

TOWN COUNCIL MINUTES

ANNUAL RETREAT MEETING MINUTES

January 31, 2013

The Kure Beach Town Council held their annual retreat at the Ft. Fisher Air Force Recreation Area on Thursday, January 31, 2013 from 8:00 am to 5:00 pm. There was a quorum of Council present.

COUNCIL MEMBERS PRESENT

Mayor	Dean Lambeth
Mayor Pro Tem	Chuck Keener
Commissioner	Emilie Swearingen
Commissioner	David Heglar
Commissioner	Steve Pagley

STAFF PRESENT

Building Inspector – John Batson
Finance Officer – Arlen Copenhaver
Fire Chief – Harold Heglar
Police Chief – Dennis Cooper
Public Works Director – Sonny Beeker
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

COMMITTEE MEMBERS PRESENT:

Beach Protection	Andy Barnard, Chairperson
Parks and Recreation Advisory	Gabby Kraus, Chairperson
Parks and Recreation Advisory	Craig Bloszinsky, Vice Chairperson
Shoreline Access and Parking	Tony Gonsalves, Chairperson
Storm Water and Environmental	John Gordon, Chairperson

COMMITTEES NOT REPRESENTED

Beautification
Community Center Committee
Marketing Committee
Street Festival

CALL TO ORDER

Mayor Lambeth called the meeting to order at 8:05 am

ADOPTION OF THE AGENDA

MOTION – Commissioner Heglar made the motion to adopt the agenda, as presented.

SECOND – Commissioner Pagley

VOTE – Unanimous



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DEPARTMENT PRESENTATIONS

Fire Department

Ed Kennedy reviewed the completed 2012 goals and future goals, which included:

- Completed guidelines for computer-generated pre-plans: commercial & residential.
- Made department functional 24/7 with firefighters staying overnight for \$25/night
- Continue to increase services provided.
- Want to install cad computers in first-response engines.
- Want to go full service which will include first responders to medical calls 24/7.
- Need three additional, full-time employees to cover the increase in medical calls and to maintain the Town's current ISO rating of five.
- Continue to recruit more volunteers.

Mr. Kennedy noted that NFPA Standards no longer required the department to have a fire truck, so there won't be a need to replace the current one after it is no longer functional.

Fire Chief Heglar said that every time he hires one employee, he can cut or doesn't have to replace four volunteers. He said they've lost several well-qualified volunteers because other fire departments have hired them.

Public Works Department

Director Sonny Beeker stated that his department's goals for 2012-2013 are the same as they've been since 2001: to operate the department safely, give the best possible service and make Kure Beach the best place to live.

Public Works projects for the next 90 days, some of which have been completed, are:

- Fixed foundation and block work at Big Daddy's retention wall which was necessary after moving the civil war monument to the Ocean Front Park.
- Created catch basins at Town Hall.
- Made improvements at the Community Center.
- Ashley drainage project Phase 2B for storm water to be completed before May 2013.
- Cleaning and grading drainage structures behind Settlers Lane.
- Clearing pipe at outfall at Sandman Lot.
- Graded Shell Drive.
- Repairing beach accesses on the south end after beach renourishment.
- Painting yellow lines on the sidewalk on Ft. Fisher Blvd.
- Completing improvements on baseball field at Joe Eakes Park: dugout, reworking infield, lights to be installed by April.



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- Rework washdown area to install hard-piped spray handles for footwash.
- Stormwater project on Ocean View and Trout Lane: four property owners want water relieved from Town's ditch that runs closer to their property than the right of way. Town will do its part and leave the rest to the homeowners.
- Order and install a pay station for the utilities payment dropbox at Town Hall.
- Repaint approximately 126 fire hydrants.
- Prepare for the 2013 Street Festival.
- Have a free trash/yard debris pickup week sometime around Easter.

Director Beeker said that this list doesn't include the work orders they get for extra work or emergencies, or their daily and weekly operational tasks.

Director Beeker said the permit for the water treatment plant will be changing this year and they have to remove the chlorine from the water. He is trying to figure out a simple, inexpensive way of doing this but, if the State doesn't agree with their idea, it will cost more than anticipated. He's not sure what the operational costs will be once the project is completed. Brian Cox from Engineering Services will be the engineer on the project.

His 5-year Capital Plan includes:

- H Avenue lift station by 2015 for approximately \$500,000; this may have to be moved back. This year they had to change out the control panel.
- Water line replacement which, currently is doing well with no pressure problems.
- Ongoing Stormwater projects.

Director Beeker and Commissioners Heglar and Swearingen discussed the stormwater drainage problems at Beach Walk which are not on Town property. Commissioner Heglar stated he would like Director Beeker to communicate with property owners who have stormwater drainage problems on their own property that it is their responsibility to fix them. He doesn't expect Public Works to fix the problems if they're not on Town property, but he asked Director Beeker to share his expertise with property owners if they ask for his recommendations.

