



TOWN COUNCIL MINUTES

REGULAR MEETING

Monday, August 15, 2022 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, August 15, 2022 at 6:00 p.m. The Town Attorney was present and there was a quorum of Council members present.

COUNCIL MEMBERS PRESENT

Mayor Craig Bloszinsky
MPT Allen Oliver
Commissioner John Ellen
Commissioner David Heglar (Via Conference Call)
Commissioner Dennis Panicali

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Police Chief – Mike Bowden
Fire Chief – Ed Kennedy
Recreation Director – Nikki Keely
Building Inspector – John Batson
Town Clerk – Mandy Sanders
Deputy Town Clerk – Beth Chase

Mayor Bloszinsky 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. Approve the Special Event Permit Application for the Heglar Open and Waive the Special Event fees
2. Approve closing Atlantic Avenue between K and L Avenues from 1-10 p.m. on Friday, October 7, 2022 for the Kure Beach Farewell Summer Jazz Funeral, Approve closing Atlantic Avenue between K and L Avenues from the early morning hours through 5 p.m. on Saturday, November 19, 2022 and Saturday, November 26, 2022 for the Kure Beach Holiday Market, Allow participation by food truck vendors during event hours on Friday, October 7, 2022 Saturday, November 19, 2022 and Saturday, November 26, 2022at the Ocean Front Park/Atlantic Avenue
3. Approve Resolution R22-08 for Financing the Purchase of a Garbage Truck with First Bank not to exceed \$342,000 at an interest rate of 3.3% for 5 years
4. Authorize a refund in the amount of \$1,500 to Wells Construction for Stormwater Fees for Additions
5. Minutes:
 - July 18, 2022 Regular

MOTION- Commissioner Heglar made a motion approve the consent agenda as presented

SECOND- Commissioner Ellen

VOTE- Unanimous



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ADOPTION OF THE AGENDA

MOTION- Commissioner Heglar made a motion to approve the agenda as amended

SECOND- Commissioner Ellen

VOTE- Unanimous

PUBLIC COMMENTS

Ed Ollie, resident at 402 Sandman Drive stated:

- He would like to speak today regarding the changes being considered for the boardwalk
- He walks on that boardwalk every morning with his dog, and he has counted between 15-35 people every morning walking with their dogs or parents with strollers
- The pavement gets so hot and most citizens walk on the boardwalk vs the pavement as it is much cooler
- The boardwalk is a very pleasant environment and he would like to speak regarding the safety
- There are issues with electric or motorized vehicles, and 5-10 years ago the Town did not have those
- Citizens do not pay attention to the stop signs or the one-way signs already and he is worried how the Town will administrate the safety on the road as you change it
- He spent 45 years working in public service, and spent the last 20 years at New Hanover County Regional hospital and one thing that always troubled him was when making big decisions was the unintended consequences that were created with our decisions
- He encourages the Town Council to gather the facts and the consequences into their considerations

Megan Garrett resident at 133 Settlers Lane read a letter hereby incorporated into the minutes.

Howard Ames, resident at 313 Atlantic Avenue read a letter hereby incorporated into the minutes.

Jennifer Ames, resident at 313 Atlantic Avenue stated:

- There are two issues here regarding the state of the boardwalk which has not been maintained and the Bike/Ped plan to make the two blocks of Atlantic Avenue into a runway for bikes, skaters, skateboards etc.
- Do you empty onto the downtown boardwalk area where families are unloading wagons and fishmen with their carts? Do you create more room for them by removing the memorial benches and garbage cans?
- Many of the ideas the Bike/Ped Committee came up with is worthwhile, but this portion of the plan has not been thought out



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- Where is the protection for the pedestrian use of the boardwalk?
- Atlantic Avenue is a 10mph road and bikes should be on the street
- What is the plan for connecting the runway to the boardwalk at L Avenue? There is a 27-inch rise so will there be a ramp?
- As her husband stated please take bollards off the table as a barrier, it has been stated they will be every 6 feet and that is 205 bollards down the street

Kelly Carey, resident at 217 Atlantic Avenue stated:

- She currently rents on Atlantic Avenue and has done so for the past 25 years and is here tonight to speak about the boardwalk
- One of the reasons she comes to Kure Beach is for the rich history and it is not like any other beach Town she has visited
- She loves walking on the boardwalk every day and the look and feel of the boardwalk
- The boardwalk gives this Town character and a cement sidewalk does not belong there
- Allow this topic to go before the Town and allow citizens to vote on the boardwalk

Christen Peterson read a letter by Helen Peterson at 213 Atlantic Avenue hereby incorporated into the minutes

Chris Peterson resident at 213 Atlantic Avenue stated:

- We often choose to live, visit, raise families and build businesses where we feel safe, find contentment, and are inspired by communities' qualities of life
- For 52 summers he has been lucky enough to visit this Town and like you over the years has seen change
- The pier has always been the one foundational constant in this community but around it came evolution
- A stop light, dog park, community center, recreation complex, a public safety campus and new Town Hall facilities but in 1996 the Town built a boardwalk which like the pier but unlike the list above quickly became a defining attribute
- Altering that attribute would be a poor decision and I along with countless residents and visitors ask you to reconsider the decision to change the form of the boardwalk
- We want a boardwalk, we do not want a sidewalk
- For the most part local government works quietly and seamlessly, and we trust our elected officials to act on our behalf
- Town Council charge is to address the needs of the community and ignoring our voices and wishes would be irresponsible and disrespectful



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DJ Peterson at 214 Fort Fisher Boulevard N

- He is one of the residents that is out there trimming the plants and he does see the maintenance problem and tried to repair the boards and side railing himself
- The process of how we deal with the challenges is a little disconcerting
- CAMA said no to the 10-foot request without a more detailed permit process and 8 feet is not wide enough for a multiuse path
- He has been replanting the rose bushes as citizens drive over the plants so need to keep that mind regarding the bollards
- There has been discussion an engineering firm may design it and will have a review process and none of this is happening
- He would like to hear from Town Council on where they stand on this issue and what the process will be

Susan Sewell, resident at 233 Atlantic Avenue stated:

- Why is the Town doing this? Why are the 5 members of Council moving forward with something 90% of the community is against?
- Before the process was started and the Bike/Ped came up with the plan did you ask yourself, and the community could we do a better job taking care of the boardwalk
- Did you ask how the Town could lessen the impact on the maintenance department? As it seems they are the ones driving this issue of not wanting to take care of the boardwalk
- Have you done anything to figure out how to let airflow to the boardwalk or maintain it?
- She sees the gator drive down the boardwalk multiple times a day, and whoever the gentlemen is that is driving it looks straight ahead and doesn't even glance at the boardwalk
- Very rarely she sees anyone walking or repairing the boardwalk but only come out months after the board needs to be replaced
- How did prior employee David Blackmore take care of the boardwalk and how was it not a problem while he worked here?
- She spoke to him and he said it was his job and he enjoyed doing it
- Why hasn't another employee taken it over, so it is not an issue?
- Why did the Town just decide because the maintenance staff does not want to maintain the boardwalk to do something like this?
- She does not understand how the 5 elected officials that represent this community how do you do something most the community is against

Mandy Sanders, Town Clerk read letters received via email are hereby incorporated into the minutes.

PRESENTATIONS

None.



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DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

Bike/Ped Committee

Chairperson Mo Linquist stated:

- The Kure Kruisers took part in the second virtual Tour De Blueberry race and won first place out of 24 teams
- Three of those members rode over 100 miles each and Commissioner Ellen rode the most miles out of the whole tour de blueberry race
- She has received requests for the stop/yield pedestrian signs to be put back up on Fort Fisher Boulevard and M Avenue
- The Committee is working on some Island maps with Carolina Beach
- Also working on the landscaping and signs that will be needed down near the connector

Community Center Committee

Chairperson Shalanski stated the Committee has met and Town Council has appointed two new members. The Committee is looking at hosting events around Christmas to hold a cookie exchange and ornament event.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration

- List of Items the Town has Surplused from January 1, 2022 through June 30, 2022

Town Clerk Sanders stated these are the items that have been surplused by the Town from January 1, 2022 through June 30, 2022.

