

Proposed Agenda
KITTY HAWK TOWN COUNCIL
Monday, October 4, 2021
Kitty Hawk Town Hall, 6 PM

1. Call to Order

2. Moment of Silence/Pledge of Allegiance

3. Approval of Agenda

4. Public Comment. The general public is invited to address the town council on any topic. Please sign up with the Town Clerk before the meeting and when your name is called, come forward and speak into the microphone at the lectern. Please limit comments to 3 minutes.

5. Consent Agenda. Items on the consent agenda are considered to be non-controversial, routine in nature or items not requiring a presentation to or discussion by the town council in order to consider the item(s). Any item may be removed for discussion by council or by any member of the audience who wants to hear the item presented and discussed.

a.) Approval of September 7, 2021 Council Minutes. *(An approval of the consent agenda will approve these minutes.)*

b.) FY 21-22 Budget Amendment #2. This amendment, in the amount of \$141,007, will recognize a grant from the Department of Homeland Security to the fire department for the replacement of mobile radios. *(An approval of the consent agenda will approve this amendment.)*

c.) FY 21-22 Budget Amendment #3. This amendment, in the amount of \$30,476, is for encumbrances from the previous fiscal year and will appropriate funds in the current budget for open purchase orders and contracts for which goods had not been received or services performed as of June 30, 2021. The goods and services were budgeted in Fiscal Year 2020-2021. *(An approval of the consent agenda will approve this amendment.)*

d.) FY 21-22 Budget Amendment #4. This amendment, in the amount of \$25,000, will transfer funds from the capital reserve fund to the general fund/Ocean Rescue to purchase 8 radios, chargers, microphones and programing. This purchase will bring Ocean Rescue in compliance with upcoming changes in communications platform requirements. *(An approval of the consent agenda will approve this amendment.)*

e.) Authorization to Present Service Weapon. Police Sgt. K. Brian Strickland retired on October 1, 2021 from the town after 28 years of service in law enforcement and Sgt. Jeffery W. Wiggins retired from the town on September 1, 2021 after 21 years of law enforcement. The chief of police is requesting permission to present them their service weapon for \$1 each in recognition of their distinguished service as provided for in NCGS 20-187.2 *(An approval of the consent agenda will approve this request.)*

f.) Reallocation of Police Records Clerk II Position to Patrol Sergeant. The police department currently has two records clerk positions. Chief Johnson is requesting one of them be reallocated to a patrol sergeant position. The proposed change would not adversely impact the department's current budget. *(An approval of the consent agenda will approve this change.)*

g.) 2022 Town Council Meeting Dates and Times Resolution. The Kitty Hawk Town Council regular meeting is the first Monday of each month at 6 p.m. If that first Monday is observed as a town holiday the meeting will be rescheduled for Tuesday or the following Monday. When the Dare County Board of Elections is using the Smith Room for an election following a council meeting, the council meeting will begin at 5:00 p.m. The resolution also adds a tentative January 31st Capital Improvements Plan workshop and a Budget Workshop on April 25th (both at 9 a.m.) *(An approval of the consent agenda will adopt this resolution.)*

h.) Resolution in Opposition to Environmental Budget Provisions Included in Senate Bill 105 (The appropriations Bill). This resolution expresses opposition to Senate Bill 105 Section 5.14(a) entitled "Property Owners' Rights/Tree Ordinances," Section 41.47(a) entitled "Revisions to Outdoor Advertising Control Act" and Section 12.16.(a) entitled "Clarify Local Authority for Stormwater Ordinances" and urges the North Carolina General Assembly and the Governor of the State of North Carolina to oppose the proposed legislation. *(An approval of the consent agenda will adopt this resolution.)*

i.) Interlocal Agreement between Dare County, Towns of Duck, Southern Shores and Kill Devil Hills, NC Concerning Beach Renourishment. This agreement allows for significant cost savings by cooperating to construct the beach renourishment projects into a single construction contract. *(An approval of the consent agenda will adopt this agreement.)*

j.) Resolution Providing for the Issuance of a Special Obligation Bond (Town Portion) Series 2021A. This resolution provides for the issuance of a special obligation bond not to exceed \$5,387,682 to pay the cost of the town's portion of the 2022 beach renourishment project. *(An approval of the consent agenda will adopt this resolution.)*

k.) Bond Order Authorizing the Issuance of Special Obligation Bonds of the Town of Kitty Hawk (Town Portion). This bond order authorizes the issuance of a special obligation bond not to exceed \$5,387,682. *(An approval of the consent agenda will adopt this bond order.)*

6. Items Removed from the Consent Agenda

7. Public Hearing:

a.) Zoning Map Amendment: 3722 N Croatan Hwy; applicant proposes to rezone a portion of the parcel to BC-1 to correct an existing split-zoning.

b.) Zoning Text Amendment: Proposal to amend Sec. 42-1 Definitions. 42-250, BC-1; 42-251, BC-2; 42-277, VC-2; and 42-278, VC-3; to define, and allow "tattoo studios" as a special use.

c.) Zoning Text Amendment: Staff initiated proposal to amend Sec. 42-1 to define and limit the number of "accessory living structures", structures containing conditioned living space that does not meet the definition of either a dwelling unit or an accessory dwelling unit.

8. Planning:

a.) Nonconforming Pier Replacement: Proposal to replace an existing nonconforming pier, located at 3800 Elijah Baum, with a wider pier and larger platform.

b.) Schedule Public Hearing: Zoning Text Amendment: Proposal to amend Sec. 42-1; 42-619; 42-622; 42-275 to amend existing travel trailer park regulations, and to add as a special use in the VR-3, high density village residential district. The applicant has requested this hearing be scheduled for the December 6, 2021 council meeting.

9. New Business:

a.) Nominations for the Outer Banks Visitors Bureau Tourism Board

b.) Consideration of Additional Sand Placement in “Hot Spot” Areas

c.) Presentation of Conceptual Floor Plan for New Police Station and Fire Bay

10. Reports/General Comments from Town Manager

11. Reports/General Comments from Town Attorney

12. Reports/General Comments from Town Council

13. Closed Session:

a.) NCGS 143-318.11(a)(3) To consult with the town attorney to protect the attorney client privilege

b.) NCGS 143-318.11(a)(6) Town Manager Evaluation

14. Return to Regular Session

15. Adjourn ---- The November 1, 2021 meeting begins at 5:00 p.m.

***To Watch via Livestream on YouTube:**

Go to: <https://youtu.be/EOzc5bz6GW0>

*The meeting will also be available to watch on the Town’s YouTube channel on demand the next day:

<https://www.kittyhawkncc.gov/town-videos/>

***Send Comments/Questions Via Email:** You may always send comments or questions at any time to info@kittyhawktown.net. If you would like your question or comment read at this meeting, please send it by 4:30 pm on Monday, October 4, 2021 and note that you would like it to be read at the meeting. Be sure to include your full name and address. Please keep your comments to three minutes.