



TOWN COUNCIL MINUTES

REGULAR MEETING

February 17, 2015 @ 6:30 p.m., or soon thereafter

The Kure Beach Town Council held their regular meeting on Tuesday, February 17, 2015 at 6:30 p.m. The Town Attorney was present and there was a quorum of Council present.

COUNCIL MEMBERS PRESENT

Mayor Pro Tem Craig Bloszinsky
Commissioner Emilie Swearingen
Commissioner David Heglar
Commissioner Steve Pagley

COUNCIL MEMBERS ABSENT

Mayor Dean Lambeth

STAFF PRESENT

Fire Chief – Harold Heglar
Finance Officer – Arlen Copenhaver
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER AND WELCOME

Mayor Pro Tem Bloszinsky called the meeting to order at 6:30 p.m. Pastor Dan Keck from Kure Memorial Lutheran Church delivered the invocation. The Mayor Pro Tem led everyone in the Pledge of Allegiance.

VOTE TO EXCUSE MAYOR LAMBETH FROM THE MEETING

MOTION – Commissioner Heglar made the motion to excuse Mayor Lambeth from the Council meeting.

SECOND – Commissioner Pagley

VOTE – Unanimous

APPROVAL OF CONSENT AGENDA ITEMS

1. Accept Tony Gonsalves' resignation from the Parks and Recreation Advisory Board.
2. Accept Dolores Coe's resignation from the Board of Adjustment
3. Accept Al Sharp's resignation from the WMPO Bike/Pedestrian committee
4. Appoint Sarah Smith as an alternate member on the Shoreline Access, Beach Protection and Parking Committee.
5. Approve travel for Mayor Lambeth, Mayor Pro Tem Bloszinsky and Commissioners Swearingen and Pagley to attend the 2015 NC Coastal Local Governments Annual Meeting in Pine Knoll Shores on March 16 & 17, 2015, at the estimated cost of \$918.
6. Approve travel for Mayor Lambeth, Mayor Pro Tem Bloszinsky and Commissioners Swearingen and Pagley to attend the NCLM 2015 Town Hall Day in Raleigh on March 18, 2015, at the estimated cost of \$1,303.
7. Dissolve the Annual Street Festival committee.
8. Board of Adjustment 2014 Annual Report
9. Building Inspections Report – January 2015



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10. YTD Finance Report

11. Approve Meeting Minutes:

- January 20, 2015, public hearing and regular
- January 26 & 27, 2015, Council retreat
- January 27, 2015, closed session

MOTION – Commissioner Heglar made the motion to approve the Consent Agenda Items, as presented.

SECOND – Commissioner Swearingen

VOTE – Unanimous

ADOPTION OF THE AGENDA

Mayor Pro Tem Bloszinsky asked to add Dennis Moore to the list of applicants to interview for the Cape Fear Disabilities Commission under Other Committees and asked that Amy Bloszinsky's name be removed from the list.

Commissioner Heglar asked that Sandman Lane Property Update be added to the agenda under Old Business as Item 3, and asked that Items 1 and 2 be removed from under New Business, since Mayor Lambeth wasn't at the meeting to present them.

MOTION – Commissioner Heglar made the motion to approve the revised meeting agenda, as amended.

SECOND – Mayor Pro Tem Bloszinsky

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Gail McCloskey, Pleasure Island Chamber of Commerce

Ms. McCloskey asked Council to approve the chamber's funding request for Kure Beach to, once again, sponsor the free summer concerts that are done every year from June through August at the Fort Fisher Military Recreation Area. She said that she is looking for funding in the amount of \$8,800, this year, and she will submit the formal application for funding once it becomes available on the Town's website.

Mayor Pro Tem Bloszinsky said her funding request will be part of the budget workshop discussion in April.

2. John Ellen, 181 Seawatch Way

Mr. Ellen said that Mayor Lambeth received an email from Mike Kozlosky of the Wilmington Metropolitan Planning Organization (WMPO) regarding the Department of Transportation's "Mayors Challenge for Safer People and Safer Streets." He asked Council



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if they were going to accept the challenge and volunteered himself for the task of seeing it through, if Council wanted to assign it to him. He said that the first planning meeting will be held in March 2015, and he read the seven activities the Town would need to help the community undertake in 2016 to improve safety.

