

**Proposed Agenda**  
**KITTY HAWK TOWN COUNCIL**  
**Tuesday, September 6, 2022**  
**Kitty Hawk Town Hall, 6 PM**

**1. Call to Order**

**2. Moment of Silence/Pledge of Allegiance**

**3. Approval of Agenda**

**4. Presentations:**

- Tom Heffner
- Outer Banks Tourism Board/Event Center Planning

**5. 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.

**6. 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 August 1, 2022 Council Minutes.** *(An approval of the consent agenda will approve these minutes.)*

**b.) FY 22-23 Budget Amendment #2.** This amendment, in the amount of \$22,000, is to replace the current phone system in the town hall to VoIP Services. *(An approval of the consent agenda will approve this budget amendment.)*

**c.) FY 22-23 Budget Amendment #3.** This amendment will allocate \$5,750,000 in interfund transfers to the Capital Project Fund 41 for the remodeling project at 5200 North Croatan Highway for the new police station. *(An approval of the consent agenda will approve this budget amendment.)*

**d.) FY 22-23 Budget Amendment #4.** This amendment, in the amount of \$17,517, encumbers open purchase orders from FY 21-22. *(An approval of the consent agenda will approve this budget amendment.)*

**e.) Capital Project Ordinance Fund 41 (Ord. No. \_\_\_\_.)** This capital project ordinance, in the amount of \$5,750,000, will be used for the purchase of property at 5200 North Croatan Highway, legal fees and building renovations. *(An approval of the consent agenda will approve this budget amendment.)*

**f.) Ordinance Amendment to the Special Revenue Fund 20 (Ord. No. \_\_\_\_.)** The town has elected to take the standard allowance under the revenue loss expenditure category to use the grant funds for government services. The total grant amount of \$1,138,068.58 is transferred to the FY 22-23 annual Budget Ordinance for appropriation to the town's law enforcement department to cover salaries for the period of July 1, 2022 through June 30, 2023. *(An approval of the consent agenda will approve this budget amendment.)*

**g.) Beach Renourishment Capital Project Ordinance Amendment Fund 30 (Ord. No. \_\_\_\_.)** This capital project ordinance is recognize and appropriate the contribution from Dare County to the project and the allocation of cost among line items. *(An approval of the consent agenda will approve this budget amendment.)*

**h.) Resolution for Exemption from Architect, Engineer, Surveyor Qualification Selection Process for the Project of Remodeling the Building at 5200 N. Croatan Highway.** G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services and design build services to be based on qualifications and without regard to fee. G.S.143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S.143-64.31 if the estimated fee is less than \$50,000. The estimated fee for design services for remodeling this building is less than \$50,000 and the town council resolves this project is hereby made exempt from provisions of G.S.143-64.31. *(An approval of the consent agenda will adopt this resolution.)*

**i.) Acceptance of a Donation.** Mr. & Mrs. Zeigler donated \$200 to the police department. The police chief is requesting that this money be used for AED (automated external defibrillator) supplies. *(An approval of the consent agenda will accept the donation and requested use.)*

**j.) Government & Education Access Channel Committee Attendance Policy.** The GEAC Committee approved an attendance policy at their August 24, 2022 meeting. Included in the policy is faithful attendance at the regular meetings of the committee. *(An approval of the consent agenda will approve this attendance policy.)*

**k.) Kitty Hawk Baptist Church Site Plan Review Fees.** The church has requested that site plan review fees, in the amount of \$1,326.50, be waived for an upcoming expansion. *(An approval of the consent agenda will approve this request.)*

**l.) Proclamation: Diaper Need Awareness Week.** On August 25, 2022, Mayor Garriss proclaimed September 24 – October 2, 2022 as Diaper Need Awareness Week as requested by the Children & Youth Partnership for Dare County. *(An approval of the consent agenda will acknowledge this proclamation.)*

**m.) Resolution in Support of Legislation Concerning Digging Dangerous Holes on the Beach.** This resolution supports the Town of Nags Head's initiative to ask the state to provide stronger enforcement mechanisms for the incredibly dangerous issue of holes on the beach. *(An approval of the consent agenda will adopt this resolution.)*

## **7. Items Removed from the Consent Agenda**

## **8. Public Hearing:**

a.) Text Amendment: 42-1. Definitions; 42-194, Unlisted uses; 42-250, BC-1; 42-251, BC-2; 42-253, BC-3; Proposed reclassification of certain permitted and special uses.

## **9. Planning:**

a.) Land Use Plan update consultant review. Staff will present results from the recent RFPs for the Kitty Hawk CAMA Land Use Plan update.

b.) Itinerant merchants/Outdoor gatherings. Staff will present options moving forward to address recent concerns/issues with itinerant merchants and outdoor gathering permits and requests direction.

## **10. Old Business:**

a.) Due Diligence Update on Property Under Contract at 5200 N. Croatan Highway

## **11. Possible New Business**

## **12. Reports/General Comments from Town Manager**

## **13. Reports/General Comments from Town Attorney**

## **14. Reports/General Comments from Town Council**

## **15. Adjourn**

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

Go to: <https://youtu.be/4ys0T165IXU>

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

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

### **\*Send Comments/Questions Via Email:**

You may always send comments or questions at any time to [info@kittyhawktown.net](mailto:info@kittyhawktown.net). If you would like your question or comment read at this meeting, please send it by 3:30 pm on Tuesday, September 6, 2022 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.