



TOWN COUNCIL MINUTES

REGULAR MEETING

Monday, July 20, 2026 @ 6:00 p.m.

The Kure Beach Town Council held its regular meeting on Monday, June 20, 2026 at 6:00 p.m. The Town Attorney was present and there was a quorum of Council members present.

COUNCIL MEMBERS PRESENT

Mayor Allen Oliver
MPT David Heglar
Commissioner Connie Mearkle
Commissioner Byron Ashbridge
Commissioner Mark Dirks

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Police Chief – Brandon Bailey
Fire Chief – Ed Kennedy
Director of Recreation & Events – Nikki Keely
Director of Public Works – Jimmy Mesimer
Director of Development and Compliance – Bethany White
Director of Administration – Mandy Sanders
Town Clerk – Beth Chase
Finance Officer – Arlen Copenhaver

Mayor Oliver called the meeting to order at 6:00 p.m.

APPROVAL OF CONSENT AGENDA ITEMS

1. Accept the resignation of Ryland Fox from the Bike/Ped Committee
2. Accept the resignation of Brittany Evans from the Planning and Zoning Commission and Historic Preservation Commission
3. Accept the appointment of Tim Owens to the Board of Adjustment
4. Approve Resolution R26-06 for the updated Regional Hazard Mitigation Plan
5. Allow the Bike/Ped Committee to host the Tour de Island Bike Ride on Kure Beach streets on Saturday, October 17, 2026
6. Minutes
 - June 8, 2026 Budget Hearing
 - June 15, 2026 Special
 - June 15, 2026 Regular

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

SECOND- Commissioner Ashbridge

VOTE- Unanimous



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ADOPTION OF THE AGENDA

MOTION- MPT Heglar made a motion to add a closed session per N.C.G.S. 143-318.11(a)(6), for a personnel matter and approve the agenda as amended

SECOND- Commissioner Mearkle

VOTE- Unanimous

PUBLIC COMMENTS

None.

PRESENTATIONS

1. Award Presentations

MPT Heglar, Mayor Oliver, and Fire Chief Kennedy presented Tom Russell with a proclamation from the Office of Charlie Miller. They also presented Jim Dugan with the Order of the Long Leaf Pine Award in recognition of his 30 years of service to the State of North Carolina.

Fire Chief Kennedy presented the Long Leaf Pine Award to MPT David Heglar for his 30 years of service to the State of North Carolina.

2. Water System Asset Management Plan, Mark Bacon, Engineering Services, PA Business Development Director and Grant Writer

Mark Bacon with Engineering Services gave a presentation that is hereby incorporated into the minutes of the meeting.

Presentation Highlights:

- Project Elements
 - Inventory assets (mains, hydrants, valves, wells, elevated tanks)
 - Assess asset condition
 - Develop an Operation & Maintenance (O&M) plan
 - Identify & prioritize capital needs w/ cost estimates
 - Project deliverables
 - Asset Inventory
 - Asset Management Plan
 - 10-year Capital Improvement Plan (CIP)
 - Updated GIS Mapping - DiamondMaps
- Asset Management Plan Overview
 - Describes how the water system will be managed



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- Provides an inventory & assessment of all assets with associated databases
 - Outlines operation & maintenance (O&M) procedures
 - Provides priority projects recommendations & associated costs
 - Updated GIS mapping of water assets
- Asset Evaluation Process
 - Field surveys & visual inspections
 - Approximate asset age/industry-standard useful life
 - Material type
 - Condition assessment
 - Criticality/importance to system
 - Redundancy
 - Institutional knowledge
 - System maps, as-built/engineered drawings
- CUPSS Software Program
 - Check Up Program for Small Systems (CUPSS)
 - USEPA-developed asset management software specifically designed for small systems
 - Used for Town's water asset inventory & assessment
 - Developed using information provided by staff, field surveys, existing maps, & as-built drawings
- Water System
 - Inventoried 83 assets
 - 9 (11%) High-Risk assets
 - 29 (84%) are Medium-Risk assets
 - 4 (5%) are Low-Risk assets
 - Some assets (wells & elevated tanks) are more vital than others; any asset failure could cause an environmental/public health risk and/or an NCDEQ violation
 - Rates adjusted regularly with the Water & Sewer Fund Operating Ratio (OR) consistently above the recommended 1.0 threshold. Establish dedicated Capital Reserve Fund to fund future capital needs.
 - Estimated water capital improvements over the next 10 years total \$21,842,435
- Specific Recommendations (CIP)
- Supply Wells
 - Replace electrical controls per useful life (30 years)
 - Replace check/gate valves per useful life (30 years)
 - Replace production meters per useful life (10 years)



