



TOWN COUNCIL MINUTES

REGULAR MEETING

Monday, March 17, 2025 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, March 17, 2025 @ 6:00 p.m. Town Attorney Jim Eldridge was present, and there was a quorum of Council members present.

COUNCIL MEMBERS PRESENT

Mayor Allen Oliver
MPT David Heglar
Commissioner John Ellen
Commissioner Dennis Panicali
Commissioner Connie Mearkle

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Town Clerk – Beth Chase
Director of Administration – Mandy Sanders
Director of Development and Compliance – Bethany White
Finance Officer – Arlen Copenhaver
Fire Chief – Ed Kennedy
Recreation Director – Nikki Keely
Police Chief – Mike Bowden
Police Lieutenant – Brandon Bailey

Mayor Oliver called the meeting to order at 6:00 p.m., and Commissioner Ellen gave the invocation followed by the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve for the Community Fest Walk to be held on Kure Beach streets on the evening of Friday, April 25, 2025 and Waive the Special Event fees associated with this event due to the non-profit status of Friends of Kure Beach
2. Approve to waive enforcement of ordinance 9.04.030 Dogs on Beach during event hours (11:00 AM – 3:00 PM) on Saturday, April 26, 2025, for the Kure Community Fest and Allow for construction of a 60 ft long by 20 ft wide corral on the beach between beach access #110 and #120 from Friday, April 25, 2025 through Monday, April 28, 2025.
3. Approve Budget Amendment 25-05 totaling \$350,000 to increase Storm Water Fund Capital Outlay for repairs to storm water outfalls
4. Approve Budget Amendment 25-06 totaling \$60,000 to revise the Beach Access No. 140 Capital Project Fund Budget based on final cost estimates
5. Approve being a Sponsor for the NCBIWA 2025 Spring Local Governments Meeting on May 8-9, 2025 in Emerald Isle in the amount of \$1,200



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6. Accept the resignation from Timothy Markley from the Marketing Committee

MOTION – MPT Heglar made a motion to amend the consent agenda to add the approval of the Contract and Engagement Letter with the auditing firm of Bernard Robinson & Company, L.L.P. and add the approval of the T&H Construction agreement for the Storm Drain Replacement and approve the consent agenda as amended

SECOND – Commissioner Ellen

VOTE – Unanimous

ADOPTION OF THE AGENDA

MOTION – MPT Heglar made a motion to approve the agenda as presented

SECOND – Commissioner Ellen

VOTE – Unanimous

PUBLIC COMMENT

Maria Lifrieri resident at 1012 Ocean View Estate stated she purchased the property in 2021 and since then has noticed the road floods every time it rains. Currently have 10 houses on the road and the overflow is going into one 6 inch drainpipe. As development has progressed the street is now a crumbled road. The residents do pay the same taxes and stormwater so requesting the Town and perhaps the County to reevaluate the drain system on our road.

Roy Erwin resident at 301 Settlers Lane read a letter hereby incorporated into the minutes.

Bill Mahan resident at 305 Settler stated:

- He wants to speak tonight regarding the bike route that is being proposed behind 62 homes on Settlers Lane
- The land is under water and the water flows between his house and the house next door already
- There is a lot of standing water behind the homes, and he is asking the Town to not make things worse than they already are
- He would request the bike path not be put behind 62 homes

Garron Michael resident at 1008 Ocean View Estate, stated he lost his entire first floor during Tropical Cyclone #8 and the situation is only getting worse. The standing water happens with just a standard rain fall and sometimes can't get out of their driveway. The declaration has expired and just hoping the Town is able to help us out.



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Peggy Henderix resident at 1016 Ocean View Estate, stated she bought her lot in 1991 and built their house in 1993. The property has always had issues with the stormwater drain but now it takes very little rainfall to have standing water for days. The road is crumbling due to the standing water. The residents on the street pay the same taxes, and stormwater fees and she is very thankful for the Public Works Department but requesting help from Town Council.

