglar moved to adopt the FY15-16 proposed Budget Ordinance and Fee Schedule, as presented.

SECOND – Commissioner Swearingen

VOTE – Unanimous

Said ordinance and schedule are herein incorporated as part of these minutes.

## DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Six month renewal of Inter-local Agreement with NHC on storm reduction funding

Mayor Lambeth explained that New Hanover County wants to set up a committee comprised of the beach mayors and one other person from each Council to start studying this. He said that he and the Mayor Pro Tem don't want to renew the agreement, but it would be prudent and give the County time to get their act together.

Commissioner Swearingen suggested that Mayor Pro Tem Bloszinsky be appointed to the committee.

Town Clerk Avery said that Wrightsville Beach Town Manager, Tim Owens, said they are agreeing to an automatic four-year renewal of the agreement.

MOTION – Commissioner Heglar moved to approve the six-month renewal of the Inter-local Agreement with New Hanover County on storm reduction funding.

SECOND – Commissioner Pagley

VOTE – Unanimous

## COMMISSIONER ITEMS

Commissioner Heglar asked Town Attorney Canoutas if the Kure Beach police needed to have a sign erected in the parking lot, discussed earlier, to be able to issue citations for public urination and nudity.

Attorney Canoutas said the police already have the authority to give citations for these behaviors, since they are violations of the Town Code; signs or no signs.

Commissioner Heglar asked if Mayor Lambeth or Commissioner Swearingen would talk to Chief Cooper and get his take on the matter, and to direct the chief to communicate with the homeowners about what the police are and aren't going to do before July 4<sup>th</sup> about the problem.

Commissioner Swearingen said she will talk to the chief and will be in communication with Mayor Pro Tem Bloszinsky to contact the homeowners with the information.

Ordinance Number: FY 2015-16  
Date Adopted:  
Effective Date: July 1, 2015



**BUDGET ORDINANCE FY 2015-2016  
KURE BEACH, NORTH CAROLINA**

Be it ordained by the Town Council of Kure Beach, North Carolina:

**Section I.** Budget Adoption: There is hereby adopted the following operating budget for the Town of Kure Beach for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; the same being adopted by fund. Activity within each fund is listed as follows:

**GENERAL FUND**

**EXPENDITURES:**

Governing Body	\$ 40,467
Committees	7,500
Finance	146,033
Administration	385,448
Community Center	17,750
Elections	3,100
Emergency Management	100
Tax Collections	25,000
Legal Department	28,900
Police Department	1,208,819
Fire Department	484,760
Lifeguards	190,957
Parks & Recreation	138,748
Building Inspections	126,565
Streets & Sanitation	740,797
Debt Service	294,205
Transfer to Beach Protection Fund	50,000
Contingency	<u>130,680</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$4,019,829</u></b>

**GENERAL FUND (continued)**

**REVENUES:**

Property Tax (current & prior years)	\$2,121,250
Sales Tax	785,200
Franchise & Utility Tax	201,500
Motor Vehicle License	7,000
TDA Funds	203,057
Garbage & Recycle Fees	341,400
ABC Revenue	10,725
Building Permits/Impact Fees/ CAMA Fees/Fire Inspections	57,200
Communication Tower Rent	86,702
Town Facility Rentals	10,500
Parks & Rec/Community Center/ Street Festival	36,950
Other Revenue	47,345
Other Financing Sources	<u>111,000</u>

**TOTAL REVENUES** **\$4,019,829**

**POWELL BILL FUND**

**EXPENDITURES:**

Street Maintenance & Repair	\$ 64,030
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**TOTAL EXPENDITURES** **\$ 64,030**

**REVENUES:**

Powell Bill Allocation	\$ 64,000
Interest Income	<u>30</u>

**TOTAL REVENUES** **\$ 64,030**



**STORM WATER FUND**

**EXPENDITURES:**

Storm Water Operations	\$ 248,330
Transfer to Capital Projects Fund	<u>275,000</u>