2. Building Inspections Department

- Continued Discussion of Proposed text application for KBC 15.38.020
- (J) Continuance of Non-Conforming Situation, Change of Roof Design

Building Inspector Batson commented:

- A Legislative Hearing was held earlier this evening for the proposed text amendment
- The Building Inspections office was informed of a new roof structure being built on 213 Fort Fisher Blvd N without any permits
- This property is a nonconforming property
- It had an existing ground level deck, and the new property owner built a roof over the deck without any permits on the property



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- When a property owner has a nonconforming property, the property owner cannot make any additions to the property to make it more nonconforming
- His recommendation is to deny the request as this would encourage more nonconforming situations to become more nonconforming

PZC Chairperson Galbraith stated:

- The Commission held a lengthy discussion on this proposed text amendment
- This text amendment would apply to the whole Town and must be looked at very seriously
- Nonconforming structures are an important part of Planning and Zoning and have a series of ordinances designed to encourage citizens to conform overtime
- This proposed text application resulted in a tie vote at the PZC meeting so there is no formal recommendation for Town Council

Commissioner Panicali commented why is not nonconforming?

Building Inspector Batson commented it does not follow the setbacks requirements.

Town Attorney Eldridge commented if you pulled up the zoning regulations for every local government in NC you would find that as a general rule, 90-95% of the time in the provisions regarding nonconforming structure you lose the protected status of nonconforming when you extend the nonconforming structure. The law in NC is very well settled that extending the nonconforming, nullifies legal protection.

MPT Oliver commented the proposed text is in the wrong place for a text amendment as its not a change in the roof design. This is an addition. He has issues with the nonconforming and making it more nonconforming.

Commissioner Heglar commented the setbacks are very important to him as the Emergency Manager and firefighter for Emergency issues. He is ready to make a motion in denial of this proposed text application.

Commissioner Panicali commented he agrees with Commissioner Heglar. He understands the purpose but thinks there is other reasonable alternatives for the property owner.



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MOTION- Commissioner Heglar made a motion to deny the Proposed text application for KBC 15.38.020 (J) Continuance of Non-Conforming Situation, Change of Roof Design

SECOND- MPT Oliver

VOTE- Unanimous

MOTION- Commissioner Heglar made a motion to adopt the Zoning Consistency Statement to deny the Proposed text application for KBC 15.38.020 (J) Continuance of Non-Conforming Situation, Change of Roof Design

SECOND- Commissioner Ellen

VOTE- Unanimous

3. Finance Department

Finance Officer Copenhaver commented the Town has received a total of \$668,700 from the American Rescue plan and will use the funds as approved in the budget process. About a year ago the Town applied for two grants with the help from Engineering Services to do the Water & Sewer system inventory and assessment. Originally the Town was not awarded the grants but now have been. The Town committed to a \$30,000 match for each grant. He received a request for the Carolina Beach Police Department Bicycle Rodeo on Saturday, November 5, 2022 in the amount of \$500.00.

MOTION- Commissioner Ellen made a motion to approve being a Sponsor in the amount of \$500 for the Carolina Beach Police Department Rodeo event on November 5, 2022

SECOND- MPT Oliver

VOTE- Unanimous

4. Public Works Department

- Discussion of Cleaning the Storm Water Ditches going to the River and the Estimated Cost

Commissioner Heglar stated:

- The department received a quote for cleaning the ditches that drain the water from the Town to the river which consists of 4 major ditches
- These ditches are on MOTSU property and have worked diligently to work with MOTSU to have an agreement to clean them out
- The quote is a bit higher than expected as the quote is \$64,000 so will bring forward a budget amendment next month for the \$10,000 difference
- Received verbal approval from MOTSU for the proposed stormwater piping on Settlers lane
- \$4500 fee to enter into a lease agreement with MOTSU, the lease must be signed before approval is received



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- He would like to approve Town Council to approve the funds now and get the lease executed as soon as possible

Finance Officer Copenhaver there are funds available in the Stormwater fund.