Commissioner Swearingen asked Director Beeker about Phase 3 of the Stormwater Project and what's being done about runoff, particularly in the Hanby Beach area which she stated had a lot of flooding issues.

Director Beeker said there isn't a Phase 3 of the Stormwater Project that he knows about. He said that the only time he has seen the area around Hanby flood was during a hurricane, major storm or lunar high tide. He said for the 29 years he has worked for the



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Town, he has never seen if flood there after a normal rain. He responded that there's not enough room between the beach accesses in that area to put an outfall.

Commissioner Swearingen asked if there might somewhere the Town could get a grant to help with its Stormwater projects, like the Clean Water Management Trust Fund.

Director Beeker said he will try to get a list of those types of grants, but he usually uses the money from the Powell Bill Fund to fund these types of projects. He explained how expensive it is to request grants which usually involve having to pay an engineer to draw up plans and a grant writer to submit the paperwork. He said that the Stormwater and Powell Bill Funds for the Town are healthy because Public Works does the work without the extra costs of hiring people to submit grant requests, especially for "tear out and installation" jobs.

Finance Officer Copenhaver said that the Stormwater Fund has well over \$600,000 in it.

Commissioner Heglar said the Town needs to try and get the grants, even if it's not a lot of money. But, he pointed out that, compared to other North Carolina counties and cities, the Town's systems are better maintained. He said that Kure Beach is the only Town that hasn't had a sewage spill. He gave Director Beeker and his department praise for their good management.

Commissioner Swearingen pointed out that, being Council liaison for the Stormwater & Environmental Committee, she needs to be able to answer the committees' questions.

Director Beeker passed out Stormwater Project manuals and asked Commissioner Swearingen to share it with her committee. Deputy Town Clerk Hewitt will make enough copies of the manual for each member of the committee.

Commissioner Swearingen asked Director Beeker to attend the committee's March meeting and said she wants him to talk about the items that were just discussed.

Break

Mayor Lambeth called for a 10 minute break at 9:30 am

Mayor Lambeth resumed the retreat at 9:40 am

Police Department (KBPD)

Chief Cooper gave an overview of the current state of his department, as well as future objectives, as follows:



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- The KBPD is partnering with the Carolina Beach PD for a drug task force, with New Hanover County's three Cross-Sworn Officers, with the state for a video project for driver training and Federal relationships for training and certification on computer forensics and electronic devices.
- Major challenges are prescription drug use and sales, internet and telephone fraud, financial crimes which are manpower/time-intensive issues, coverage of the beach front, the impact of the new park and quality of life issues within the Town.
- Current and future objectives completing the revision of their Policy and Procedure manual; updating department information on the Town's website with the possibility of using social media; bringing the computer lab up to a fully operational status; installing wireless cameras at strategic areas in Kure Beach; holding three major public relations events this coming year; reserve officer recruitment and retention; and State-mandated and other training.
- Capital Outlay for items over \$5,000 include defibrillator replacement, computer lab setup, additional weapons, upgrading surveillance devices, improving the police building, upgrading laptops in the police vehicles and desktop computers/server, and purchasing training equipment.

Building Inspections/Code Enforcement

Building Inspector Batson gave an overview of the current state of his department, as well as future objectives, as follows:

- Flood restrictions are being loosened for Kure Beach and some people are no longer in the flood zone.
- His department brought in over \$223,000 and, so far, construction is up this year by 38% and 24 new houses were built in 2012.
- Beach Renourishment for Kure Beach should begin March 1st.
- He presented an overview of the Ocean Front Park progress.
- Special Events will now be handled by the new Recreation Coordinators. He drafted a Special Use application to use for the park.
- His goals this past year were to improve Customer Service.
- His goal this year will be to obtain his zoning official certification, which he was unable to do this past year due to conflicting schedules.

Commissioner Heglar said he didn't realize that paper towel holders were being installed in the restrooms and asked that, if the holders "fall" off the wall, they be replaced by air hand dryers.



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Administration & Finance

Town Clerk Avery gave an overview of her department's accomplishments for Fiscal Year 12-13, as follows:

- Use of debit/credit cards to make payments to the Town.
- New website for the Town.
- Hired two part-time recreation coordinators to take over the Community Center rentals and other Town facilities' recreational offerings.
- Managed invoice payments and grant reimbursements for Ocean Front Park.
- Added bulk trash pickup billing on the monthly utility bill.
- Archived all of the minutes with the State.
- Added new file cabinets for mandatory documents to be stored.
- Brought inventoried documents current.
- Wrote a NOAA Marine Debris Grant requesting additional \$50,000 funding for the Dow Chemical Intake structure to be removed
- Instituted a fundraising campaign for the Ocean Front Park.
- Cross trained staff members.
- Had special edition license plates made to be sold to public and proceeds to be used for park activities.
- Ordered installation of offsite remote server back up for February installation.
- Planned and will execute the grand opening of the OFP.
- Complete the installation of five new computers and a larger server.
- Complete the installation of software for a searchable database for PDFs.
- Town Clerk will apply for IIMC certification.
- Finance Officer to transfer his CPA certification to North Carolina.