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- Replace disinfection systems—pumps & tubing per useful life (10 years) Elevated Storage Tanks
 - Maintain prescribed maintenance per contract
 - Interior/exterior annual inspection
- Distribution System
- Replace original 1953 water system
 - 18,915 LF of 3", 4", 6", & 8" CI mains (70 years)
 - 27,643 LF of 1" & 2" GI mains (50 years)
 - 105 1", 2", 3", 4", 6", & 8" gate valves (30 years)
 - Area boundaries:
 - N Ave. (North)
 - N. 3rd Ave. (West)
 - S. 7th Ave./S. 6th Ave./S. 5th Ave. (West)
 - E Ave. (South)
 - Atlantic Ave./Ft. Fisher Blvd. (East)
- Adopt Water System Asset Management Plan
- Accept AMP & adopt resolution
- Plan acceptance/adoption is an NCDWI requirement
- Update AMP on a regular basis
- Receive 10 points in competitive funding applications
- AMP's must have been adopted w/in 2 years of application

Public Works Director and MPT Heglar will review the Water Asset Plans and bring a recommendation to the September Town Council meeting for approval.

COMMITTEE BUSINESS

1. Bike/Ped Advisory Committee
 - 2026 BikeWalk NC Summit Sponsorship

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

MOTION- MPT Heglar made a motion to approve the 2026 BikeWalk NC Summit Sponsorship in the amount of \$2,300 out of the existing Bike/Ped Committee budget

SECOND- Commissioner Ashbridge

VOTE- Unanimous



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DEPARTMENT HEAD BUSINESS

1. Development and Compliance

- Oath of Office for Code Enforcement Officer Brittany Evans

Town Clerk Chase gave the Oath of Office for Code Enforcement Officer Brittany Evans.

2. Recreation Department

Film Permit Application – Disney Entertainment, Saltwater

Recreation Director Keely stated that the Town had previously approved some of the preliminary preparation work for the film request. The request is before the Town Council again this month for consideration of the full film request. The Town has received the CAMA permit and signatures from all the downtown businesses.

MPT Heglar asked, “Do you know how much intermittent traffic control there will be on Fort Fisher Boulevard on August 5th?”

Location Manager Lindsey Fort stated that the traffic control would involve approximately three to four hours of work at most, with traffic being stopped for approximately three minutes at a time. She also stated that a detour sign could be posted.

MOTION- MPT Heglar made a motion to approve the Film Permit Application for Disney Entertainment, Saltwater

SECOND- Commissioner Ashbridge

VOTE- Unanimous

OLD BUSINESS

1. Continued Discussion of the 30th Anniversary of Hurricane Fran for September 5, 2026

MPT Heglar stated that he will be working with Recreation Director Keely to create a video for September, like the video the Town produced for the 75th anniversary. Because the event falls on Labor Day weekend, he stated that he does not want to hold an in-person event.

Commissioner Dirks stated that he has spoken with multiple individuals regarding creating a full documentary on Hurricane Fran. He spoke with Cindy Maier, who suggested reaching out to UNCW to see if any students may be interested in the project. Although Hurricane Fran was a devastating event, he believes there is a meaningful story to tell about the teamwork and the character of the community during that time. He stated that a documentary featuring residents



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who experienced Hurricane Fran would tell an important story about the Town. He was introduced to Laura Dunn with UNCW, who has a group looking for a fall project, and the group is currently speaking with the Town about making the Hurricane Fran documentary their fall project.

2. Update on the Boardwalk Project

Commissioner Ashbridge stated that the Boardwalk Project was completed at the end of June and required only one additional day to complete. He explained that the original plan was to dig out approximately half of the area to allow for natural water flow underneath the boardwalk, with piping and a drainage system installed in areas where natural flow was not possible. However, significantly more fill was encountered than anticipated. As a result, the only area with natural water flow is approximately 20 yards at the very north end of the project. The remainder of the area utilizes the underground drainage system.

3. Continued Discussion of Pickleball Court Noise

Commissioner Dirks read a letter that is hereby incorporated into the minutes of the meeting.