MOTION- Commissioner Heglar made a motion to approve entering into a lease in the amount of \$4200 for 50 years with MOTSU for the cleaning of the Stormwater Ditches behind Settlers Lane

SECOND- MPT Oliver

VOTE- Unanimous

- Update and Discussion on Storm Water Project on MOTSU Property

Town Clerk Sanders commented Commissioner Heglar and herself worked with GPI on applying for the Bric grant again this year, but the Town was denied. She has spoken with Jonathan Hinkle at GPI on assisting the Town on a different stormwater grant. She has funds in her Professional Services budget to be able to work on this grant in the amount of \$2,000.

MOTION- Commissioner Heglar made a motion to approve Town Clerk Sanders to work with Jonathan Hinkle with GPI to apply for a Stormwater grant in the amount of \$2,000 from the Professional Services

SECOND- MPT Oliver

VOTE- Unanimous

5. Recreation Department

- Proposed Draft Kure Beach Film Permit Application

Recreation Director Keely commented in the agenda packet is the draft Kure Beach Film permit application. She already has a few amendments to the form that she will be bringing next month from the Town Attorney and individual members of Town Council. The one issue she wanted Council feedback on was the timeliness of receiving these permit applications. Recently the Department has been receiving film permits that have a significant impact to public amenities with very short notice. Town Council has been approving these requests via email because of the short notice, she has included in the application verbiage that would require the film permits to come to Town Council meetings. There may still be opportunities that the requests would be reviewed by email. Mayor Bloszinsky mentioned maybe having a fee for rapid review of the request for the shorter notice.

Mayor Bloszinsky commented when the film crews come into Town it requires each Department Head to stop and review the emergency plans, traffic redirection, review construction projects



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etc. Once the input is received from Department Heads then Town Council must review it which should take place over the 30-day period. He would like a fee for the short notice requests and in his opinion, it should be around \$2,000. When the Town is interrupted there should be a cost for it.

MPT Oliver commented the last request the Town received was rushed and Recreation Director Keely was out of the office and had to revise her schedule to get the request sent out to Town Council. He did not think that was fair and then Town Council had to rush to approve it. Mayor Bloszinsky, do you think the fee will encourage them to get the permits in quicker?

Mayor Bloszinsky commented he does not think it will change how they do business but feels the Town should be compensated.

MPT Oliver commented we all love the film industry being here.

Commissioner Heglar commented not all of us.

MPT Oliver stated when you have garbage collection, the market or other recreation activities happening it causes disruption to the Town. Businesses get compensated when their businesses are shut down for the day. He is all for trying to get the requests in sooner.

Commissioner Heglar commented he would like every one of these film requests to be approved in a Town Council meeting. Town Council has a regular meeting every month and gives residents time to respond to the request.

MOTION- Commissioner Heglar made a motion to authorize all Film Permit Requests that impact road closures, or closure of any public building must be discussed at a Monthly Town Council meeting before approval

SECOND- MPT Oliver

VOTE- Unanimous

- Film Permit Request - Summer 1, LLC

MOTION- MPT Oliver made a motion to approve the Film Permit Request for Summer 1, LLC

SECOND- Commissioner Heglar

VOTE- Unanimous



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DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Approve Proposed Text Amendment 9.04.030 Dogs on the Beach

Attorney Eldridge commented he just wanted to confirm the effective date is not till next spring.

Commissioner Heglar stated that is correct as the signs will need to be changed.

MOTION- Commissioner Heglar made a motion to approve 9.04.030 Dogs on the Beach

SECOND- Commissioner Panicali

VOTE- (4-1 Vote) For- Mayor Bloszinsky, MPT Oliver, Commissioner Panicali, Commissioner Heglar Against - Commissioner Ellen

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Approve Resolution R22-07 Exempting the Benesch Agreement from the Mini-Brooks Act

Attorney Eldridge commented when using an Engineer the Town must use the RFQ process unless it is under \$50,000 for the contract so this exempts it from the Mini-Brooks Act.