Town Clerk Avery said she wasn't making any new goals for Fiscal Year 13-14 except to continue to provide the best service possible, to keep processes and transactions current and accurate and to get the Ocean Front Park programs and rentals up and running.

Commissioner Pagley stated he had information on a vendor who could handle mailing out the utility bills at a cost that could possibly save the Town some money. He will provide the vendor's information to Finance Office Copenhaver.

Commissioner Swearingen asked if the brick pavers in the Ocean Front Park will be available for engraving to which the Town Clerk said they can be removed and engraved, but it might be hard to facilitate this with foot traffic going in and out of the park.



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Break

Mayor Lambeth called for a 15 minute break at 11:00 am

Mayor Lambeth resumed the retreat at 11:15 am.

AD HOC COMMITTEE PRESENTATIONS

Storm Water & Environmental Committee

John Gordon, chairperson, said the committee's current accomplishments and future goals are as follows:

- Public Works Director Beeker presented his information to the committee about the storm water system and plans for extensions and repairs.
- The committee asked Council to consider increasing additional free yard debris pickups throughout the year, which Council declined.
- Committee worked with the Town Clerk to have recycle carts put back on the beach accesses.
- They received Council's approval for Public Works to put up dog waste stations around Town, fulfilling a requirement of the Stormwater Permit to provide an animal waste control system.
- With money and materials received from Waste Management, the committee presented curriculum to the Carolina Beach Elementary School and designed refrigerator magnets which are being distributed to the residents.
- They promoted recycling at the Island Day in September.
- Work with Public Works to obtain grants to pay for another dune infiltration system.
- Sponsor seminars regarding environmental topics such as how to dispose of household hazardous waste, a lecture regarding beach renourishment and one on environmentally safe lawn and garden care.
- Increase awareness of recycling through the Street Festival, Island Day and Carolina Beach Elementary School.
- Obtain grants for recycling and waste reduction through the government and the private sector.

Town Clerk Avery told everyone about the garbage/recycling centers on the boardwalk and in the new park. She showed photos of the newly constructed, wooden receptacles.

Discussion ensued regarding the possibility of collection of hazardous household waste at a location closer to Kure Beach.



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Beach Protection Committee

Andy Barnard, co-chair, said the committee's current accomplishments and future goals are as follows:

- Continue planting sea oats: just got quote for seedlings this year for \$8,000-\$10,000.
- Keep involved with the discussion of rerouting the inlet at Carolina Beach which might help protect the beach sand.
- Revised and printed a brochure that includes all of the beach ordinances/fines, and the artwork for recycling magnet, to be distributed to the HOAs, realtors and residents.
- Erect more Keep Off the Dunes signs, if approved by Council.
- Get more consistent Dogs On Beach signs: got quote of \$700 for 49 signs.
- Continue to participate in the National Beach Sweep and coordinate another beach sweep with UNCW.
- Committee pushed for an increase in the littering fine to help curtail cigarette butt litter.

Parks & Recreation Advisory Board

Craig Bloszinsky, vice-chair, said the board's current accomplishments and future goals are as follows:

- An intern they had in 2012 developed policy & procedures for Parks & Recreation which has been revised and will be brought to Council for approval.
- The intern also helped develop a job description for the Recreation Coordinator position.
- Two, part-time Recreation Coordinators have been hired: Bob Fitzsimons and Nikki Keely.
- They are bringing two new members to Council for approval.
- They are looking at possible triathlon and 5K running events to be held this year.
- They've added a few new classes and have kept some of the old classes.
- Their primary focus for the rest of the year is to work with the new Recreation Coordinators to optimize the Ocean Front Park activities and fundraising.

Shoreline Access & Parking Committee

Tony Gonsalves, chairperson, said the committee's current accomplishments and future goals are as follows:

- Will work on the sidewalk on K Avenue and the corral parking after the Sunny Point Greenway is completed.
- Signs for beach accesses from E-J are finished and reinstalled.
- Installed five pedestrian crosswalks.



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- Added "P" parking signs as the MPO wanted.
- Added 50+ parking spaces at Joe Eakes Park.
- Installed a fence around the basketball court.
- Had the Town put the TDA parking map of Kure Beach on its website.
- Would like to revamp the parking areas from E to J Avenue.
- They are looking for grants for future projects.
- They'd like ADA viewing areas added to the ramps along Atlantic Avenue.
- They'd like to consolidate the beach signs so there won't be as many.
- They're adding two parking spaces on the south side of K, between 3rd and 4th Avenues in lieu of lost spaces from Beautification project.
- They're putting in a new ramp at the lifeguard shack for Ocean Rescue 4-wheelers and wheelchairs.

Police Chief Cooper said that signage about ordinance violations is a pre-requisite to legal enforcement of the violations. He felt they could be consolidated, but they should still be posted at the beach accesses.