Commissioner Swearingen commented that, with the all the tourists, we need safer streets, and she added that she was in favor of allowing Mr. Ellen to represent the Town.

Commissioner Heglar questioned if it was something the Town would want to spend its time, energy and money on, because this would just be another one of those things that Public Works and the Kure Beach Police and Fire Departments would have to work on. He said the seven activities sounded like they would require a lot of the Town staff's time and asked Council what benefit would come out of it for the citizens of the Town for the financial and workload investment it would require. He said that some of the challenge may even have to include ordinance changes.

Mr. Ellen said that he agreed that the Town shouldn't have to pay for it. He said he will get more information about it at the March meeting and will inform Council via email of his findings. He proceeded to add that the WMPO has coordinated with the Town to present the Cape Fear Transportation 2040 proposed plan. He said he will be the presenter at Council's March meeting.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Shoreline Access, Beach Protection & Parking Committee

Chairperson Tony Gonsalves showed Council a draft Bike/Pedestrian tri-fold brochure that his committee created and would like to have 3,000 copies printed. He said he'd also like to have 3,000 copies of the Beach Safety brochure printed. He said each set of 3,000 would cost \$625.95, and the brochures will be distributed to hotels/motels, realtors and rental properties, as well as to the two bike shops in Carolina Beach.

MOTION – Commissioner Heglar made the motion to approve the printing of 3,000 copies of the Bike/Pedestrian tri-fold brochure and the Beach Safety brochure at the estimated cost of \$625.95 per set, to be paid for out of the Committee budget.

SECOND – Commissioner Pagley

VOTE – Unanimous

2. Other – Cape Fear Disabilities Commission Applicant Interviews

a. Deborah McKenna, 208 Seawatch Way

Ms. McKenna reviewed her education and experience that would qualify her to be on the commission, including a degree in Special Education.



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b. Dennis Moore, 1203 N. Fort Fisher Blvd

Mr. Moore said he has a severe heart condition and understands the challenges of being handicapped. He recommended that Council appoint Ms. McKenna to the committee since he felt she had better credentials.

MOTION – Commissioner Heglar made the motion to appoint Deborah McKenna as the Town representative to the Cape Fear Disabilities Commission, and to appoint Dennis Moore as the Town’s alternate representative on the commission.

SECOND – Commissioner Swearingen

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration, Finance and Recreation

a. Proposed FY15-16 Budget Planning Calendar

MOTION – Commissioner Heglar made the motion to adopt and publish the budget calendar for the FY15-16 Budget, as presented, and requested an invitation to the workshops be emailed to all Council members so they could put it in their Outlook calendars.

SECOND – Commissioner Pagley

VOTE – Unanimous

b. Clarification regarding salary study actions

Finance Officer Copenhaver asked Council how they wanted him to proceed with presenting them with the salary study data he and the Town Clerk put together.

CONSENSUS - Council asked Finance Officer Copenhaver to email them a copy of the details of the salary study tomorrow, and Council will take action on the data during the budget workshops to be held in April.

c. Authorization to pay \$450 invoice for survey of corral paid from the Shoreline Access, Beach Protection and Parking Committee budget.

Finance Officer Copenhaver asked Council to approve paying the \$450 invoice for the corral land survey, since the survey was requested by the Shoreline Access, Beach Protection and Parking Committee.

MOTION – Commissioner Heglar made the motion to approve paying the \$450 invoice for the corral land survey, to be paid out of the Committee budget.

SECOND – Commissioner Pagley

VOTE – Unanimous



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Finance Officer Copenhaver proceeded to thank and commend the Kure Beach Police Department for catching the persons responsible for breaking in to his home in Kure Beach. He said the police caught the perpetrators within 12 hours of the crime and they got their possessions back in fairly good shape.

2. Fire Department

a. Employee tuition payment

Chief Heglar said that Assistant Fire Chief Ed Kennedy is enrolled in an MBA program. He said that he hopes Mr. Kennedy will be the future of Kure Beach Fire Department for the next 25 to 35 years. He gave Council the list of Mr. Kennedy's skills and reviewed the good things he has done for the department. He said the Town would be well-served to continue to approve the tuition reimbursement for Mr. Kennedy, he didn't know there was a Town policy to only reimburse \$500 per year to employees for tuition, and he overstepped that amount quite a bit. He said that the Finance Officer told him that Mr. Kennedy will need to pay taxes on the tuition and books paid by the Town. He added that Ocean Rescue's head lifeguard coordinator, Daniel Russell, is taking classes to get his Fire Science degree.