MOTION- MPT Oliver made a motion to approve with R22-07 Exempting the Benesch Agreement from the Mini-Brooks Act

SECOND- Commissioner Ellen

VOTE- Unanimous

2. Proposed Text Amendment to 5.08 Peddling and Solicitation

Attorney Eldridge commented:

- The current regulations have issues as they appear to ban all solicitation, panhandling, and begging in public areas but do not define what these public areas are
- To address these concerns proposed a whole rewrite of the regulations
- These regulations do not address “busking” and it is still currently under review
- He gave a definition to the public places that are owned by the Town and not owned by the Town
- On page 5 in the agenda packet, under “F” he would like to change “improved” to “paved” because the sidewalk could be an improvement
- If someone is in the street they can’t solicit but on the sidewalk or the dirt they can as long as they’re not engaged in any of the prohibited acts



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- This has dropped the permits and applications and have recognized the right under the first amendment to solicit and panhandle

MOTION- Commissioner Heglar made a motion to approve the proposed text 5.08 to Peddling and Solicitation with the amending on page 5 in the agenda packet, under "F" change

"improved" to "paved"

SECOND- MPT Oliver

VOTE- Unanimous

MAYOR UPDATES

None.

COMMISSIONER ITEMS

Commissioner Heglar commented he would like to add to the September Town Council meeting the Discussion of the Boardwalk.

CLOSED SESSION

ATTEST: Mandy Sanders, Town Clerk

Craig Bloszinsky, 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

8/15/22

Gentlemen,

My name is Howard Ames and I live at 313 Atlantic Avenue. I am going to briefly describe my factual points and then I'll have an "ask" to please take certain things off the table.

1. The Division of Coastal Management has approved your application to replace the Atlantic Ave Boardwalk with an 8 ft. wide walkway/sidewalk made of concrete or other acceptable materials.
2. In the TOKB Bike/Ped Committee's Master Plan it is recommended that the Boardwalk be redesigned to become a Multi-Use Path (MUP). However, according to the guidelines set forth by the NC Department Of Transportation (NCDOT), the minimum width for a MUP should be 10 ft., with 12 ft. being preferable. It also states that sidewalks should never be designated as a MUP and that a MUP should not be located adjacent to a roadway with multiple intersecting points.
3. In a memorandum from the Division of Coastal Management it is stated that "Increasing the width of the walkway/pathway/sidewalk along Atlantic Ave will increase the ability of the public to utilize the numerous dune crossovers to access the public trust beach and the Atlantic Ocean." That is, that DCM sees this project as improving the ability of pedestrians to access the beach and not for a bicycle thoroughfare.
4. As a reminder, the CAMA application and the approval both state that this project is a walkway/sidewalk. However in TOKB Municipal Codes, Ordinance 1.04.010 the definition of a sidewalk states that it is "...intended for the use of pedestrians." In Ordinance 10.12.020 (k), it states "No person shall ride a bicycle upon any sidewalk in the town."

Of course, safety for pedestrians on a proposed multi-use path is very much a concern as I've described previously. Placing a bicycle path in the sand dune just doesn't make sense. Not to mention that ebikes, skateboards, roller skates and other electric assisted modes of transportation will utilize a MUP as well. Do you really want that?

So, my ask! Please take MUP off the table. Just make and pass a motion that the Atlantic Ave Boardwalk project will not be utilized as a MUP; it will be for pedestrians and not bicyclists. In addition, please add that bollards will not be utilized. Of course, I'd ask that poured concrete be taken off the table as well. Builders don't pour concrete foundations in or near the dunes. They use 8 x 8 wooden supports that flex with the sand. Why would you think that pouring a concrete path in a sand dune would perform any better? Plus, a concrete path gives joggers and elderly pedestrians only one option of a hard surface whether on the path or the street. Having wood or composite with a little yield gives them 2 options.

And lastly, although I was told that the Boardwalk issue would be on this month's agenda, if you can't address my "ask" at this meeting, I request that you add the Boardwalk project onto the agenda for next month. Thank you.

August 15, 2022
213 Atlantic Ave.
Kure Beach, NC

Gentlemen of the Kure Beach Council:

I respectfully speak with you once more regarding the Atlantic Ave. boardwalk.