Chairman Gonsalves said that's why they want to put the 49 "Dogs on Beach" signs up before the season starts.

Commissioner Heglar asked what should be done about the private beach ramps at Ocean Dunes, some of which are rental units that were left hanging after the beach erosion from Hurricane Sandy. He asked if caution tape should be put on them.

Town Attorney Canoutas said it would be prudent of the Town to require it.

Commissioner Heglar asked the Building Inspector to speak to Ocean Dunes leaders about it.

Mayor Pro Tem Keener said he wants to form a committee to be responsible for the signs in Kure Beach. He will bring this before Council at their February meeting for discussion and consideration.

Tony Gonsalves suggested that rather than form another committee, that the Joint Committee Chairpersons meeting could handle coordinating their committees to figure out the signage.

Mayor Lambeth said that Candace Clark had come to the retreat for the Beautification Committee, but she ended up leaving. She had told him that the committee wanted



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Welcome signs erected at Dow Road and at Ft. Fisher Blvd coming from Ft. Fisher, north to Kure Beach. The cost would be about \$3,500, more or less.

Commissioner Swearingen said the Town should put off the signs until the economy gets better. She said she was disappointed that the Beautification Committee hadn't started working on Council's request to do something with the flag pole area at Town Hall. She said she found out that Public Works had some ideas about doing planting there. She said that she is disturbed that some of the people on the committee are saying very negative things about Town staff, which she didn't appreciate. She suggested that the Council liaison for the committee go back and tell them if they have a problem with a staff member to go to that person rather than spreading their opinions all over town.

Tony Gonsalves said that, being on the committee himself, it does come up at times that they complain about Public Works for things like putting too much mulch down. He said he is on the committee to keep the Shoreline Access & Parking (SLAP) Committee informed of projects.

Commissioner Pagley said he was the Council liaison for the Beautification Committee and wondered if the committee should be dissolved.

Commissioner Heglar stated that there are only three committees that the Town is required to have. He said that any other committees that are not doing what Council has asked them to do or seems to be actively working against what we think is right for the Town, then we definitely have the authority to dissolve the committee. He said that it's Council's responsibility to provide feedback to the committee about this and be given a chance to correct itself.

Commissioner Pagley said that he thought the committee was redundant since there was talk about forming a sign committee and there's the SLAP committee that could handle things.

Commissioner Swearingen said that, in a very public setting, she was told by one of the Beautification Committee members that Public Works wouldn't work with them. She said she didn't appreciate the things being said. They should have gone to Director Beeker to discuss this with him. She said she hadn't heard of any goals they had accomplished.



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Other Committees

Mayor Lambeth stated that the Annual Street Festival Committee is hard at work planning this spring's festival and that the Marketing Committee was doing a great job and that the Town was approved to receive more TDA funds than it did last year.

GENERAL BUSINESS

1. Motion to adopt resolution R13-04 Requesting State Legislators introduce local bill clarifying Town's authority to enforce no smoking ordinance on the beach. (Council consensus was 4 -1 in favor).

Town Attorney Canoutas said he will be meeting with Ted Davis, along with Carolina and Wrightsville Beaches, to work out the details of the request.

MOTION – Commissioner Heglar made the motion to adopt resolution R-13-04, as presented.

SECOND – Mayor Lambeth

VOTE – Passed four to one, as follows: Mayor Lambeth, Mayor Pro Tem Keener and Commissioners Heglar and Swearingen FOR; Commissioner Pagley AGAINST.

Said resolution is herein incorporated as part of these minutes.

2. Traffic restrictions on Atlantic and on K Avenue, east of Ft. Fisher Blvd.

Commissioner Swearingen recommended that Atlantic Avenue and K Avenue, east of Ft. Fisher Blvd. be closed to service trucks or anything larger than a pickup truck in order to avoid safety problems at the park and to maintain the newly paved road. She said she hasn't spoken with the business owners about it.

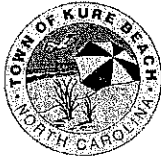
Town Attorney Canoutas said there would have to be an ordinance against it in order to make in enforceable.

Public Works Director Beeker suggested just prohibiting tractor trailers from accessing those roads.

Commissioner Swearingen said that she would get together with Police Chief Cooper and Town Attorney Canoutas to work on a solution and would bring it back to the February Council meeting for further discussion and consideration.

3. Our definition of Legislative Delegation

Commissioner Swearingen said she would like the Town's "Legislative Delegation" to be all of the State representatives for New Hanover County and anyone else that other



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members of Council would like to include. This way, when Council asks for documentation to be sent to this delegation, it will be consistently clear to which officials the information will be sent.

CONSENSUS: Council agreed that the five State representatives of New Hanover County will be considered the Town's Legislative Delegation.