**TOTAL EXPENDITURES** **\$ 523,330**

**REVENUES:**

Storm Water Monthly Fees	\$ 218,500
Storm Water Building Fees	36,000
Interest Income	360
Other Financing Sources	40,750
Fund Balance Appropriated	<u>227,720</u>

**TOTAL REVENUES** **\$ 523,330**

**BEACH PROTECTION FUND**

**EXPENDITURES:**

Beach Protection Reserves	<u>\$ 50,000</u>
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**TOTAL EXPENDITURES** **\$ 50,000**

**REVENUES:**

Transfer from General Fund	<u>\$ 50,000</u>
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**TOTAL REVENUES** **\$ 50,000**

**FEDERAL ASSET FORFEITURE FUND**

**EXPENDITURES:**

Federal Asset Forfeiture Expenses	<u>\$ 50,000</u>
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**TOTAL EXPENDITURES** **\$ 50,000**

**FEDERAL ASSET FORFEITURE FUND (continued)**

**REVENUES:**

Fund Balance Appropriated	\$ 50,000
<b>TOTAL REVENUES</b>	<b><u>\$ 50,000</u></b>

**WATER AND SEWER FUND**

**EXPENDITURES:**

W/S Governing Body	\$ 16,767
W/S Legal Department	28,900
W/S Finance	171,402
W/S Administration	251,919
W/S Operations	1,367,617
Transfer to Capital Projects Fund	<u>50,000</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$1,886,605</u></b>

**REVENUES:**

Water Charges	\$ 710,710
Sewer Charges	1,011,270
Tap & Reconnection Fees	27,840
Other Revenue	6,035
Other Financing Sources	<u>130,750</u>
<b>TOTAL REVENUES</b>	<b><u>\$1,886,605</u></b>

**SEWER EXPANSION RESERVE FUND (SERF)**

**EXPENDITURES:**

Sewer Reserve	\$ <u>22,635</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 22,635</u></b>

**SEWER EXPANSION RESERVE FUND (SERF) (continued)**

**REVENUES:**

User Fees	\$ 22,500
Interest Income	<u>135</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 22,635</u></b>

<b>EXPENDITURES</b>	<b>ALL FUNDS</b>	<b><u>\$6,616,429</u></b>
<b>REVENUES</b>	<b>ALL FUNDS</b>	<b><u>\$6,616,429</u></b>

**Section II.** Levy of Taxes: There is hereby levied, for the Fiscal Year 2015-2016, an Ad Valorem tax rate of 26.15 cents (\$0.2615) per one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2015. This rate shall be levied entirely in the General Fund.

The tax rate is based on an estimated total valuation of property for the purposes of taxation of eight hundred nineteen million five hundred thousand dollars (\$819,500,000) and an estimated collection rate of ninety-eight and three-quarter percent (98.75%).

**Section III.** Salaries: The following shall govern salary and wage compensation for Fiscal Year 2015-2016:

A. Pay Plan. There is hereby adopted a pay plan that includes an across the board cost of living adjustment in the amount of 1.7% applicable to all Town employees.

B. Salary Adjustments. Each employee's salary shall be examined to ensure that the pay grade reflects the years of service, proficiency and quality of work. Merit raises are allotted at 3.3% this year for employees. Also, as a result of the Fiscal Year 2015 Salary Study, Town Council implemented a strategy to adjust full-time employee salaries that were six percent or more below the benchmark salary for the respective position.

**Section IV.** The Budget Officer hereby authorized to transfer appropriations within a fund as contained herein under the following conditions as specified in North Carolina General Statute Chapter 159.

- A. The Budget Officer may transfer amounts between line item expenditures without limitation and without a report being required up to \$10,000 at any one time.
- B. The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He shall make an official report immediately to Council on such transfers.
- C. The Budget Officer may not transfer amounts between funds without prior Council action.

**Section V. Restricted Revenues:** The Finance Officer is hereby directed to fund appropriations that have specified revenues prior to funding with General Fund monies. This is to include but not limited to Local, State and Federal grants.