Finance Officer Copenhaver said the Town has already spent about \$4,500 in tuition this fiscal year for Mr. Kennedy and pointed out that there are also a lot of tax issues involved.

Mayor Pro Tem Bloszinsky said Council needs to somehow imply to Mr. Kennedy that, if we invest in him, he will continue to invest in the Town. He said that the people who went through the Master's program where he used to work had to stay on for a minimum of two years after getting their MBA or, if they left before that time, they had to pay the company back.

Commissioner Heglar concurred that he worked under a similar agreement at his company when he received tuition reimbursement. He proceeded to state that there are two issues: 1) the Fire Chief told the employee that the Town would take care of his tuition, but it turns out there's a conflict with the policy; and, 2) going forward, before Mr. Kennedy re-registers, Council needs to decide whether or not to support Mr. Kennedy on this endeavor.

Town Clerk Avery said that there is a third problem in that a specific benefit is being offered to one employee that Council isn't offering to any other employees. She asked Council what is to stop her from saying that the Finance Specialist needs an MBA to do her job. She said that the policy is that employees should take educational courses that have some impact on their work with the Town, with up to \$500 reimbursement per fiscal year. She added that the employee is also required to show satisfactory completion of the semester before receiving the reimbursement.



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Finance Officer Copenhaver added that last semester's tuition and books were paid for through a Town credit card and Mr. Kennedy has already re-registered for the next semester and paid for that on the Town credit card, which is why he raised the issue of the credit card charges.

The Town Clerk asked if the Town was going to not only pay for tuition, but pay for books, lab fees, test fees, etc., because that is what was put through on the Town's credit card. Commissioner Swearingen said that she feels the policy should only be for tuition and the Town should get something in return from the person receiving it. She said she also feels that the courses should have something to do with the employee's current job, or with a future position with the Town.

Kure Beach resident and volunteer firefighter, Jim Dugan, said that, when he was on Council, he was asked to go over the administrative policies of the Town. He said the intent was for everyone to have the same right and the college courses had to be job-oriented. He said that if one checks the resumes of most upper-level administrators in fire departments throughout the country, they have Administrative MBA's because an administrator is an administrator. He said he agreed with the Town Clerk that you can't cut out a rule for an individual and eliminate everyone else. He said that one of the possibilities would be to contact the National Fire Academy in Maryland to see if they offer an MBA program.

Commissioner Heglar said that \$500 won't even pay for someone to go to Cape Fear Community College; it's too low.

Town Clerk Avery said that the amount of tuition reimbursement is not intended to outright pay for a person's college education, but rather it is intended to subsidize tuition.

Mayor Pro Tem Bloszinsky said that he doesn't think Mr. Kennedy should be impacted on this year's taxes based on what he was asked to do by the Fire Chief, to which the Finance Officer said that Council needs to come up with something, then, because right now he is being impacted.

Commissioner Heglar said he understands Mr. Kennedy will be impacted but he should realize he's still getting a good deal because his tuition is being paid. He said that the Finance Officer should, and will, follow the rules, and the employee should understand that. He asked the Finance Officer what was needed to get the Fire Chief back "within bounds" and what was needed from Council to get the employee within the bounds for the future.

The Finance Officer said that Council would have to approve an exception to the policy and what types of educational programs should be acceptable under the policy. He said that it's too late to do anything about last semester and this semester since Mr. Kennedy put the



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charges through on the Town's credit card. He said it also has to be decided if tuition reimbursement should be open ended or if there should be a limit.

MOTION – Commissioner Heglar made the motion to approve making an exception to the Town's tuition reimbursement policy for the Town employee's current semester college tuition which was already paid through a Town credit card, so that the Fire Department is back within bounds with the Finance Department, and he requested that the Fire Chief work with his employee to determine the latest date a revised tuition policy needs to be put in place by Council so that the employee can decide on his future schooling.

SECOND – Commissioner Pagley

VOTE – Unanimous

Commissioner Swearingen asked the Town Clerk and Finance Officer to contact other municipalities to see what their tuition reimbursement limit and policies are, and also to contact the NCLM to see what they recommend.