Town Council Discussion:

Recreation Director Keely stated that the current park hours are sunrise to sunset, with the lighted courts remaining open until 10:00 p.m. The lights are controlled by timers.

Commissioner Dirks stated that he would like to establish formal park hours, such as 7:00 a.m., to prevent noise disturbances during the early morning hours. He noted that he does not know of anyone who uses the courts before 7:00 a.m. and recommended establishing 7:00 a.m. as the opening time.

Commissioner Mearkle stated that she told the citizen who submitted the noise complaint that she would meet with the citizen and listen to the noise; however, she has not heard anything further from the citizen. She stated that she supports having established park hours.

Mayor Oliver commented that he agrees with establishing set hours for the park.

Attorney Eldridge recommended establishing formal park hours of 7:00 a.m. to 9:00 p.m.



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MOTION- Commissioner Dirks made a motion to direct Attorney Eldridge to amend the KBC Code to establish park hours of 7:00 a.m. to 9:00 p.m. and bring it back to the September Town Council meeting for final approval

SECOND- MPT Heglar

VOTE- Unanimous

NEW BUSINESS

1. Discussion of Proposed Wilmington Harbor Deepening Project

Mayor Oliver stated that he received an email requesting that the Town sign a letter asking the U.S. Army Corps of Engineers to follow the applicable regulations. Commissioner Ashbridge and himself participated in a conference call with the individual handling the project. He stated that she was very knowledgeable and provided information regarding the reasons for signing the letter and the proposed deepening project. Mayor Oliver stated that he believes signing onto the letter would demonstrate how seriously the Town views the matter. He also noted that the project representative recommended that the Town prepare and submit its own letter outlining the Town's specific concerns regarding the project.

MPT Heglar stated he is supportive but his only issue is if we are the only Town that is signing the letter. MOTSU and Corps of Engineer are critical to the Town. We need to know other Towns are signing on before Town Council agrees to sign. He is supportive.

Commissioner Ashbridge commented he knows the Town of Southport has signed on.

MOTION- MPT Heglar made a motion to approve the Mayor to Sign the letter and create a letter of the Towns own concerns of the Projects

SECOND- Commissioner Ashbridge

VOTE- Unanimous

MOTION- MPT Heglar made a motion to reschedule the Town Council meeting on August 17, 2026 to August 24, 2026

SECOND- Commissioner Mearkle

VOTE- Unanimous

CLOSED SESSION

MOTION- MPT Heglar made a motion to go into Closed Session for Attorney Client Privilege per N.C.G.S. 143-318.11(a), to consult with Town Attorney and a Closed Session per N.C.G.S. 143-318.11(a)(6), for a personnel matter

SECOND- Commissioner Ashbridge

VOTE- Unanimous



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MOTION- MPT Heglar made a motion to return to open session

SECOND- Commissioner Mearkle

VOTE- Unanimous

Attorney Eldridge stated in Closed Session no votes were taken, no actions were taken.

ADJOURNMENT

MOTION- MPT Heglar made a motion to adjourn the meeting at 8:50 p.m.

SECOND- Commissioner Mearkle

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

Bike/Ped Committee Report

July 20, 2026

Good evening, Mayor, Council, and staff.

I have a little **good news and bad news** from the Bike/Ped Committee.

The good news is that North Carolina's Electric-Assisted Bicycle legislation has been adopted. Having statewide definitions for electric-assisted bicycles is an important step toward giving riders, retailers, and law enforcement greater clarity.

The challenge news is that the law still doesn't fully address what many communities are experiencing. Much of the public concern isn't about legal Class 1, 2, and 3 electric-assisted bicycles—it's about higher-speed modified devices, electric mopeds, and electric motorcycles that are often mistaken for e-bikes. We hope the legislation continues to evolve so **enforcement targets unsafe behavior and those higher-powered vehicles while protecting responsible electric-assisted bicycle riders.**

The statute also gives municipalities the authority to regulate the use of electric-assisted bicycles on multi-use paths and sidewalks. Since Kure Beach does not have any multi-use paths and bicycles are already prohibited on sidewalks, this provision doesn't result in any changes for our town.

Now for more good news...

For Class 3 electric-assisted bicycles, **the new law requires anyone under the age of 18 who is operating or riding on one to wear a helmet that meets federal safety standards.** It also allows municipalities to require helmets for riders under 18 on Class 1 and Class 2 electric-assisted bicycles.