As abutters on Atlantic Ave., we received your letter in June informing us of the application you submitted to CAMA, on behalf of the Town of Kure Beach, for a Permit to remove our iconic boardwalk, replacing it with a ground level, 8' CONCRETE sidewalk and potentially removing the landscaped, necessary buffer to the roadway.

Assuming because the particulars of the application did not reflect in any way the published vision of the townspeople regarding the project, you chose to submit without our knowledge or input. Our shock and disbelief forced us into an adversarial mode.

As we needed to pursue our own due diligence we have had many questions directed to you. What has been disconcerting is that so many of your responses have been inconsistent and at times disingenuous. We can expect better than that!

One of your explanations was that it was necessary to act before a deadline of August 1, 2022 averting a CAMA regulation change; and that should you be successful in getting the permit, you had no intention to pursue the project at this time...the permit applicable up to 3-4 years.

Yet, since your last meeting several of you have said that you planned to vote at this meeting today, 'whether you intended to go ahead at this time or wait'?

And yet, you chose not even to include the boardwalk in your published Agenda for this meeting?

Please, I respectfully request that this Council:

--- have a frank and open discussion at this meeting so that we the people can know your individual standing on this important project.

--- that collectively, you find some way to effectively dispel the negative environment that permeates much of our community regarding this project, and assuring us that we can expect to work together and only in a truly inclusive way going forward, at some specific time.

Sincerely,
Helen Peterson

Cc: Mayor Bloszinsky; MPT Oliver; Commissioners: Ellen, Heglar, Panicali

Cc; Mayor Bloszinsky; MPT Oliver; Commissioners, Ellen, Heglar and Panicali

I am here tonight to share my opinion on the proposed Peddling and Solicitation Amendment.

A little over a year ago, I began a conversation with Police Chief Bowden, about the lawfulness of busking downtown. Busking is defined as performing in a public place and accepting voluntary donations. Picture someone playing with an open guitar case. We had some back and forth, in which one of the ordinances he brought up was this one. I am happy to see this article being re-written, as at the time of my reading it last, it had issues with clarity.

My comments are in two parts: first, my personal feelings about the assumed intent and how a future amendment should address Busking and secondly, my overall feedback for the proposal as written, for what I assume is your intent.

The purpose stated includes **providing reasonable place** for such activities but does not **produce** a reasonable place when you take away all the prohibited places listed. It pretty much says, you can do this in public, but not in any of the public parts of town.

I believe the Town's intent is to protect the welfare of the people in the town and do not want any behavior that could put a resident or visitor in danger (as your intent should be). Therefore, in my opinion, 5.08.030, Prohibited Acts, should simply read "It shall be illegal and a violation of this Article for any person to solicit, beg, and/or request money or other thing of value in an aggressive or intimidating manner."

Other ordinances already exist for blocking right of ways and causing other dangerous situations, and any **further** extension of prohibitions are overreaching, as they

- do **not** impact the welfare of citizens and
- **unduly** impact rights of free speech.

In relation to Busking: I believe that under the proposed definition of soliciting, one **could** argue that having an open guitar case could be interpreted as an "other communicated request for a donation" and as such, would not be permitted under the current proposal which prohibits all places one would traditionally busk. If this is the Council's intent, I ask that you reconsider as busking can be a safe and enjoyable activity for your residents and visitors. Busking is not the same as performing as part of an organized and formal event and allows freedom of expression in a low stress atmosphere. During the pandemic, my husband and I found we really enjoyed playing acoustic instruments on our porch and getting waves from passers-by. I had hoped to occasionally busk down near Ocean Front Park when pandemic restrictions were loosened, taking a break to buy a coffee at Happy Hippies (maybe with what was collected in my hat), and then continue with my day where the spirit moves me. I hope that your final revision to the ordinance will allow me to make this vision a reality.

To further express my desired end result, I have drafted a proposed amendment (which I have submitted to the Town Clerk with this statement) that specifically calls out busking, making it clear what is and is not permitted when it comes to this form of public expression.

Now, personal feelings aside, based on my assumption of intent, the wording in this proposal is overly restrictive and would not produce the results desired by the Council. Examples of resulting illegal practices would include:

- Tip jars or printed lines for tips on receipts anywhere after sunset, affecting the majority of businesses in our town

Public comment offered by Megan Garrett (133 Settlers Ln) at Town Council Meeting 15 August 2022.