PRESENTATIONS

1. Wilbur Jones, Chairman, WWII Wilmington Home Front Heritage Coalition

Chairman Wilbur Jones stated:

- He is the chairman of the WWII Wilmington Home Front Heritage Coalition which is a volunteer historic organization
- He has done a lot of work in Wilmington and worked with the Congress to have Wilmington designated as Americans first WWII heritage city
- His first visit to Kure Beach was during WWII as a young boy and he remembers all the soldiers from Fort Fisher, Camp Davis and the Pier looking for German Submarines
- The German submarine on the night of July 25, 1943, surfaced off Kure Beach and fired 3 shells at the cape fear riverside of Federal Point
- The incident happened and he is convinced it did with studying it, the group has done a lot to keep it alive because this was the only time Germany attacked the United States during the war
- The sign on the property where the event took place has disappeared, so he is requesting the Town of Kure Beach to replace the sign, and he is willing to work with the Town to have it replaced because next year in 2026 is Americas 250th birthday

2. Paster Andrews Kure Beach First Baptist Church

Kure Beach First Baptist Church Paster Andrews stated:

- He has established the value of serving our community to help make Kure Beach a wonderful place to live and visit. To help us better serve the community we are asking for a parking variance on 6th Ave between I Ave & J Ave for two events: 1) Find that Egg on April 5th from 8 am until 1 pm and 2) Our Half-Day Camp on June 23 - 26 from 8 am - 2 pm.
- Why should you do this?
- These are free community events that anyone is welcome to participate in.
- These events provide a service to the community that is not offered by any other sector than the churches of our community.



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- The paid parking spaces on 6th Ave are rarely used for beach visitors in April and during the weekdays of June.
- The town itself has set the precedent of waving paid parking on 6th Ave for other community events: the Kure Beach Springfest parks vendor cars for free on 6th Ave.
- Historically faith-based organizations are tax exempt because society views them as a benefit to the entire community. While it is not a direct taxation to our church, paid parking creates a financial burden on some families that desire to be involved in this free, community event. We are asking for that same principle to be applied to these events.
- It's the right thing to do. We believe the residents of Kure Beach would support your decision to wave paid parking for these events.

CONSENSUS- Director of Administration Sanders has authority to approve these parking events

- Pleasure Island Chamber Commerce

Jim DeGilio with the Pleasure Island Chamber Commerce gave a presentation that is hereby incorporated into the minutes.

DISCUSSION OF COMMITTEE BUSINESS

1. Bike/Ped Advisory Committee

Chairperson Linquist read a letter that is hereby incorporated into the minutes.

2. Marketing Committee

Chairman Dirks stated the Committee will meet next week to discuss the budget and will bring some requested changes next month to Town Council

3. Planning & Zoning Commission

- Consideration and Action on Proposed Text Amendments to Chapter 11 and Approval of revised Fee Schedule
- Designate Board of Adjustment as the housing appeals board

Member Barlok stated:

- The Chapter 11 revisions are the syntactical changes that the Commission has been working on reviewing throughout the KBC Code
- The Commission has been removing any fees found in the Code and including those fees in the Fee Schedule



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Attorney Eldridge stated the current code in respect to the minimum housing code provides that the Board of Adjustment will hear appeals from the Building Inspector. During Chapter 11 revisions he found another statute that requires the Town to have a housing appeal boards but the Town Council can appoint the Board of Adjustment to be the Housing Appeals Board.

MOTION- MPT Heglar made a motion to approve the Proposed Text Amendments to Chapter 11 and Approval of the revised Fee Schedule

SECOND- Commissioner Ellen

VOTE- Unanimous

MOTION- MPT Heglar made a motion to designate Board of Adjustment as the Housing Appeals Board

SECOND- Commissioner Ellen

VOTE- Unanimous

4. Shoreline Access and Beach Protection

Chairperson Jackson stated

- He is speaking tonight regarding the dune at H Avenue that had damage with the unnamed storm, it has since been rebuilt but is now in need of sea oats
- No CAMA permit is required, and the estimate of cost is \$2,100 to be handled by a church group, volunteers and Committee members
- Requesting Councils approve so this project can be completed by May
- Last year Council approved toy boxes and will have two more added to the beach stand this coming summer

MOTION- MPT Heglar made a motion to approve the purchase of Sea Oats in the amount of \$2,100

SECOND- Commissioner Panicali

VOTE- Unanimous

5. Stormwater Oversight Committee

MPT Heglar stated the Town has finally received feedback from the State and the Committee will be reviewing and will bring comments to Town Council. Some of the changes may require ordinance changes.