**Section VI. Encumbrances:** All outstanding encumbrances from prior fiscal years are to be carried forward to Fiscal Year 2015-2016. All Project Ordinance appropriations are continued.

**Section VII. Budget Control:** The Town Council in approving the budget has utilized to the fullest extent possible its revenue sources. Over collections of revenues or unanticipated revenue sources cannot be expected during the year. It is therefore of utmost importance that Department Heads initiate steps to insure compliance with the budget as fixed herein and they are hereby directed to do so.


**Section VIII.** The Town Council hereby authorizes the New Hanover County Tax Administrator to bill and collect taxes for the Town.


**Section IX. Fees and Charges:** There is hereby established, for FY 2015-2016, various fees and charges as contained in the attached Fee Schedule. Changes from the FY 2014-2015 Fee Schedule are as follows:


Residential Water – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Residential Sewer – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Commercial Water – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Commercial Sewer – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Out of Town Water (ETJ) – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Out of Town Sewer (ETJ) – Monthly minimum gallons	Decrease from 3,000 to 2,500 gallons
Residential Water (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.36 to \$0.45
Residential Sewer (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.465 to \$0.58

Commercial Water (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.555 to \$0.694
Commercial Sewer (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.57 to \$0.7125
Out of Town (ETJ) Water (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.63 to \$0.7875
Out of Town (ETJ) Sewer (per 100 gallons over 2,500 gallon minimum)	Increase from \$0.81 to \$1.0125

This ordinance being duly passed and adopted this <sup>16<sup>th</sup></sup> day of June, 2015.

  
 \_\_\_\_\_  
 Dean Lambeth, Mayor

  
 \_\_\_\_\_  
 Nancy Avery, Town Clerk





TOWN COUNCIL  
TOWN OF KURE BEACH, NC

**R**ESOLUTION R15-06

**TRANSFERRING FUNDS FROM CONTINGENCY LINE ITEM TO FIRE DEPARTMENT, LEGAL AND STREETS AND SANITATION FY 14-15 BUDGETS FOR ADDITIONAL EXPENSES INCURRED DURING FY 14-15**

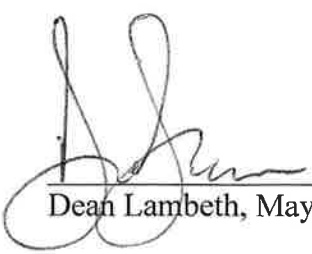
**WHEREAS**, it is a policy of the Town of Kure Beach that the Kure Beach Town Council adopt a resolution any time funds need to be transferred out of the General Fund Contingency account; and

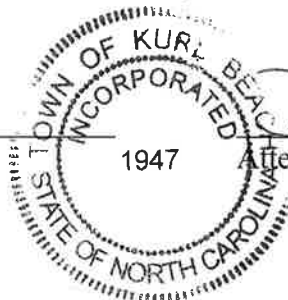
**WHEREAS**, the Kure Beach Town Council has approved FY 14-15 Budget Amendments totaling \$45,100 (Legal - \$1,000, Fire Department - \$4,100 and Streets and Sanitation - \$40,000) for estimated additional expenses beyond the approved operating budget; and


**NOW, THEREFORE, BE IT RESOLVED THAT** the Kure Beach Town Council authorizes the Finance Officer to transfer funds in the amount of \$45,100 from the General Fund Contingency account. These funds are to be allocated to the following FY 14-15 Departmental Budgets to cover estimated additional expenses beyond the approved operating budget:

Legal	\$ 1,000
Fire Department	\$ 4,100
Streets and Sanitation	<u>\$40,000</u>
Total	<u>\$45,100</u>

Adopted by the Kure Beach Town Council this 16th day of June, 2015.