4. Brief comments on NCLM legislative goals conference

Commissioner Swearingen said that this organization represents almost every municipality in the state, and they have a lot of clout with the legislature. She said Council should know what the league is working on and what Council's recommendations will be. She said that before the long session, they send out packets listing types of legislation that they were going to review and they requests towns' input in order to narrow the list down. She said that the latest list has an item that has to do with funding that could affect Kure Beach. She asked that Council and the Town's Department Heads be made aware of this information. She also urged the Council members to attend Town Hall Day in Raleigh to become better informed about upcoming legislation. She urged Council to take any emails they get from the league seriously.

5. Clarification on the use and improvements to the baseball field

Town Clerk Avery said that Finance Officer Copenhaver received a request from the Pleasure Island Youth Baseball League asking for clarification on funding for improvements to the ball field. They want to know if the \$13,000 is the Town's maximum contribution and, if additional costs arise over and above the \$13,000, who will be responsible for the funding. She also said that the league wanted to know if they could hang sponsor signs on the outfield fence year round.

Public Works Director Beeker said that Carolina Beach has done a lot for the Kure Beach youths' recreational needs through their Parks & Recreation department and the facilities that are available. He feels it is time for Kure Beach to step up and do something, as well, and asked Council to take that into consideration.

Mayor Lambeth said that the league is looking at steps to provide additional funding for the ball field, and they've already given the Town \$1,000 in good faith to get started on the improvements.

Commissioner Heglar said he agreed with Director Beeker but, if more money is needed for the ball field, it needs to be approved by Council. He said he doesn't mind if the sponsorship signage remains on the fence but that Council should retain veto power on the signs that go up and should require that the league maintain them in good condition.



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Director Beeker said Council should require the league to maintain the signs, and also help in the decision of sign placement and retain the authority to take them down.

CONSENSUS Council will ask the league to present its proposal to allow sponsor signs to be hung along the ball field fence at Joe Eakes Park, including their plan to maintain the signs.

Finance Officer Copenhaver asked whether the \$1,000 from the league would be part of the \$13,000 to fund the park or if it would be considered an additional \$1,000.

Commissioner Heglar said if the expenses for the ball field came to under \$13,000, it could be used to subsidize the Town's expense and could go back into the Contingency Fund; but if the expenses came to over \$13,000, it would be used to subsidize the overage. As it stands, the Town has agreed to move \$13,000 from the Contingency Fund to the General Fund for ball field improvements and lights.

6. Kure Beach Triathlon

Ed Kennedy stated that the Triathlon will be advertised as a Step Up For Soldiers event. He said he was told that Dow Road might be closed in June, if there's a delay in the construction to widen it, so they might have to look for an alternate route for the bicyclists. He said the cost to participate will be tiered at \$45, \$55 & \$65, with discounts for any public service worker. They will set a break-even point where, if they don't have a certain number of participants by a certain time, they can cancel the event. They plan on putting up a website and they're hoping the Town will waive the expected costs for the event to which the Building Inspector concurred that could be expected since it was a non-profit event. Mr. Kennedy said he would bring the proposed dates of the event to Council's February meeting for their approval.

7. NCLM request for Town to pay \$500 to participate in hiring an attorney to advocate for all municipalities against Progress Energy's filing for rate increases. They want an answer and funding by February 8.

Town Clerk Avery explained that other towns are banding together to pay for this. She said Kure Beach's fee of \$500 is based on the population of the Town.

Finance Officer Copenhaver said that the Town's electric bill runs about \$100,000 per year.



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Commissioner Heglar said that, even if the bill was reduced by .5%, the Town would only save about \$500. He questioned if it was worth taking a chance for such a small amount of savings.

CONSENSUS – Council consensus is that it will not participate in hiring an attorney to advocate against Progress Energy’s filing for rate increases.

8. Approval of \$600 for air fare, hotel and meals from Council budget for Mayor to attend Water Resources Congress in DC on February 26th and 27th

Commissioner Swearingen said she would like to go with Mayor Lambeth to DC for the meeting.

MOTION – Commissioner Heglar made the motion to approve travel expenses in the amount of \$600 each, for air fare, hotel and meals, for Mayor Lambeth and Commissioner Swearingen to attend the Water Resource Congress to lobby for sand.

SECOND – Commissioner Pagley

VOTE – Unanimous

9. Additional fencing across back of Ocean Front Park – Engineering Services recommends that the Town should install fence when the Ocean Front Park project is finished instead of delaying completion. It would help protect landscaping. Estimates are:

- Aluminum: \$3,500 if Town installs.
- Steel: \$4,500 if Town installs.
- Steel: \$5,400 if Contractor installs.

Building Inspector Batson objected to the Mayor going to a fence company to get his own quote for the fencing.

Mayor Lambeth said he was waiting for the Building Inspector to provide Council with a quote as he was asked to do but, after two weeks, he got tired of waiting and took it into his own hands to obtain a quote.

Inspector Batson asked Council if they wanted to turn over the project to the Mayor or if they wanted him to handle it.

Commissioner Heglar suggested that the Building Inspector should gather the quotes and bring them to the February Council meeting for a decision.