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DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Development and Compliance

Director of Development and Compliance White stated the Town has a new Code Enforcement Officer Joshua Littler that started two weeks ago. Regarding the Ocean Dunes Estate property owners, she apologizes for the delay as she is currently reviewing the guidelines from the Attorney but will reach out tomorrow.

2. Public Works Department

Public Works Director Mesimer stated:

- EWE Electric has informed us the replacement of the pavilion lights will be installed after April 11th
- T&H will start once the contract is received from the Town, and the project must be completed by June 30th
- He met with asphalt company last week and will provide further updates regarding the paving contractor to Town Council

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Consideration and adoption of the Island Greenway Feasibility Study

Mayor Oliver stated thank you for postponing this last month as he was unable to be here last month. The Feasibility study was initiated to determine the best possible route for the greenway. It looked at several areas and concepts with Alta Planning. The next step is to adopt this Feasibility Study, and it does not commit the Town to any financial obligations. To qualify for grants and assessments the adopted plan is what is required.

MPT Heglar commented feasibility means you are able to do something and from the finance perspective it stated 21 million dollars for the project. He does not know if the Town will ever pay for this.

MOTION- Commissioner Ellen made a motion to approve the adoption of the Island Greenway Feasibility Study

SECOND- Commissioner Panicali

VOTE- (4-1 Vote) For- Mayor Oliver, Commissioner Panicali, Commissioner Ellen, Commissioner Mearkle, Against- Mayor Pro Tem Heglar



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DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Carolina Beach/Kure Beach Sewer Authority update and adoption of rates for fiscal year 2026 (Mayor Pro Tem Heglar)

MPT Heglar stated met with the Carolina Beach representatives of the Carolina Beach/Kure Beach Sewer Authority. As a result of the adjustments to the Fiscal year 2025 rates, Carolina Beach owes Kure Beach \$13,290.56 for the period of July 2024 through January 2025.

MOTION- MPT Heglar made a motion to set the rates for the next year 2026 as: Variable Costs: \$1.7950 per 1,000 gallons Fixed Costs: \$10,586.38 per month Capital Recovery: \$2,192.34 per month

SECOND- Commissioner Ellen

VOTE- Unanimous

2. Supplement and Amendment to Owner-Contractor Agreement with Monteith Construction

MOTION- MPT Heglar made a motion to approve the Supplement and Amendment to Owner-Contractor Agreement with Monteith Construction

SECOND- Commissioner Ellen

VOTE- Unanimous

CLOSED SESSION

MOTION- Commissioner Ellen made a motion to go into two closed sessions as per N.C.G.S. §143-318.11(a)(6) for a personnel issue and go into closed session for Attorney Client Privilege per N.C.G.S. §143-318.11(a)(3)

SECOND- MPT Heglar

VOTE- Unanimous

MOTION- Commissioner Ellen made a motion to return to open session

SECOND- MPT Heglar

VOTE- Unanimous

Attorney Eldridge stated during the closed sessions no votes or actions were taken during the closed session.



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ADJOURNMENT

MOTION – MPT Heglar made a motion to adjourn the meeting at 8:30 p.m.

SECOND – Commissioner Pánicali

VOTE – Unanimous

ATTEST: Beth Chase, Town Clerk

Allen Oliver, 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](#)

MEETING TYPE & DATE March 17 2025

[illegible]

Storm drain @ Ocean View Estates



Clear — March — Clogged
2025

Roy Erwin

I am going to quickly reiterate what I stated at last month's council meeting.