  
Dean Lambeth, Mayor



  
Attest: Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2015

AMENDMENT DATE: 05/26/2015

Budget Amendment No.: 15-06

DESCRIPTION/PURPOSE OF AMENDMENT

The Fire Department/Ocean Rescue sold a John Deere Gator for \$4,450 and a Honda Rancher ATV for \$2,100. The Gator was declared surplus equipment on February 23, 2015 and the ATV on April 6, 2015. This budget amendment is to increase the Lifeguards Capital Outlay budget in the amount of the proceeds received.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-531-74-00	Capital Outlay	\$6,550	
10-381-00-00	Sale of Surplus Property		\$6,550

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Harold Heglar, Fire Chief Date: 05/26/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 05/26/15

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).



Approved by Council 06/16/15 Dean Lambeth, Mayor

ATTEST Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2015

AMENDMENT DATE: 05/26/2015

Budget Amendment No.: 15-07

DESCRIPTION/PURPOSE OF AMENDMENT

During FY 2014, it was determined that repairs to the concrete floor in the bay area of the Fire Department were required. Budget Amendment #14-09, totaling \$5,000, was approved for the repairs in April 2014 (FY 2014). The actual repairs to the floor could not be performed until FY 2015. This Budget Amendment is to increase the Fire Department maintenance budget for the repairs that occurred in FY 2015. At the 06/16/15 Town Council meeting, Council adopted Resolution 15-06 to transfer funds from the FY 2015 Contingency Fund to the Fire Department Budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-530-15-00	Maintenance of Building	\$4,100	
10-490-00-00	General Fund Contingency		\$4,100

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Harold Heglar, Fire Chief Date: 05/26/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 05/26/15

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).

Approved by Council 06/16/15 [Signature] Dean Lambeth, Mayor

ATTEST: [Signature] Nancy Avery, Town Clerk





BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2015

AMENDMENT DATE: 06/05/2015

Budget Amendment No.: 15-08

DESCRIPTION/PURPOSE OF AMENDMENT

During FY 2015, Streets & Sanitation has incurred additional expenses beyond the approved operating budget. These additional amounts include: electricity and fixture costs for the downtown lighting, garbage truck maintenance costs resulting from trying to get additional years of service from older trucks, costs for tires for older trucks, higher than anticipated costs for materials and supplies, and unbudgeted OFP expenses (fence extension and electric boxes). At the 06/16/15 Town Council meeting, Council adopted Resolution 15-06 to transfer funds from the FY 2015 Contingency Fund to the Streets & Sanitation Budget for the additional expenses.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-550-13-00	Utilities	\$8,500	
10-550-17-00	Maintenance of Trucks	\$15,000	
10-550-31-00	Gas/Oil/Tires	\$5,000	
10-550-33-00	Materials & Supplies	\$6,500	
10-550-88-03	Ocean Front Park Maintenance	\$5,000	
10-490-00-00	General Fund Contingency		\$40,000

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Sonny Beeker, Public Works Director Date: 06/05/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 06/05/15

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).

Approved by Council 06/16/15  \_\_\_\_\_ Dean Lambeth, Mayor

ATTEST:  \_\_\_\_\_ Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2015

AMENDMENT DATE: 06/05/2015

Budget Amendment No.: 15-09

DESCRIPTION/PURPOSE OF AMENDMENT

For FY 2015, the cost of using legal counsel, other than the Town Attorney, for legal-related matters is forecasted to exceed the approved FY 2015 legal budget. These legal expenses are shared equally amongst the General Fund and Water and Sewer Fund. This Budget Amendment is to increase the legal expense budgets for both funds. At the 06/16/15 Town Council meeting, Council adopted Resolution 15-06 to transfer funds from the FY 2015 Contingency Fund to the General Fund Legal Budget. The increase in the legal expense budget for the Water and Sewer Fund is coming from an appropriation of fund balance.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-470-04-03	Professional Legal Service	\$1,000	
10-490-00-00	General Fund Contingency		\$1,000
30-470-04-03	Professional Legal Service	\$1,000	
30-310-10-00	Appropriate W/S Fund Balance		\$1,000

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Nancy Avery, Town Clerk & Office Manager Date: 06/05/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 06/05/15