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10. Reimbursement to Council for service for individually owned IPADs and tablets not to exceed \$38 per month

Town Clerk Avery said that the money is in the budget for this expense, but she wanted to get Council's approval for reimbursement, if anyone needs it.

Commissioner Heglar thought everyone should use what they're doing now rather than take money from the Town, but if anyone is paying for it out of their own pocket, they should be able to request reimbursement.

CONSENSUS Council consensus was to give Town staff the authority to reimburse any Council member who is paying for service out of pocket, if the individual requests it.

Lunch Break

Mayor Lambeth called for a lunch break at 1:00 pm

Mayor Lambeth resumed the retreat at 1:30 pm

MID-YEAR BUDGET REVIEW

Finance Officer Copenhaver reviewed Council's goals from the last retreat and shared comparisons of last fiscal year's and this fiscal year's year-to-date expenses and revenue.

The following points were made:

- Ocean Front Park is still projected to be under budget by about \$11,000. But, between projected revenue and projected expenses, the Town is actually looking at being short by about \$22,000 due to the Change Orders and things that weren't on the original plan like swings. He said if the pervious pavers are disallowed by the Clean Water Management Trust Fund Grant, there will be a shortfall in the budget for the park of almost \$76,000.
- The increase in water/sewer usage over 3,000 gallons per month didn't increase the revenues as much as expected.
- Increased revenue helped with the fund balance to provide for financial stability for the Town.
- He showed that Kure Beach's debt has been lowered and the Town is well below the legal debt limits for the Town.
- New Hanover County is getting ready to require that people pay their vehicle tax at the same time they pay their vehicle registration fee, beginning July 1, 2013. Bills will probably not go out until November 2013.
- He shared a draft 5-year Capital Plan and said he would keep the plan updated.
- He expects a continued high tax collection rate will help revenue numbers for Fiscal Year 13-14, Fiscal Year 2014 sales tax revenue should be greater due to the



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- ad valorem distribution method and rental fees associated with the Ocean Front Park might be a new revenue source.
- Positives for Fiscal Year 13-14 expenditures are not being required to replace a fire truck which would have cost \$400,000 and no additional construction costs in Fiscal Year 2014.
 - Beach renourishment remains the number one concern for the Town.

Questions regarding beach renourishment were asked and Commissioner Heglar said that Council should ask New Hanover County's "sandman," Layton Bedsole, to give them the figures on requirements and costs. He said that Congress is really paying attention to beach renourishment since Hurricane Sandy hit.

Finance Officer Copenhaver said beach renourishment will be addressed thoroughly during the Town's budget planning workshops.

He presented the draft Fiscal Year 13-14 budget calendar.

MOTION – Commissioner Heglar made the motion to adopt the Fiscal Year 13-14 Budget Calendar, as presented.

SECOND – Mayor Lambeth

VOTE – Unanimous

Deputy Town Clerk Hewitt will email the list to Council and will send meeting invitations to Council via email to go on their calendars.

Break

Mayor Lambeth called for a 5 minute break at 2:30 pm

Mayor Lambeth resumed the retreat at 2:35 pm

DISCUSSION OF POSSIBLE FUTURE TOWN PROJECTS FISCAL YEAR 13-14

1. Drainage issues Wilmington Beach area, Atlantic Avenue, Mackerel and Settlers Lanes

Mayor Lambeth asked Director Beeker about the drainage issues near Hanby Beach and other areas in Town. He stated that the property owner on Snapper Lane had complained to him about an issue he was having with poor drainage.

Director Beeker said he didn't know about some of the areas that were listed. He said that the property on Snapper Lane is caused by a garden on the neighboring property that has stopped the flow to the drainage ditch and the only way to correct it is for the resident to



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approach his neighbor about tearing out his garden. He said he responded to the same citizen about the issue three years ago and doesn't understand why he's coming back again with his questions.

Commissioner Heglar suggested that Director Becker resend the same message back to the resident.

2. Utility burial and new streetlights in front of Ocean Front Park on Atlantic Avenue and on K Avenue, east of Ft. Fisher Blvd.

Town Clerk Avery said she was questioned by a homeowner about burying power lines in front of the park to make it look nicer. The estimate from Progress Energy is \$10,000 to remove the three poles, bury the lines and a transformer and put in new street lights. Progress Energy gave her an estimate of \$79,000 to bury the lines on K Avenue, east of Ft. Fisher Blvd., but the Town would have to hire an electrician to reconnect the lines to the businesses on K Avenue. She said the estimate is good for 90 days.

Director Becker said that it would be a perfect time to do this to tie it in with the park and the sidewalks could be redone at the same time.

Commissioner Heglar wondered if it would take a long time to recover if the ground-based wires and underground transformer blew, especially if it is right at the beach.

Fire Chief Heglar said that the electric wires need to be tweaked every year when they are above ground, but the maintenance on underground wires is needed less frequently.