- Donations collection at Beach Church, Town Hall, Community Center, and Fire Station including food drives, and various fundraisers

I'd be happy to provide additional and specific suggestions for improvement, but my time is up.

Thank you for your time and consideration.

PROPOSED TEXT AMENDMENTS (ADDITON OF ARTICLE: BUSKING) TO KBC

Presented by Megan Garrett during Public Comment at Town Council Regular Meeting 15 Aug 2022.

Proposed Amendments:

13.19 BUSKING.

13.19.010 Purpose.

13.19.020 Definition.

13.19.030 Contributions.

13.19.040 Conduct

13.19.010 Purpose.

WHEREAS it is the intent of the Town Council to encourage within the business district and other public places a free exchange of social, cultural, and entertainment opportunities between members of the public.

13.19.020 Definition.

For purposes of this Article, street musicians are defined as follows: a composer, conductor, or performer of vocal, instrumental, or mechanical sounds having rhythm, melody or harmony.

13.19.030 Contributions.

Street musicians, mimes, dancers, and theater groups shall be permitted to perform for the public upon the public right-of-ways and within the public places of the Town, and shall be permitted to solicit and accept voluntary contributions from members of the public who wish to reward such activity.

13.19.040 Conduct.

- A. The above permitted activities shall not be considered "begging" in connection with the Kure Beach Code Chapter 5, Article 08, Section 070 (5.08.070), nor shall they be considered a "trade or business" for which a license might be required under Chapter 5 of the Kure Beach Code.
- B. Street musicians and other performers shall at all times comply with all other provisions of the Kure Beach Code, specifically including the Noise Article 8.04 and Code provisions prohibiting the obstruction of sidewalks and public passage.

Beth Chase

From: Mandy Sanders
Sent: Monday, August 15, 2022 5:12 PM
To: Beth Chase
Subject: Fwd: Mandy, Please read this email into tonight's minutes for the town council meeting

Mandy Sanders
Town Clerk
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
Direct: 910.707.2012
Fax: 910.458.7421
Cell: 910.409.6574
www.townofkurebeach.org

From: Tom Dintino <tpdintino@gmail.com>
Sent: Monday, August 15, 2022 5:10:49 PM
To: Mandy Sanders <m.sanders@townofkurebeach.org>
Subject: Mandy, Please read this email into tonight's minutes for the town council meeting

My name is Tom Dintino
I live at 317 4th Avenue N

With regards to the boardwalk, I have spoken to many people in town and the main issue seems to be having a multi use path on Atlantic Avenue. I also do not want to compete with NON pedestrians when walking on Atlantic Avenue. We all understand the boardwalk needs work BUT everyone wants it to remain a pedestrian walkway with wheel chair access.

Thank you
Tom Dintino

Beth Chase

From: Mandy Sanders
Sent: Monday, August 15, 2022 5:12 PM
To: Beth Chase
Subject: Fwd: Boardwalk Input

Mandy Sanders
Town Clerk
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
Direct: 910.707.2012
Fax: 910.458.7421
Cell: 910.409.6574
www.townofkurebeach.org

From: M D <mdintino14@gmail.com>
Sent: Monday, August 15, 2022 5:10:48 PM
To: Mandy Sanders <m.sanders@townofkurebeach.org>
Subject: Boardwalk Input

Good Afternoon Mandy,

Please read this email into the minutes of tonights town council meeting.

This is Maureen Dintino, 317 4th Ave N,
Kure Beach.

It financially makes NO SENSE AT ALL to tear out the existing boardwalk and pour ground level concrete.

To have E-bikes, E-Scooters, bicycles, skateboards, rollerblades, strollers, joggers, walkers, elderly, children and dogs in the same area is an absolute recipe for disaster and is absurd.

It seems the tail is wagging the dog and it should be the other way around. You are elected officials who's job is to represent the people of Kure Beach and we do NOT want a concrete ground level runway.

REPAIR NOT REPLACE OUR BOARDWALK

Thank you
Maureen Dintino