Copies of actions/directives from Council Meeting to be attached, if required as per NOTE



Approved by Council 06/16/15 \_\_\_\_\_ Dean Lambeth, Mayor

ATTEST \_\_\_\_\_ Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2015

AMENDMENT DATE: 06/05/2015

Budget Amendment No.: 15-10

DESCRIPTION/PURPOSE OF AMENDMENT

This budget amendment is to increase the FY 2015 budget for Powell Bill related expenditures. There have been additional expenses relating to street paving and patching throughout town. The additional \$5,000 should cover these expenses and any other street related expenses through the end of FY 2015.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
11-570-00-00	Powell Fund Expenditures	\$5,000	
11-343-00-00	NC Powell Bill Allocation		\$3,400
11-310-00-01	Appropriate Powell Fund Balance		\$1,600

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Sonny Beeker, Public Works Director Date: 06/05/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 06/05/15

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).



Approved by Council 06/16/15 \_\_\_\_\_ Dean Lambeth, Mayor

ATTEST: \_\_\_\_\_ Nancy Avery, Town Clerk



**TOWN OF KURE BEACH  
FEE SCHEDULE**

**FISCAL YEAR 2015-2016**

Fee Schedule to be updated each year as part of the adoption of the new fiscal year budget ordinance.

<b><u>TAX RATE per \$100</u></b>	\$0.2615
 <b><u>WATER FEES</u></b>	
Residential (monthly minimum - up to 2,500 gallons)	\$13.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.45
 Commercial (monthly minimum - up to 2,500 gallons)	 \$18.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.694
 Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	 \$23.00
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7875
 <b><u>SEWER FEES</u></b>	
Residential (monthly minimum - up to 2,500 gallons)	\$23.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.58
 Commercial (monthly minimum - up to 2,500 gallons)	 \$25.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7125
 Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	 \$40.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$1.0125
 <b><u>OTHER WATER &amp; SEWER FEES</u></b>	
Water Service Fee - nonrefundable fee for service technician site visit	\$30.00
Additional Water Service Fee - fee for each additional visit if customer fails to meet technician at site	\$10.00
Water Service Meter Check Fee - customer request that a meter be read, checked, or turned on or off. If problem found with meter, fee can be waived at discretion of the Public Works Director	\$30.00
Water Cut-ons Outside Working Hours	\$25.00
Special Meter Tests - if customer requests meter test and the meter is found to be defective, charge will be refunded	\$50.00
Reconnection Fee - if water is cut-off due to non-payment	\$60.00
Returned Check Fee	\$25.00
Account Past Due Charge - per month	\$10.00

**WATER TAP FEE**

3/4 X 5/8	\$1,500.00
1 Inch	\$2,000.00
1 1/2 Inch	\$2,500.00
2 Inch	\$3,000.00

**SEWER TAP FEE**

4 inch	\$1,500.00
4 inch	\$1,500.00
6 inch	\$2,000.00
6 inch	\$2,000.00

**USER FEE Sect 17-127 of Code**

Common Areas-No Charge	\$2,500.00
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**IMPACT FEE**

Voluntary Annexation Only Sect 17-128 of Code	\$400.00
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**STORM WATER FEES**

Building Fee	\$4,000.00
Residential-monthly	\$8.71
Business - monthly	varies by account

**RECYCLE FEE - per bin monthly (residential)**

\$4.88

**GARBAGE COLLECTION FEES**

Residential -per can monthly	\$6.00
Commercial- per can monthly	\$26.25
Garbage cart purchase	\$80.00

**TRASH PICKUP FEE**

Minimum	\$10.00
1/4 load	\$30.00
1/2 load	\$60.00
3/4 load	\$90.00
Full load	\$120.00
Appliances	\$10.00

**PRIVILEGE LICENSE FEES**

Privilege License Fees as stipulated in N.C. General Statute 105-33(C).

