

MINUTES
KITTY HAWK TOWN COUNCIL
Monday, March 4, 2019
Kitty Hawk Town Hall, 6 PM

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. Public Comment
5. Consent Agenda
 - a.) Approval of February 4, 2019 Council Minutes
 - b.) FY 18-19 Budget Amendment #5
 - c.) Designation of Applicant's Agent Resolution
 - d.) Approval of FY 19-20 Dare County Government Education Access Channels Committee Budget and Update the Agreement and Operating Procedures to use ECU Instead of UNC
 - e.) Resolution Opposing the Proposed Increase for Homeowners Insurance
 - f.) Agreement with Albemarle & Associates for Professional Services for Design Services for Connector Trails
6. Items Removed from the Consent Agenda
7. Planning
 - a.) Schedule a Public Hearing: Conditional Use Permit. 6100 N. Croatan Highway – Gas Station. The applicant has requested a conditional use permit for a gas station that would be Phase I of the Planned Commercial Development. It is requested the public hearing be scheduled for April 1, 2019.
8. New Business
 - a.) Change Order to the Tateway Emergency Pumping Facility (*added during meeting*)
9. Reports/General Comments from Town Manager
10. Reports/General Comments from Town Attorney
11. Reports/General Comments from Town Council
12. Public Comment
13. Adjourn

COUNCILMEMBERS PRESENT:

Mayor Gary Perry, Mayor Pro Tem Craig Garriss, Councilwoman Lynne McClean, Councilman Jeff Pruitt and Councilwoman Tina Tice

STAFF MEMBERS PRESENT:

Town Manager Andy Stewart, Town Clerk Lynn Morris, Town Attorney Casey Varnell, Planning Director Rob Testerman, Finance Officer Liliana Noble, Police Sergeant Jeff Wiggins, Fire Chief Mike Talley and Public Works Director Willie Midgett

Kitty Hawk Town Council Minutes: March 4, 2019
Page 2

1. CALL TO ORDER

Mayor Perry called this meeting to order at 6 p.m. and welcomed those in attendance and those who may view it later on television or a computer.

2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Following a moment of silence, the Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Mayor Perry said a change order to the Tateway Emergency Pumping Facility needs to be added to the agenda. **Councilwoman McClean made a motion to approve the amended agenda. It was seconded by Councilwoman Tice and unanimously approved, 5-0.**

4. PUBLIC COMMENT

1.) Catherine Heath, 512 W. Kitty Hawk Road, Kitty Hawk, NC: *Good evening. I just want to thank the Town Council for passing a resolution opposing the proposed insurance rate increase. I was one of the people who went last Tuesday with the Board of Realtors to speak during the public comment time. I appreciate you taking this stand against it. My rates have gone up every year regardless of rate increase approvals. My policy runs from September to September, so I have not even seen the effects of the October increase. I shudder to think what it is going to be, so I appreciate your passing that resolution. Thank you.*

Perry: *That is one of the easier ones we deal with. It is not a problem.*

Heath: *The impact on the beach is so out of proportion. I lived in Raleigh when Hurricane Fran went through and I lived right outside of Charlotte when Hurricane Hugo went through. It does not make sense.*

2.) Jessica Loosa, 350 Harbor Road, Kill Devil Hills, NC: *I am from the League of Women Voters and every year we put out a Citizens Guide. It has everything in it from voter registration to septic permits, turtles to marriage licenses. Anything you need is organized by chapters shown in the front and an index in the back. You are welcome to take one. The Clerk said it is one of her favorite things we do.*

The League also welcomes men despite our title. We are non-partisan and our goal is to get information out and make sure that people vote and vote based on information. Thank you very much.

Perry: *They are useful and especially before the internet came along.*

Kitty Hawk Town Council Minutes: March 4, 2019
Page 3

Loosa: Speaking of the internet it is on the web too. The website address is on the cover.

5. CONSENT AGENDA

a.) **Approval of February 4, 2019 Council Minutes.** *(An approval of the consent agenda will approve these minutes.)*

b.) **FY 18-19 Budget Amendment #5.** This amendment is to record the construction cost reimbursement of \$30,000 committed by the North Carolina Department of Transportation to the Town in the Moore Shore Road Living Shoreline Project. *(An approval of the consent agenda will adopt this amendment.)*

c.) **Designation of Applicant's Agent Resolution.** This resolution is required paperwork for the North Carolina Division of Emergency Management and the Federal Emergency Management Agency with regards to Hurricane Michael. *(An approval of the consent agenda will adopt this resolution.)*

d.) **Approval of FY 19-20 Dare County Government Education Access Channels Committee Budget and Update the Agreement and Operating Procedures to use ECU Instead of UNC.** The proposed budget is in the amount of \$419,961.40 and requires no additional Town funding other than the current \$1,000 annual membership fee. There is also a request to update the Interlocal Agreement and Standing Operating Procedures to change the listed name of "UNC-Coastal Studies Institute" to "Coastal Studies Institute – ECU" to reflect the Institution's current inter-institutional partnership and designated administrative oversight. *(An approval of the consent agenda will approve this budget and update the Interlocal Agreement and Standing Operating Procedures.)*

e.) **Resolution Opposing the Proposed Increase for Homeowners Insurance.** The North Carolina Rate Bureau is recommending a drastic homeowners insurance rate increase. This resolution opposes this increase saying it is unjustified, unfair and unnecessary and calls upon the North Carolina Department of Insurance to deny the filing. *(An approval of the consent agenda will approve this resolution.)*

f.) **Agreement with Albemarle & Associates for Professional Services for Design Services for Connector Trails.** This agreement in the amount of \$9,570 is for surveys, plans and specifications for two interconnecting walkways: Sandy Run Park to the existing trail within the Coastal Reserve and Kitty Hawk Park to the Coastal Reserve trail. *(An approval of the consent agenda will approve this agreement.)*

MPT Garriss made a motion to approve the consent agenda. It was seconded by Councilwoman Tice and passed unanimously 5-0.

6. ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed.

7. PLANNING

a.) **Schedule a Public Hearing: Conditional Use Permit. 6100 N. Croatan Highway – Gas Station. The applicant has requested a conditional use permit for a gas station that would be Phase I of the Planned Commercial Development. It is requested the public hearing be scheduled for April 1, 2019.**

Councilwoman McClean made a motion to set a public hearing at the Town Council meeting on April 1, 2019 to consider a conditional use permit to allow a gas station to be located at 6100 North Croatan Highway. Councilman Pruitt seconded and it passed unanimously, 5-0.

8. NEW BUSINESS

a.) Change Order to the Tateway Emergency Pumping Facility

Perry: *We are trying to get Tateway in a position where we can pump but every time we turn around there is something new to add to it. It needs to be done and before I ask for a motion do we have the money for this?*

Stewart: *Yes, we do.*

Perry: *And with that in mind, Willie make sure when they are working there that they do not cut through any cables.*

MPT Garriss made a motion to approve the change order for the Tateway Emergency Pumping Facility in the amount of \$12, 078 increasing the total project cost to \$50,265. Councilwoman McClean seconded and it passed unanimously, 5-0.

9. TOWN MANAGER

No comments were offered.

10. TOWN ATTORNEY

No comments were offered.

11. TOWN COUNCIL

Perry: *Have any of you thought about the Recreation Committee's idea of marking historical places around Town?*

Tice: *I got an email today from Melody talking about possible grant money through the Government Education Access Channels Committee to do historical videos. I was asked to bring forward some names of people staff can talk with to coordinate with the videographer. If anybody has any names or if anybody in the public knows of anyone that may want to participate please get in touch with me or call Lynn or Sandy at the Town Hall.*

Perry: *I like that. That is probably the best way to go and we are not posting signs in somebody's right-of-way. I have about 3 names I can give you right off the top.*

McClean: *I found a map in the Land Use Plan that would be nice for a history site. It has a few roads and landmarks and shows the old names of the ditches and ridges.*

Kitty Hawk Town Council Minutes: March 4, 2019
Page 5

Tice: *I think Melody would probably like to have that. I think her goal is to also have this information on a YouTube channel so people could be referred from the website to look at it. For instance, if some child is doing a school project on Kitty Hawk that lives in Ohio or wherever they could watch and use the information from it. I think the map would be a great thing to add.*

Pruitt: *I would like to thank all the volunteers with Better Beaches OBX. I went to the beach over the weekend and they were hard at work and moving the trees and planting the grass. Donny was nice enough to show me some of the places they had started and the progress of holding the sand. It is nice of those folks to go out there in their spare time and help us to protect our dunes.*

McClellan: *I understand we have identified the ownership of the missing segment on our Living Shoreline Project. We can pursue getting that through CAMA so we can get it put together. Who is taking the names of people who want to volunteer to plant grass when it is time?*

Perry: *Donny King.*

Perry: *Yes. He already has people lined up, I think. I am not sure where that last segment is going to wind up, but I will let you know once I know more. In the section she is talking about the owner died and there is a hiccup with the estate.*

McClellan: *The project works. We rode down there one day when the wind was up and there were white caps on the sound. The water on the shore side of the sills definitely did not have as much energy. The sections where there are no sills you could see the water coming up and chewing away. Hopefully the new owner will recognize that it might be something he needs to think about.*

Garriss: *We as Council are always thanking our staff for what they do. I think we have the best. Sgt. Wiggins, I am directing my comments now to you, in light of a press release that came out last week. I know you are in a profession, we are in a profession, where we are not always going to make people happy. I understand that being in the business for 42 years. Last week went too far and I just want you to relate to Chief Johnson and your entire department you have this Council's full support and we thank you for what you do each and every day.*

Perry: *Chief Talley. I have reports that you are getting volunteers. We are doing good in that section?*

Talley: *We are up to 12 now. My goal was 10.*

Perry: *That is good. I am glad to hear it because that is still the heart of our fire department and will continue to be.*

12. PUBLIC COMMENT

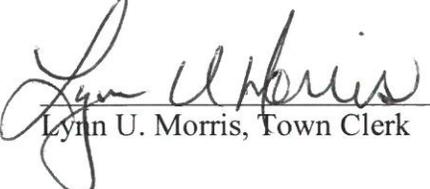
There were no public comments.

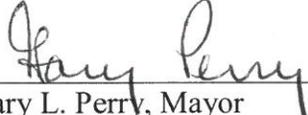
Kitty Hawk Town Council Minutes: March 4, 2019
Page 6

13. ADJOURN

Mayor Perry and Councilwoman Tice made a motion to adjourn. It was seconded by Councilwoman McClean, 5-0. Time was 6:15 p.m.

These minutes are were approved at the April 1, 2019 council meeting.


Lynn U. Morris, Town Clerk


Gary L. Perry, Mayor