Commissioner Heglar asked the Town Clerk to contact Progress Energy about having them roll the \$10,000 into the Town's electric bill over the next three years. He said he likes the idea of burying the lines at the park and would also like Council to consider putting in next fiscal year's budget the funds to bury the power lines on K Avenue.

CONSENSUS – Council consensus is to see if Progress Energy will spread out the cost to bury the power lines and transformer on Atlantic Avenue in the Town's electric bill over the next three years. If they won't do it, Council will decide whether or not to approve the project and how to fund it. They will want the business owners along K Avenue to be contacted for their input on burying the power lines to decide whether or not to put it in next fiscal year's budget.



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3. Other possible projects

Town Clerk Avery stated the house and land located near the north end of the Ocean Front Park is on the market for \$500,000. She suggested it could become the future lifeguard first/aid station and a satellite police station. She said an alternative could be to remove the house and allow private rental of vendor carts to use the land until the Town decides to build on the property and bring in revenue.

Commissioner Heglar said he didn't want to spend any more money and no other Council member commented on the idea.

DETERMINATION OF COUNCIL GOALS FOR FISCAL YEAR 13-14

Council listed their goals for Fiscal Year 13-14, as follows:

1. Maintain current tax rate.
2. Support Fire Department staffing request for three full-time employees.
3. Maintain current service levels of all departments.
4. Downtown utilities buried underground (east of 421).
5. Successfully implement the Ocean Front Park and recreation administration.
6. Create long term plan for beach renourishment.
7. Review opportunities for dune infiltration systems in Town.
8. Review video surveillance of Town areas: define stakeholders and policy issues by August 31, 2012.

Commissioner Heglar also suggested putting Succession Plans for Department Heads on the list. Comments regarding this are as follows:

- Fire Chief Heglar said he's starting to work on his retirement plans and will be close to retiring if everything goes well. He wants to make sure that whoever Council chooses to take his place will support the Town, the department's personnel and the citizens of Kure Beach.
- Police Chief Cooper said he wants to wait until the next Council comes on board to discuss this, since he's looking at 12 to 18 months out. He's even considering staying to work as a part-time employee. He said he was concerned about the impact Obamacare would have on his situation. He considered this a bigger factor than longevity.
- Town Attorney Canoutas said he's looking at providing service to the Town for another 3 to 5 years.

MOTION – Commissioner Heglar made the motion to approve the Council goals for Fiscal Year 13-14, as presented.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous



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DISCUSSION ON OCEAN FRONT PARK

Town Clerk Avery introduced Council and the Department Heads to Nikki Keely and Bob Fitzsimons, the new, part-time Recreation Coordinators. She said she asked them to attend this portion of the Council retreat to hear discussion on the Ocean Front Park

1. Grand opening celebration on April 26, 2013

Town Clerk Avery gave an overview of plans for the Grand Opening of the park to be held on Friday, April 26, 2013. She said she thought Friday would be a good day to hold it to make it easier for officials to make it to the ceremony. The celebration will run from 11:30 am until 10:00 pm. The celebration will include performances by school children, live bands, dance lessons, demonstrations from some of the Town's recreation class instructors, local historian speakers and activities for the children, to name a few.

Commissioners Heglar and Swearingen asked the Town Clerk to see if The Imitations and the Wilmington Big Band could swap their performance times so that the big band performs at 4:00 pm and The Imitations perform at 8:00 pm. They felt older people would probably want to come and see the big band at an earlier hour, and The Imitations should play last because they are a popular band.

Mayor Lambeth announced that he had talked with the local restaurants, and the owners of Big Daddy's, Jack Mackerels, Kure Beach Diner and Freddie's said they would cater lunch for the event for free.

2. Park uses and staff questions

Town Clerk Avery presented a list of questions to Council for clarification purposes. Questions and answers are as follows:

- Q: Does Council also want a "soft opening" for the park? NO.
- Q: Should we allow private rentals before the Grand Opening? YES, including any school educational rentals. March 22nd is the earliest anyone can rent it. This will give Council a deadline to answer questions and put policy and procedures in place.
- Q: Should we allow public events before the Grand Opening? NO. March 22nd is the earliest anyone can rent it to give Council a deadline to answer questions and put policies into place.
- Q: Will alcohol and catering for private rentals of pavilion be allowed? UNDECIDED. Council asked the Recreation Coordinators to bring their suggestions to the February Council meeting for further discussion and consideration.
- Q: Should the flags be raised at the park before the Grand Opening? NO.



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- Q: Should the Town allow private vendors to sell their wares from carts to raise funds for the park? UNDECIDED. Council asked the Recreation Coordinators to bring their suggestions to the February Council meeting for further discussion and consideration.

3. Painting the fish and turtle for Tot Lot

Town Clerk Avery said an unpainted fish and turtle were ordered for the Tot Lot so that school children could take part in painting them. She said she didn't want the painting to be done during the Street Festival or Grand Opening, but preferred that they be painted by the time of the Grand Opening. She stated she didn't want to be the one responsible for the children painting them.