Our committee has been participating in **Neighborhood Nights**, where we provide free bicycle helmet fittings and educate families about bicycle and pedestrian safety. These events are a great opportunity to build a culture of safety through education rather than enforcement alone.

A quick reminder about proper helmet fit: the helmet should sit **two fingers above the eyebrows**, form a **"V" around each ear**, and allow **two fingers between the chin strap and the chin**. A helmet that's not buckled offers little protection. Kids may think it's cool not to buckle their helmet—but it's much cooler not to have a smashed head. Helmet fitting instructions are available on the table by the door if anyone would like to take one.

We're also busy preparing for the **Tour de Island**, which continues to grow as a fun, family-friendly event that encourages people to experience our island by bicycle while promoting safe riding. A special thank you to **Nikki, Sean, and Commissioner Dirks** for helping make this year's event better than ever.

Pickleball Perspective for 20Jul2026 Council Meeting

-Mark Dirks, KB Commissioner

First of all, I appreciate the persistence by some citizens in bringing this complaint to the Council for resolution. I'm new on this Council and I can promise that I always try to (1) look at things factually and fairly, (2) put myself in the same position, (3) and seek a win-win solution.

Note that I play, well, "played" pickleball 3-4 times per week (over the last 4 years) at KB, CB, and a couple of indoor places in downtown Wilmington. I also have connections with people in the pickleball industry (business owners, trainers, etc.), whom I've talked with about this subject.

I'm going to apologize now because this is a very long response, but this topic has been around for a while, and I believe it's important to share facts and opinions on this.

So, after a lot of thought and research, here are my perspectives, followed by my recommendations.

1. **This is an active town**, whether it be citizens or visitors, the people seek the outdoors in many, many ways. We have an especially active senior community that desires to be active in a variety of ways for health and fitness reasons. In fact, seniors are encouraged to do so and, consequently, Kure Beach strives to provide accordingly.
2. **Noise is a byproduct of the activity**, and therefore should be expected, to some degree – but within reason. Noise is all around us – garbage trucks, children playing in streets, music playing from cars, hammering on roofs and construction sites, sirens blaring from firetrucks and police cars, military flying overhead, people talking on their walks and bikes, barking dogs out on walks with their owners, motorcycles screaming down our roads, kids playing baseball at JEP, even the sound of the waves and wind from the beach – there's just a lot of noise that comes with the activities that are prevalent in our community – the sounds of recreation and the sounds of tourism.
3. **Pickleball is America's fastest growing sport**, growing from 4.2 million players in 2020 to 24.3 million currently...and growing. Pickleball is not only enjoyed by hundreds of players on the island, but an amenity that travelers seek when planning vacations.
4. **My research shows that at 100 feet, the decibel level for pickleball is less than or equal to the following:**
 - a. People talking
 - b. Basketball
 - c. Children on a playground
 - d. Gas Lawn mowers
 - e. Garbage trucks
 - f. Vacuum cleaners
 - g. ...but research also notes that there is a difference in the pitch and with the monotony of sound and frequency that comes from pickleball more ... which a couple of citizens have stated is more impactful than solely the decibel level.
5. **There are 4 potential ways to mitigate noise** from pickleball courts:
 - a. Shut the courts down
 - b. Require or request that different equipment be used: soft paddles or less noisy balls
 - c. Construct or Apply noise resistant materials/barriers (walls, shrubs)
 - d. Reduce court usage by limiting availability

Now, If I put my citizen hat on,

1. At my house, I hear all of the above – regularly, especially because I live near a public access –
 - a. where I wake up every morning between 6-7a to the sound of the garbage truck emptying the trash in the public lot,
 - b. where people talk, laugh, yell, and play music in the lot and as they make their way to the beach at any time day or night,
 - c. where fishermen pull in late at night, talking and moving equipment as they settle in to fish all night,
 - d. where loud trucks (you know what I mean) pull in and out of the lot,
 - e. where police and fire trucks sound sirens as they roll by our house,
 - f. where traffic is backed up on summer afternoons with music blaring from many cars
 - g. ... just lots of regular hustle and bustle that's part of our town ... and of course, it creates noise.
2. Personally, I can't, and won't, try to stop any of that. Which means that I basically have 3 options:
 - a. Accept it,
 - b. Make my home more noise resistant,
 - c. Move somewhere else

Now let me put my Commissioner hat back on... and focus on the facts...

