



Minutes
KITTY HAWK TOWN COUNCIL
Tuesday, April 1, 2025
101 Veterans Memorial Drive, Kitty Hawk NC 27949
9:00 AM

1. Call to Order
2. Tax Rate
3. Departmental Budget Requests
4. Plans for Future
5. Special Use Permit Process
6. Adjourn

Mayor Craig Garriss called the second budget workshop meeting to order at 9 am.

Town Manager Melody Clopton thanked the Town Council and the Town Leadership team for being present. Today's meeting was stated to be a review of the items presented at the March 25th workshop and to hear Council's input from the recent budget discussions to define a path forward. The topics of discussion will be tax rate, departmental budget requests, plans for the future, and a presentation by Rob Testerman of the special use permit process. Willie Midgett has a presentation on the utility vehicle and the police department will be presenting additional information regarding the request for additional officers. In review, the current tax rate in Kitty Hawk is 30 cents per \$100 in valuation, this includes 3.5 cents for beach nourishment, and 10 cents for the municipal service district which is east of the bypass. The revenue neutral tax rate is 19 cents for \$100 in value, including 2 cents for beach nourishment town-wide and 6 cents for the municipal service district. What we have proposed due to the deficit based on departmental requests and the decreased shared revenue, is 22 cents per \$100 in value including revenue neutral for beach nourishment, and 6 cents revenue neutral for the municipal service district. Does anyone want to start the conversation about the tax rate?

Garriss thanked Council for being here and mentioned that Council members had talked amongst themselves prior to the meeting. He asked if any Council member would like to start the conversation.

Councilman Jeff Pruitt mentioned that he had not spoken to all Council members individually, but he understood where the conversation was going. The main thing he wanted to discuss in further detail is the police department and ocean rescue stands to determine how we want to take those two items on in the budget process. If we agree to what is in the proposal, then the tax rate would be set for what we need. If we want to remove items that have been proposed, then it could still be the same, but we need to get on board with whether we're going to hire two new police officers as well as how many ocean rescue stands we want to add.

Garriss thanked Pruitt and mentioned that he wanted to add if a department makes a request that is justified, and funds are available then he wants to make efforts to accommodate those requests. In contrast, to simply ask for items without proper justification must be further examined to determine whether they are a true necessity.

Councilman David Hines asked for further clarity on the rehire of Officer Amy Heckhaus as full-time employee.

Clopton stated that the rehire of Heckhaus puts the police department back to full complement.

Hines confirmed and asked if the department is asking for two officers in addition to Heckhaus.



Clopton stated that Hines was correct.

Hines stated then that there would be three new hires.

Clopton stated that it would not be three, she will be moving into a vacated position so in addition to her rehire, there are two new hires proposed in the budget presented.

Garriss stated that the police department has prepared a presentation and now sounds like the perfect time for it.

Lieutenant Jason Rigler stated that he has a graphic of an organization chart to show how the department has transitioned over the years and will better illustrate the current staffing situation and what is being proposed in the 2025-26 fiscal year budget.

Lieutenant Jimmy Helms shared that the graphic presented goes back to 2021 with 18 total people. In 2022, the Chief at the time reclassified some of the positions and the total number of people were the same. When Chief Palkovics came in 2024, he took one of the detective positions and made it into the Evidence and Logistics position.

Pruitt asked if the Evidence and Logistics position is a sworn position.

Helms stated that it would be non-sworn, but it would alleviate workload for sworn officers. He stated that what the department would like to do is add two sworn officers to the current complement and they would be a special assignment or strike team traffic unit. There would be an immediate impact as those officers would be able to help fill shifts. For two officers, including benefits, the loaded cost would be \$212,000. The equipment cost would be \$174,000, which would be a one-time purchase and would not be an annual cost in that amount.

Hines asked if he could have more information on the salary costs for the officers.

Rigler clarified that the total includes all health care benefits, FICA, 401K, and not salary alone. He then stated he would like to expand further on Amy Heckhaus's rehire. Amy was authorized as a rehire by the Council, then Officer Lowry decided to relocate out of the area and turned in his notice. With those changes the department is back at 18 personnel. The Kitty Hawk Police Department has not increased the number of personnel since 2009.

Helms stated that yesterday he had training, yesterday Officer Morris was supposed to have court, but he had to be called in as he and Lieutenant Rigler had to give this presentation, so they are short-staffed. While there are officers in BLET, when they get out as brand-new officers they must ride with a training officer first. At the current staffing level, there are challenges keeping shifts full when there is training, illness, court dates, and overtime. Mental and physical fitness can be impacted because when officers are over-worked, they lack energy to maintain fitness levels on their off days. There are also liability concerns when there is only one officer working, the best practice would be to have two officers working every night.