Commissioner Swearingen said she has been playing phone tag with the people at Carolina Beach Elementary School, but they had been approached over a year ago to have a contest with the kids to see what they would paint on the turtle and fish. She said it would be nice to present something to the turtle and the fish winners; and then it would be good to have the students actually come and paint them, if the school is still interested. She said the paint would be safe for the children, from what she understands.

Commissioner Heglar said that since Commissioner Swearingen suggested it, she could be responsible for running the contest and coordinating the painting. He asked her if she was going to do it soon or would the fish and turtle be painted sometime in the summer, because the Town Clerk suggested they be painted before the Grand Opening.

Commissioner Swearingen said she would run the contest but wanted Council to help choose the winner sometime before the Grand Opening. But, the fish and turtle would be painted later.

Commissioner Heglar said that would work because he was worried whether there would be enough time to run the contest, choose the winner and have the fish and turtle painted by the time of the Grand Opening.

Commissioner Swearingen said she'd try to get the contest coordinated sometime in February and asked Director Beeker and Inspector Batson if they could help her choose and buy the type of paint that would be needed for the fish and turtle.

Mayor Pro Tem Keener said, in regards to some of the questions being asked about the park, he wanted Council to rely on the two Recreation Coordinators to decide on how things should be handled for the park since they have been trained and have spent years doing these types of things.



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R13-04

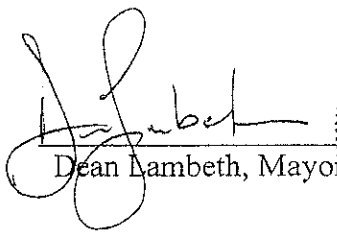
**RESOLUTION REQUESTING THE STATE LEGISLATORS
REPRESENTING THE TOWN OF KURE BEACH AND OTHER MEMBERS
OF THE GENERAL ASSEMBLY FROM NEW HANOVER COUNTY TO
INTRODUCE A LOCAL BILL IN THE 2013 SESSION
OF THE GENERAL ASSEMBLY CLARIFYING THE TOWN'S AUTHORITY
TO ENFORCE THE TOWN'S NO SMOKING ORDINANCE ON THE BEACH**

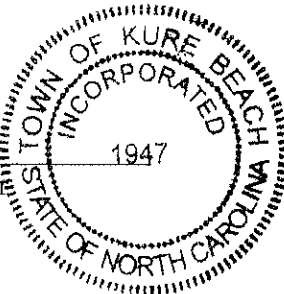
WHEREAS, the Town of Kure Beach (the "Town") wishes to have the authority to enact a smoking ban on the beach in the future; and


WHEREAS, in order to permit the Town to more efficiently enforce such ordinance; the Kure Beach Town Council requests Representative Ted Davis and Senator Thom Goolsby and other members of the General Assembly representing New Hanover County to propose and support a local bill in the General Assembly clarifying the Town's ability to enforce a smoking ban on the beach within the Town limits;

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Kure Beach, North Carolina, hereby requests that Representative Ted Davis and Senator Thom Goolsby, and other members of the General Assembly representing New Hanover County, seek passage of, and support, a local bill in the 2013 Session of the General Assembly clarifying the Town's ability to enforce a smoking ban on the beach within the Town limits, as requested by the Towns of Carolina and Wrightsville Beach, North Carolina.

Adopted by the Town Council of Kure Beach this the 22nd day of January, 2013.


Dean Lambeth, Mayor




Attest: Nancy Avery, Town Clerk



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Town Clerk Avery said they were just looking for general information for the questions, especially on the alcohol issue.

Recreation Coordinator, Nikki Keely, said that they were looking for general guidance from Council and then she and Recreation Coordinator Fitzsimons would run with things from there.

4. Additional items for consideration at park

Town Clerk Avery asked if Council wanted any or all of the following mounted plaques erected around the flag pole's three vacant sides, along with the Civil War monument:

- A "History of Kure Beach" plaque.
- A "Veterans Memorial" plaque.
- The 60th Anniversary Donor plaque that is currently stored at Town Hall.
- A "Thank You to Our Partners" plaque.

Commissioner Swearingen mentioned that there is a large, blank wall inside the pavilion that could be used for any items that needed to be kept out from the weather.

Town Clerk Avery said the park needs a marquee for posting events and reviewed other needed items for the park, including tables and chairs and portable microphones.

ADJOURNMENT

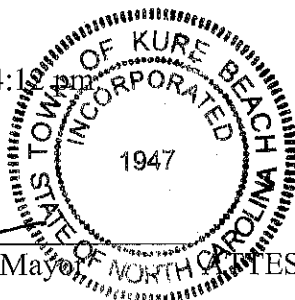
MOTION – Commissioner Heglar made the motion to adjourn.

SECOND – Commissioner Pagley

VOTE – Unanimous

Meeting adjourned at 4:18 pm

Dean Lambeth, Mayor



TEST: 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.