

MINUTES
KITTY HAWK TOWN COUNCIL
Monday, July 10, 2023
Kitty Hawk Town Hall, 6 PM

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. Introduction:
 - Police Chief Mike Palkovics
5. Public Comment.
6. Consent Agenda
 - a.) Approval of June 5, 2023 Council Minutes
7. Items Removed from the Consent Agenda
8. Planning:
 - a.) Schedule Public Hearing: Text Amendments: 42-1.-Definitions; 42-502.- Temporary Uses; Sec 16-2-Yard sales; Sec 18-11-Outdoor events. Proposed amendments to clarify temporary use process, regulate temporary outdoor markets, commercial yard sales, and revise outdoor events regulations. It is suggested the public hearing be scheduled for the August 7, 2023 council meeting.
9. New Business:
 - a.) Appointment to the Planning Board
10. Reports/General Comments from Town Manager
11. Reports/General Comments from Town Attorney
12. Reports/General Comments from Town Council
13. Closed Session: N.C.G.S. § 143-318.11(a)(3) in order to consult with the town attorney regarding matters protected within the attorney-client privilege and to preserve that privilege; and as allowed by N.C.G.S. § 143-318.11(a)(6) to discuss one or more confidential personnel matters.
14. Return to Regular Session
15. Adjourn

COUNCILMEMBERS PRESENT:

Mayor Craig Garriss, Mayor Pro Tem Jeff Pruitt, Councilman David Hines, Councilwoman Lynne McClean and Councilwoman Charlotte Walker

STAFF MEMBERS PRESENT:

Acting Manager Willie Midgett, Town Clerk Lynn Morris, Town Attorney Casey Varnell, Planning Director Rob Testerman, ASD Laura Walker, Finance Officer Liliana Noble, Police Chief Mike Palkovics and Fire Chief Mike Talley

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1. CALL TO ORDER

Mayor Garriss called this meeting to order at 6 p.m.

2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF AGENDA

Councilwoman McClean made a motion, seconded by Councilwoman Walker, to approve the agenda. The vote was unanimous, 5-0.

4. INTRODUCTION

- Police Chief Mike Palkovics – ASD Laura Walker introduced Chief Palkovics and summarized his experience in law enforcement. She invited everyone to meet him before the next council meeting on Monday, August 7th, from 4:30 to 6:00 p.m. The council welcomed the chief and he said it is an honor and a pleasure to be a part of the town staff.

5. PUBLIC COMMENT

1. Mark Perry, 1064 Twiford St., Kitty Hawk, NC: *Ladies and gentlemen of the council, good evening. My name is Mark Perry and I live in Kitty Hawk. I am here to make you aware that on Friday of last week a group of residents submitted a request for a text amendment. I just want you to be aware it is there and to look into it if you can. It is an attempt to maintain our village, our environment, and our community. There is a good number of people in support of it and two other fellows are here tonight and they want a chance to talk to you. So, I just encourage you to look into it. Thank you.*

Garriss: *Thank you very much and I will say we have not seen anything yet.*

Perry: *I understand.*

2. Louie Hoppe, 1037 W. Kitty Hawk Road, NC: *Good evening. My name is Louie Hoppe and I live in Kitty Hawk. Have been a resident for a long time. I just wanted to say I agree with the text amendment. Thank you.*

3. Jesse Hines, 1121 F W. Kitty Hawk Road, Kitty Hawk, NC: *Thank you. I am also here in support of the text amendment, and I live in Kitty Hawk as well. I think there is a lot of valid stuff to look at there to keep Kitty Hawk the way it is. It is an amazing town, and I am here to support Mark and support the text amendment. We appreciate your time. Thank you.*

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There were no other speakers.

6. CONSENT AGENDA

a.) **Approval of June 5, 2023 Council Minutes.** *(Approval of the consent agenda will approve these minutes.)*

Councilman Hines made a motion to approve the consent agenda. It was seconded by Councilwoman McClean and approved unanimously, 5-0.

7. ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed from the consent agenda.

8. PLANNING

a.) **Schedule Public Hearing: Text Amendments: 42-1.-Definitions; 42-502.- Temporary Uses; Sec 16-2-Yard sales; Sec 18-11-Outdoor events. Proposed amendments to clarify temporary use process, regulate temporary outdoor markets, commercial yard sales, and revise outdoor events regulations. It is suggested the public hearing be scheduled for the August 7, 2023 council meeting.**

MPT Pruitt made a motion to set a public hearing at the town council meeting on August 7, 2023, to consider the proposed text amendment to Section 42-502, Section 16-2 and 18-11 pertaining to temporary outdoor markets, commercial yard sales, outdoor events and gatherings. Councilwoman McClean seconded the motion and it passed unanimously, 5-0.

9. NEW BUSINESS

a.) **Appointment to the Planning Board**

Councilwoman Walker made a motion to appoint Matt Spencer as a regular member to the vacancy on the planning board for the term to expire June 30, 2024. It was seconded by MPT Pruitt and the vote was unanimous, 5-0.

Mayor Garriss explained that with Matt being appointed a regular member his alternate position is now vacant. Is there a nomination?