Rigler stated that Officer Morris was working alone today and had to get excused from court by the Assistant District Attorney. He stated that in terms of liability, the more officers that report to a potentially dangerous situation, the more control there is over the circumstances and outcomes. It is important to make sure that there are trained officers who know how to respond properly in various situations. Ultimately, officer safety and providing a good product to the residents of Kitty Hawk.

Hines stated that liability is higher with recruits who are in the process of BLET.

Rigler agreed and added that he is very involved in recruiting, and it is more challenging to hire lateral transfers for many reasons.



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Helms pointed out that one of the challenges with recruiting is why training is so crucial, in addition to ensuring adequate staffing levels to cover shifts. All officers need training to make good decisions in different scenarios. When an officer goes to a scene, it's helpful to others when they don't have to make multiple calls, and they understand what needs to be done.

Rigler added that the more officers are at a scene, the more time there is for leaders to make appropriate decisions.

Hines pointed out that other areas nearby including Martins Point and Southern Shores may have only one officer on duty. He stated that it was relevant because mutual aid would be limited.

Helms replied that there was a call 3 weeks ago when more officers were needed but Southern Shores had an urgent incident that required all their resources, so the closest mutual aid was unavailable.

Garriss stated that we're different than Southern Shores but was interested to know their allocation per shift.

Helms stated that when they are fully staffed, they have one officer in staggered shifts. There are fewer officers on duty there because there are fewer calls. Helms pointed out that there are fewer officers than Kill Devil Hills because Kitty Hawk is not as inundated with calls as Kill Devil Hills but each year the call volume begins to more closely resemble Kill Devil Hills due to the influx of visitors each year.

Rigler added that it is difficult to attract out-of-state laterals hires due to some of the factors mentioned.

Pruitt asked if there is any way shift so not every officer had to have their own vehicle. Would it be possible to add more officers without having to add additional vehicles to the fleet?

Helms said that it would be doable, however, this is not recommended because of take home vehicle policy which is helpful in recruiting as well as for continuity of operations. Currently, not all vehicles are pursuit rated, and Chief Palkovics is trying to rotate out those vehicles.

Walker asked what was included in making a vehicle pursuit rated.

Helms replied that it would be better shocks, better frames, and tires are upgraded. These vehicles are equipped to handle the wear and tear that police vehicles encounter. Pursuit rated vehicles are made safer for officers. The maintenance required for non-pursuit rated vehicles is extensive and takes officers off patrol duty.

Hines asked if the Mustang was pursuit rated.

Helms said he would need to confirm but he knew the tires are pursuit rated. Helms mentioned that the Mustang is an enforcement vehicle, it is a community engagement vehicle. Many departments have similar programs, and it is a useful tool, especially for events.

Garriss asked Helms to cover as Chief Palkovics had in the prior workshop session, once all officers are out of BLET and able to work alone, how will shifts work then. Would it be two officers and a supervisor? How would 2 additional officers change things?

Rigler stated that the shifts are rotated so an officer would work Monday/Tuesday, off Wednesday/Thursday, and work Friday/Saturday/Sunday. There would be an A shift and a B shift. Days and nights.

Pruitt asked Rigler to explain once more.

Rigler replied that an officer works Monday/Tuesday, off Wednesday/Thursday, and then work



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Friday/Saturday/Sunday. The other shift works the opposite. When the department is fully staffed, you would have a patrol sergeant, an officer, an officer, and the traffic unit split between the day and night shift so you would have an extra person for safety.

Pruitt replied that you would always have a sergeant and two officers. That's the goal, correct?

Rigler stated that these officers would help fill in for others in training, taking vacation or sick time, court duties, other investigations requiring officers to go out of town and things of that nature. These officers can fill in shifts to keep at least two people on duty.

Pruitt stated that at times there can be a perception of being over policed with increased patrol and enforcement efforts.

Rigler replied that what Pruitt described is a procedural issue and a staff issue that is mitigated by following proper protocols and best practices as well as through community engagement and education.

Pruitt mentioned that he recently received a call from a resident who had waved at an officer and the officer did not wave back. The resident also wanted to know if the officer who had been stationed at Kitty Hawk Elementary School had been removed as they had not seen anyone there for some period.