**VEHICLE DECAL FEES**

Resident	\$5.00
Late Fee (resident)	\$10.00
Non-resident	\$5.00

**COPY/FAX FEES**

Fax: 1 PAGE	\$2.00
Fax: Each additional page	\$1.00
Zoning map - each	\$5.00
Copies: Per page	\$0.10
Copy of Zoning Ordinance	\$10.00
Copy of Town Code	\$70.00
Flood map - each	\$5.00

**RENT COMMUNITY CENTER:DEPOSIT & PER HOUR FEES-2 HOUR MINIMUM (then hourly)**

Deposit (refundable if center is cleaned, as instructed, and there's no damage)	\$250.00
KB Resident/Property Owner & Non-Profit Organization	\$75.00 per hour
Non-resident & Commercial Organization for Profit	\$100.00 per hour

**OTHER FEES COMMUNITY CENTER**

Non refundable fee each time existing contract is revised	\$10.00
Service charge for cancellation of contract	\$50.00
Rental fee will not be refunded for cancellation of lease by lessee made within 30 days before the event. Security deposit will be refunded.	

**RENT OCEAN FRONT PARK PAVILION:DEPOSIT & PER HOUR FEES-\*4 HOUR MINIMUM (then hourly)**

**\*Exception: Can rent pavilion for 1 HOUR, if rented in conjunction with Community Center**

Deposit (refundable if no damage to pavilion/grounds)	\$250.00
KB Resident/Property Owner & Non-Profit Organization, Pavilion ONLY	\$75.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion ONLY	\$100.00 per hour
KB Resident/Property Owner & Non-Profit Organization, Pavilion & Lawn	\$125.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion & Lawn	\$150.00 per hour

**PARKS AND RECREATION PROGRAM FEES**

Fees for specific Parks and Recreation activities will be set prior to commencement of the activity	varies
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**SPECIAL EVENT FEES**

General Use Impact Fees:

minimal use of public property -low impact - per day	\$150.00
includes intermittent traffic control - medium impact-per day	\$300.00
includes closing of public streets - high impact - per day	\$500.00

Personnel:

Police-minimum of two hours - per hour (includes overhead)	\$40.00
Sanitation - per hour (includes overhead)	\$40.00
Street - per hour (includes overhead)	\$40.00
Fireman - per hour (includes overhead)	\$40.00

Facilities Rental:

Council Chambers - per day	\$100.00
Public land per site - per day	\$100.00
Public building - per day	\$100.00

Equipment:

Police/Fire/Lifeguard or other Town Vehicle - per hour	\$25.00
Trash pickup - per cart per pickup	\$15.00
-minimum 2 carts required for recyclable materials and one for regular trash	

**PERMIT/CONSTRUCTION FEES**

Fence	\$25.00	
Window Replacement	\$25.00	
Prefab Shed	\$25.00	
Handicap Ramp	\$25.00	
Beach Access	\$25.00	
Pool-residential	\$300.00	
Pool -commercial	\$2,000.00	
Landscape	\$25.00	
House moved (plus any cost incurred by public works or police dept)	\$150.00	
House moved out of town (plus any cost incurred by public works or police dept)	\$150.00	
Demolition (residence)	\$150.00	
Demolition (commercial)	\$300.00	
Building -New Construction - processing fee	\$200.00	
Mobile Home Fee-set up (plus permit fee)	\$200.00	
Mobile Home and Travel Trailer Park - \$5.00 space up to 100 spaces	\$350.00	
Yard sale	\$1.00	
Temporary structures in excess of 200 square feet - Sec. 12-45	\$250.00	obtained 7 days prior
Temporary structures in excess of 200 square feet - Sec. 12-45	\$500.00	obtained less than 7 days prior
Replace permit card -Each	\$10.00	
Improvements, additions and renovations to include decks, garages, etc:		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$50.00	
from \$2,501 to \$5,000	\$100.00	
from \$5,001 to \$10,000	\$150.00	
from \$10,001 to \$20,000	\$200.00	
from \$20,001 to \$30,000	\$250.00	
from \$30,001 to \$40,000	\$300.00	
from \$40,001 to \$50,000	\$350.00	
from \$50,100 and above + \$5.00 per \$1,000.00 over \$50,001	\$400.00	
Signs		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$40.00	
from \$2,501 to \$5,000	\$55.00	
from \$5,001 to \$10,000	\$70.00	
from \$10,001 to \$20,000	\$85.00	
from \$20,001 to \$40,000	\$95.00	
from \$40,001 to \$50,000	\$130.00	
from \$50,100 and above + \$3.00 per \$1,000.00 over \$50,000	\$155.00	