1. **There isn't a specific town ordinance** that addresses the noise issue from Eakes Park. However, Noise Ordinance 8.04.010, item B15 is about the closest.

Noises at night near residences. The operation of any place of business, restaurant, filling station, store, office, including private residences, between the hours of 11:00 p.m. and 7:00 a.m., in such manner as to create loud and disturbing noises, of such frequency or volume as to annoy or disturb any citizen, and particularly the creating of disturbing noises of such frequency and volume as to annoy or disturb the quiet, comfort, peace or repose of any person in any dwelling, tourist lodging or other type of residence.
2. **We have had little to no complaints** about the pickleball noise, at least significant enough, in my opinion, to warrant change. We've had one formal complaint about the pickleball noise. We have one citizen that lives directly across from Eakes Park that stated that pickleball isn't the noise issue – basketball is. This aligns with my research showing that basketball actually carries a higher decibel level than pickleball – but I do understand that there are some differences.
3. **The pickleball community is very large on the island**, and I believe the KB Pickleball group has 150-200 members. The numbers will continue to grow and therefore, a change would be impactful to many.
4. **Joe Eakes Park is used** by our citizens, CB residents, and our visitors from all over – to play pickleball, tennis, disc golf, basketball, baseball, and to use both the dog park and playground. It's an asset not just for our community, but also for tourism – which helps support our economy.
5. **Pickleball**, like any other sport, has specifically defined equipment with respect to paddles, balls, nets, courts, etc. that is approved by USAPA. Consequently, players have invested hundreds of dollars into their paddles, most with multiple paddles, so that they can play consistently, some competitively, at any court ... anywhere.

So, here's where I'm at...

1. **Noise** is part of our active community.
2. **Pickleball** is important and valuable to our citizens and visitors.
3. **Players are NOT going to invest in paddles** that they only use at KB. Doing so would taint our courts and people would just not play at KB, which isn't the objective. Therefore, we can NOT change the game of pickleball.
4. The demand for, and the value of, pickleball far outweighs the few complaints. If there were widespread complaints, it might be a different matter.
5. While the knee-jerk reaction based on all of this is to just leave everything the way it is, I still believe it's good to see if we can find a win-win.
 - a. **Putting a sign at the park** "asking" players to use soft paddles won't work. It will drive the wrong outcomes. Soft paddles have been test-driven by some local players and just have NOT been well received for the reasons stated above. At this time, there isn't widespread adoption of soft paddles. And more importantly, players do not want to have to change their game depending on where they play.
 - b. **Shutting down the pickleball courts**, in my opinion, is not an option because there are a significant number of people in our community, as well as tourists, which count on it for exercise and enjoyment.
 - c. **Installing/applying/applying/apply noise resistant barriers/shrubbery** is costly and short-term given the longer-term goal of renovating JEP.

So given all of the above, I propose both short-term and long-term actions that I believe will produce a win-win:

1. Short-term

- **Restrict Play or establish "Quiet Hours"** from 11p to 7a (in line with the ordinance about "noises at night near residences"... or customize to specifically state "quiet hours" around Eakes Park). Consider 9p-7a or 10p-7a quiet time around JEP. We could enact this immediately and retain it even after the park is built.
- **Test Drive Balls:** Buy a bucket of DigiPro balls for the KB Pickleball Club and have them "test drive" them – reporting feedback to us. They could retain the paddles they currently use, and they may use these balls from time to time – which will reduce overall noise impact. Of course, they might not like these and reject them, but again, we are taking some short-term action to address the issue. We can do this immediately... and I would be glad to purchase the balls and talk with the Club.

2. Long-term

- **Push KB Park Renovation:** Continue to work toward the JEP renovation where the pickleball courts will be relocated and noise reduction has already been integrated into the plans (similar to the CB courts at Chappell). This is yet another reason to expedite getting approval from MOTSU and moving forward with the next steps.
- **Monitor Noise:** Once Eakes Park is renovated, establish a decibel limit, 55-60dbs (recommended) at the nearest residential property line. We can purchase a simple noise meter and have Public Works (or someone) measure the noise a couple of times per year to make sure we are meeting that commitment. We could baseline the current noise and this would show that we understand the issue and will manage it more closely for the community.