Tonight, the bike/ped committee is going to ask you to adopt the existing greenway feasibility study. By doing this you are agreeing to route 1-C which is a dotted line running directly behind 62 homes on Settlers Lane. Members of the committee may tell you that route 1-C is not cast in stone. I caution you into believing this. Nothing has changed over the years and 1-C still shows directly behind our homes.

I know one resident in KBV who already had issues with strangers, on more than one occasion, in the rear of their property hanging over their fence checking out their property. This was after the clearing of the fire lane.

One gentleman quoted a local realtor last month and stated Greenways can increase property values of the neighborhood. That might be true however I am also a local realtor and I can advise you it can have a negative effect to the properties directly adjacent to it. One local appraiser stated a private wooded view adds value to a property. Installing a Greenway will create a loss of value on the same property. I also experienced clients stating the same concerns when showing them property in subdivisions that have paths.

My family has lived the horrors of having a greenway directly behind our home years ago and it was the reason we moved. Last month I also advised you of the crime on the Greenways in the Triangle area and where we used to live. Many of you might say well Kure Beach is different but it's not the residents I worry about the mostit's the tourists and nonresidents. I understand an C. B. officer is going to write a letter to town council stating the Greenway is safe. That is great. The existing greenway does not run directly behind homes except for a couple. I am sure they considered other greenways were safe until something happened.

We are not against the Greenway. We are against it running behind our homes. Roughly 19 homes in Carolina Sands had the same issues as we do and their town council listened to them. We are talking about 62 homes in Kure Beach. I hope you listen to us in regards to our concerns in regards to safety, privacy, and security. If you adopt the feasibility study tonight it's a slap in face of the residents of Settlers Lane.

March 17, 2025

Honorable Mayor and Commissioners,

The Bike Ped Committee extends our gratitude to all residents and stakeholders who participated in the East Coast Greenway Feasibility Study, funded entirely by an NCDOT grant. The WMPO secured three such studies within our jurisdiction, underscoring their commitment to safer infrastructure for all road users. Pedestrians, cyclists, and individuals who roll, deserve to feel secure as they travel for recreation, transportation, and community engagement.

We acknowledge concerns from some neighbors regarding a small portion of the proposed path in Phase 2, particularly regarding privacy and safety. These concerns are valid, and safety remains our top priority—for everyone, from parents with strollers and dog walkers to elderly residents using mobility aids. While no roadway or multi-use path can guarantee absolute safety, there is no statistical evidence that greenways increase crime. On the contrary, they often deter crime, reflecting the safety levels of their surrounding communities, if not slightly improving them.

Beyond safety, greenways enhance livability, walkability, and bikeability—benefits championed by AARP, particularly for aging populations. They can also help mitigate summer traffic congestion and stimulate economic activity in Kure Beach.

Residents rightfully ask about the financial impact of this project. Where will the funding come from? Will it raise property taxes? What are the ongoing maintenance costs? According to Andrew Meeker of the East Coast Greenway, funding typically follows an 80%/20% model, with the federal government covering the majority. The remaining 20% may come from state, local, or private sources. Additionally, the established **Friends of KB Parks and Rec** group demonstrates strong community support, increasing the likelihood of securing grants and successfully completing the project.

Councilman Mike Hoffer from Carolina Beach confirmed that maintenance costs for the town's Greenway sections are minimal—so minimal that they aren't even itemized. While expenses exist for mowing, trash removal, and landscaping, much of the work is done by local volunteers. Notably, segments of the greenway near the state park, which are 20 years old, remain in excellent condition. Andrew Meeker anticipates our costs will be similar.

The upcoming environmental study, required by MOTSU, will primarily assess contamination liability rather than ecological impact. A separate nature-focused environmental study will be conducted during the engineering and design phase. With the East Coast Greenway now officially recognized as a State Trail, discretionary funds may be available to offset some or all of these costs.

We hope this information assists in your decision-making process, guided by NCDOT's best practices for creating safer, more accessible infrastructure for today and future generations.

Sincerely, Mo Linquist,

Chairperson, KB Bike Ped committee