**PLANNING/ZONING FEES**

Text amendment to Town Code	\$100.00
Advertisement for public notices	\$50.00
Application - minor subdivision (per lot)	\$200.00
Subdivision Appeal:	
TRC to Planning Board	\$150.00
TRC to Planning Board (Height Exception Application fee - Sec. 19-333.1)	\$250.00
TRC to BOA	\$375.00
Final plat approval submission (or 50 cents per lot, whichever is greater)	\$125.00
Request for zoning change (plus \$5.00 fee for each notification mailed)	\$100.00
Chapter 19 Zoning violation - Sec. 19-401	\$50.00

**BOARD OF ADJUSTMENT FEES**

Appeal/Variance	\$375.00
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**FIRE INSPECTION AND PERMIT FEES**

Commercial New and Existing Construction Permit Fees:

A= Total gross building floor area of construction

B= Fee per Square Foot

- 0 - 5,000 sf
- 5,001-15,000 sf
- Over 15,000 sf

$A \times B = \text{Permit Fee}$

$(A \times B \times .75) + (1250 \times B) = \text{Permit Fee}$

$A \times B \times .50 + (5000 \times B) + \text{Permit Fee}$

Occupancy Type:

	<u>Fee Per Square Foot</u>
Residential	\$0.05
Storage	\$0.035
Assembly	\$0.06
Institutional	\$0.06
Business	\$0.06
Mercantile	\$0.06
Hazardous	\$0.05
Factory Indust	\$0.04
Education	\$0.065

Construction Permits:

Sprinkler Systems	\$85.00
Fire Alarm Systems	\$85.00
Suppression Systems	\$85.00
Fire pump and related Equipment	\$85.00
Private Fire Hydrants	\$85.00
Standpipe Installation per Riser	\$85.00

Additions

Use Schedule or Min. \$45 + Inspection Fees

Up Fits

Use Schedule or Min. \$45 + Inspection Fees

Mobile Buildings

\$45 + Inspection fee

Accessory Structures

\$45 + Inspection fee

Commercial Inspection Fee

\$45 Per Inspection per bldg. (Applies to all bldgs.)

Occupancy Certification

\$25 + Inspection Fee

Occupying building without CO

\$250

Working without Permit

\$50 or 2x Permit Fee, whichever is greater

Stop Order Removal

\$200

Failure to Obtain Final Inspection

\$100

Afterhours/Weekend/Holiday Inspections

\$120

ABC Permit

\$45

Fire Flow Test

\$45

Day Care State Inspection

\$45

Witness Fire Flow/Pump Test

\$45

Commercial Construction Inspection

\$45

Reinspection Fee

\$45

Standpipe Test per Riser

\$75

Temporary Structures (Tents, Etc)

Revert to Building Permit Fee



**CIVIL CITATION PROGRAM FEES**

Beach:

	<u>1st Offense</u>	<u>2nd Offense</u>
Dogs prohibited on beach strand Sec. 4-17	\$150.00	Misdemeanor
Vehicles prohibited on beach strand Sec. 10-104	\$25.00	Misdemeanor
Fire prohibited on beach strand Sec. 12-40	\$100.00	\$200.00
Litter, glass & alcohol prohibited on beach Sec.12-35	\$150.00	Misdemeanor
Boats, jet skis prohibited w/in 300' from high tide mark Sec. 12-37	\$25.00	\$50.00
Surfing regulations Sec. 12-33	\$25.00	Misdemeanor
Dune trespassing prohibited Sec. 12-39	\$100.00	Misdemeanor
Digging holes in the beach/beach restoration Sec. 12-46	\$100.00	Misdemeanor
No items on beach between 7pm-8am/No beach equip. within 15 ft of turtles/No beach equip. within 25 ft of emergency access points Sec. 12-43	\$50.00	\$100.00
Sleeping on beach after midnight prohibited Sec. 12-31	\$25.00	Misdemeanor
Nude bathing, including thong bathing suits or similar attire, prohibited Sec. 12-32	\$25.00	Misdemeanor
Leaping from commercial pier Sec. 12-34	\$250.00	

Animals/Pets:

Dogs must be on a leash Sec. 4-16	\$150.00	Misdemeanor
Animal/Pet waste removal Sec. 4-16.1	\$150.00	Misdemeanor


Vehicles/Parking:

Failure to purchase & display Town decal Sec. 10-17	\$25.00	Misdemeanor
Parking Ticket Sec. 10-222 - 235	\$50.00	
Parking in a handicap space	\$150.00	Misdemeanor
Soliciting transportation Sec. 10-68	\$10.00	
Vehicles prohibited certain areas Sec.10-60	\$50.00	Misdemeanor

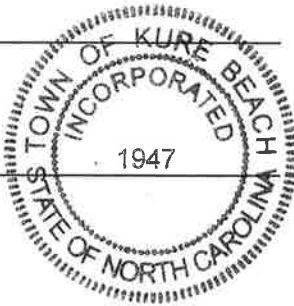
Miscellaneous:

Bicycle regulations Sec. 10-291-308	\$25.00	\$50.00
Noise violations prohibited Sec. 11-31	\$250.00	Misdemeanor
Alcohol consumption/open containers prohibited on public property Sec. 3-1	\$50.00	Misdemeanor
Requirements for taverns and bars Sec. 3-2	\$50.00	G.S.18B-302.1
Beach Vitex Prohibited Sec. 12-41	\$25.00	\$50.00
Numbering of buildings Sec.5-121	\$50.00	
Real estate signs on Town property Sec. 11-80	\$50.00	

Adopted by Town Council on June 16, 2015.

  
 \_\_\_\_\_  
 Dean Lambeth, Mayor

  
 \_\_\_\_\_  
 Attest: Nancy Hewitt, Deputy Town Clerk





# TOWN COUNCIL MINUTES

## REGULAR MEETING

June 16, 2015 @ 6:30 PM

Commissioner Pagley said that someone should monitor the parking lot, especially during the hours recommended by Mr. Benton; they don't have to be there all day.

Commissioner Swearingen said that Chief Cooper has already decided to put an officer there on July 4<sup>th</sup> and Labor Day, and it would be good for Council to monitor the situation this year in order to have a plan in place for next year.

Town Clerk Avery said if people are pulling guns on each other, there needs to be someone there more often than just July 4<sup>th</sup> and Labor Day. She asked if Council would consider having police presence or hiring someone to monitor the lot.

Commissioner Swearingen said that, with the change in the gun laws in NC, one can carry a gun into the Council Room if they want to do so.

Commissioner Heglar said even though someone is allowed to carry a gun, it doesn't mean they are allowed to point the gun at someone and threaten them; that's assault. He said he doesn't agree with waiting until next summer to come up with a strategy, and he will call Chief Cooper himself to get him to recommend a coverage plan for the weekends. He said that, if the chief says he doesn't want to do it with police officers, then Council can brainstorm with the chief to get his recommendation on coverage. He said that the homeowners requested all weekends be covered.

Commissioner Swearingen said she would follow up with Chief Cooper tomorrow.

## ADJOURNMENT

MOTION – Commissioner Heglar made the motion to adjourn.

SECOND – Commissioner Pagley

VOTE – Unanimous

The meeting adjourned at 7:14 p.m.

  
Dean Lambeth, Mayor



  
Nancy Hewitt, Deputy 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.