MPT Pruitt made a motion to appoint Craig Merrill as an alternate on the planning board with a term of office to expire June 30, 2025. Councilwoman McClean seconded and the motion passed unanimously, 5-0.

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10. TOWN MANAGER

Mayor Garriss said Melody is taking a well-deserved break and asked if Acting Manager Willie Midgett has anything to announce.

Acting Manager Midgett stated there will be a Recreation Committee meeting on the 25th of July at 6 o'clock at the town hall and the public is invited to attend.

He also reiterated that prior to the next meeting, between 4:30 and 6 p.m., on August 7th, there will be a "meet and greet" for the new police chief.

Mayor Garriss thanked him for helping while the manager is out.

11. TOWN ATTORNEY

Attorney Varnell did not have any comments.

12. TOWN COUNCIL

Walker: *Two weeks ago, I attended the ten-year anniversary celebration of the Outer Banks Dementia Friendly Coalition. My mother struggled with dementia, and I was her caregiver. I know firsthand what a daunting task it can be. You are exhausted, you feel alone, and you know you are never going to win that battle. For anyone dealing with this, or if you know someone that is, the Outer Banks Dementia Friendly Coalition is an excellent resource. They offer many activities and projects which help dementia patients feel they have a purpose. Respite care can also be available to allow the caregiver to recharge and start again. I have placed a brochure in the office with contact numbers. Please do not hesitate to call either the town hall or myself for help. Until this event, I did not realize how many wonderful volunteers there are, and how much they are doing for our community. We are very lucky to have them. Thank you.*

Pruitt: *First I would like to welcome the chief. Also, I would like to thank Lieutenant Jimmy Helms for all he has done. We certainly appreciate it and thank you to Willie.*

McClellan: *Willie welcome to our little group here. I hope we make your journey smooth. Welcome Chief and thank you Jimmy.*

Hines: *I also want to welcome the new police chief. I know Jimmy has been hands on with everything and I appreciate that from him.*

Garriss: *I, too, would like to welcome Chief Mike Palkovics. Glad you are here and hope you will stay for a long time. Lieutenant Helms, you did an outstanding, wonderful job. Thank you so much.*

Now I want to brag about some of our departments for a little bit. A couple of weeks ago I had the

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honor of attending a training session on the beach with the fire department and ocean rescue. I was there at 8 o'clock in the morning. I was impressed before I got there, and I was really impressed when I left. They started working out, exercising, and had some drills they went through. They sent two of the lifeguards out in the water a lot further than I would have gone and assimilated a rescue. Another lifeguard went out and rescued them. They deployed the jet ski, which was on the beach where it should be.

Two days later I happened to be sitting on the beach with family and friends and an actual rescue took place right in front of where we were sitting. Two young boys had gone out further than they should have. The waves were tough. The lifeguard went out for the boys, and she successfully got both boys. Before she got back to the beach there were five fire department personnel there for back up. It was great, wonderful, and I was really impressed. People on the beach were clapping. That is how impressive it was. So chief, thank you for what you do. I know you and the police department recently did some cross training. That is another great thing that I do not think has ever been done before. The police and fire are both better prepared to handle any emergency, lifesaving, property saving, whatever comes up. Thank you for incorporating that. We have all said it before. We have some great, great people here.

Also, before I saw the rescue in front of me, three more rescues had just taken place at Eckner Street. It was a busy day for them. Please pass on the council's feelings. We are more than fortunate to have those people here with us.

13. CLOSED SESSION: N.C.G.S. § 143-318.11(a)(3) to consult with the town attorney regarding matters protected within the attorney-client privilege and to preserve that privilege and as allowed by N.C.G.S. § 143-318.11(a)(6) to discuss one or more confidential personnel matters.

Mayor Garriss made a motion to go into a closed session for N.C.G.S. 143-318.11(a)(3) and (6) to discuss confidential matters. He then asked everyone to leave the room and said there will not be an announcement after the closed session. **Councilman Hines seconded, and the vote was unanimous, 5-0.** Time was 6:17 p.m.

14. RETURN TO REGULAR SESSION

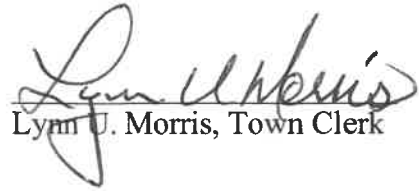
Councilman Hines made a motion to return to regular session. It was seconded by Councilwoman McClean and the vote was unanimous, 5-0. Time was 6:53 p.m.

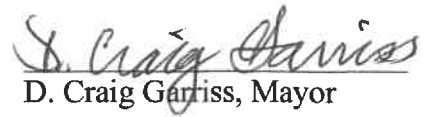
Attorney Varnell said the council entered closed session under N.C.G.S. 143.318.11(a)(3) and (6). Both the town attorney and the council were present and discussed confidential personnel matters.

Councilman Hines made a motion, seconded by Councilwoman McClean, to adjourn. The vote was unanimous, 5-0. Time was 6:54 p.m.

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These minutes were approved at the August 7, 2023 council meeting.


Lynn U. Morris, Town Clerk


D. Craig Garriss, Mayor