Council members all agreed that a component of the tuition reimbursement policy should be that the employee should have to pass the college semester before receiving tuition reimbursement.

- b. Letter of recommendation for Assistant Fire Chief Kennedy to attend the Executive Fire Officer Program

MOTION – Commissioner Pagley made the motion to approve the letter of recommendation for Assistant Fire Chief Kennedy to attend the Executive Fire Officer Program.

SECOND – Commissioner Heglar

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Move March meeting to different date

Commissioner Swearingen stated that it would be good for Council to reschedule their regular March Council meeting so that certain Council members could attend the NCBIWA meeting in Pine Knoll Shores on March 16th and 17th, and then be able to travel to Raleigh for the 2015 Town Hall Day being held on March 18th.

MOTION – Commissioner Heglar made the motion to reschedule the March regular Council meeting from Tuesday, March 17, 2015 to Monday, March 23, 2015, to be held at Town Hall beginning at 6:30 p.m., or soon thereafter.

SECOND – Commissioner Swearingen

VOTE – Unanimous



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2. Presentation of proposed Organizational Chart and Job Descriptions for a separate Finance Department

Town Clerk Avery reviewed the information with Council which included deciding whether or not to separate the Finance department from the Administration department and, if so, approving a revised Organizational Chart, approving the revised job descriptions for the Finance Officer and the Town Clerk, and deciding what Council member would be the liaison to the Finance Department. She suggested Council allow her to remain the Deputy Finance Officer, if Council approves Finance's split from her department, so that she can continue to sign the Town checks in the event of the Finance Officer's absence.

Commissioner Swearingen said that any mention of "Town Board" in either of the job descriptions should be revised to "Town Council."

The Town Clerk explained that, if Council decides tonight to approve a separate Finance department, nothing would be done to the budget until the end of June; however, the Finance Officer needs to know what Council's decision is in order to begin planning for the upcoming budget workshop and begin work on the proposed budget. She said it will be too late to plan the budget if Council puts their decision off until the March Council meeting, in which case the Town would need to go ahead with a combined budget for another year.

Mayor Pro Tem Bloszinsky said he thinks that Council has already determined they agree to approve a separate Finance department, but they still need more time to decide on the specifics about each of the proposed job descriptions. He suggested that the Finance Officer be allowed to begin budget planning for two separate departments in preparation for the workshops.

MOTION – Commissioner Heglar made the motion to approve the Finance department's split from the Administration department, to adopt the proposed organizational chart as presented, and for Council to review the two revised job descriptions to provide input at the March Council meeting.

SECOND – Commissioner Swearingen

VOTE – Unanimous

Town Clerk Avery reminded Council that they also need to determine who the Council liaison will be for the Finance department, to which Council responded they will try to decide that at the March Council meeting.

3. Sandman Lane Property Update

Commissioner Heglar said that he and the Mayor are continuing to work with the two HOA's regarding everyone's position on the Town's Sandman Lane property. He said there are two position of the Town about the property, as follows: 1) it is not clear what the



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property can be used for by the Town, and we just want to get all the facts and know where we stand; and, 2) the Town executed a release dated 8/15/06 that indemnifies J.C. Hearne, Kure Beach Associates and Kure Dunes HOA, Inc. against claims or suits on account of the former storm water retention pond. He said they will meet again this coming Thursday for further discussion, and they may be meeting once a month through mid-summer.

Mayor Pro Tem Bloszinsky said that the pages of information and minutes of the meetings that Commissioner Heglar provided to Council are very concise as to what the issues are.

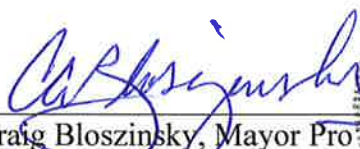
ADJOURNMENT


MOTION – Commissioner Heglar made the motion to adjourn.

SECOND – Commissioner Pagley

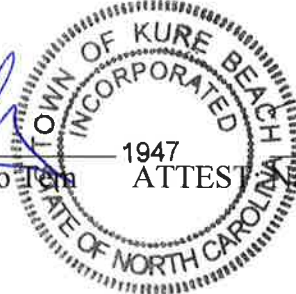
VOTE – Unanimous

The meeting adjourned at 7:43 p.m.


Craig Bloszinsky, Mayor Pro Tem


Nancy Hewitt, Deputy Town Clerk

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ATTEST



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.