Rigler replied that the officer stationed at the school had not been removed but there are times when there is only one officer on patrol and it is not possible to stay in one place.

Helms stated that he understood the concern and with additional officers, maintaining a presence at the school would be much more attainable.

Hines mentioned that he had heard about officers not waving on multiple occasions.

Pruitt replied that if the goal is to present the department as engaging with the public, then smiling and waving is an easy way to meet that expectation.

Councilman Dylan Tillett asked if the two new positions would be miscellaneous fill-in positions and if that means that they don't have a solid routine.

Rigler replied that they would have a solid routine, but part of their duties would include filling in where needed based on the situation.

Tillett replied that typically an officer would have a sergeant that an officer would report to and if these officers would have floating supervisors based on the day of duty.

Helms stated that there would be one sergeant supervising those officers. Chief Palkovics had stated that the special operations may be assigned to Helms, and he would designate where those officers would be assigned. Those assignments would not be rookie assignments, the work would require someone with more experience.

Tillett asked how retainage would be with positions that are less routine.

Helms responded that it can be viewed positively because it gives more autonomy. This position is more suited to an experienced officer.

Hines mentioned that he is still trying to understand the cost. These are not entry level positions, correct?

Clopton responded that the cost for two officers starts with mid-range salaries, not trainee-level salaries, which would be mid \$60,000 to \$70,000. Then you would add pension and other benefits, depending on the level of healthcare whether it's an employee only or a family can be as much as



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\$20,000 per year so that adds up.

Garriss asked if there were any other questions or comments for police.

Pruitt asked if the department needed these officers.

Helms replied that yes, they need these officers.

Pruitt asked if all the requested funding reviewed today for the police department is included in the proposed tax rate.

Finance Director Liliana Noble responded that yes, the proposed tax rate of 22 cents, 3 cents above revenue neutral, does include the two additional police officers as well as all the necessary equipment for those two officers.

Garriss asked if Council had any more questions or comments.

Hines thanked Helms and Rigler for their presentation.

Clopton asked the Council if they all agreed with adding two new police positions as per the proposal.

Hines stated that all departments were important, and he wanted to hear the additional information in the presentation.

Garriss stated that he agreed with Hines in hearing the remainder of the presentation.

Clopton stated that the next item on the agenda relates to the Fire Department. Chief Talley is in Florida reviewing the order for the new fire truck. During the last meeting, there was a discussion about the Ocean Rescue staff and their coverage of the beach. There was a conversation about adding at least one additional stand for a cost of \$20,000. Based on the hiring done earlier this year, there are adequate staff to cover one additional stand during the upcoming season so there is no additional hiring that needs to be done.

Hines asked how it would cost \$20,000 to build a lifeguard stand.

Clopton replied that the cost is not for the stand itself, it is to pay the hours that would be required to keep the stand occupied throughout the season.

Ocean Rescue Captain Joe Case we're looking to add one stand between the Luke Street and Wilkins Street area. Case mentioned that he had been working with Chief Talley to determine the best location for a stand and how best to position guards to maximize coverage.

Clopton asked if any Council members had questions for Case.

Pruitt replied that he was in favor of adding a stand in minimal coverage as shown by Ocean Rescue.

Hines asked if there were any \$250 fines issued last summer.

Case replied that there was only one person challenging the flag rules, but Ocean Rescue tries their best to operate on voluntary compliance.

Clopton added that the police officers will plan to have cross training to ensure that all are informed regarding enforcement of Ocean Rescue ordinances.

Hines mentioned that discussion about the utility vehicle for Ocean Rescue was needed. He asked if the funds for purchasing instead of leasing were included in the proposed budget

Clopton stated that funds were included for the utility vehicle.

Hines then asked if funds were included for the Ocean Rescue stand.



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Clopton replied that they were not, but she felt that line items could be reallocated to accommodate the purchase without requiring an additional funding request.

Tillett asked if there was a current funding allocation to purchase a ladder truck by 2030.

Clopton confirmed there is currently no funding allocation in the budget to assist with the purchase of a fire truck by 2030. Clopton indicated that was something that could not be worked out with the current budget.

Pruitt stated that there is five years between the current time and when the ladder truck would be needed. Next year, funding that is being used currently for some capital outlay items can be allocated to help fund the truck. There could be funding that becomes available if grants are awarded for some projects as well.

Clopton added that interest earnings were also approved by Council to be moved to help fund capital projects.

Tillett expressed that if the tax rate is adjusted this year, he would prefer that it is adjusted in a manner that will not require adjustment for years afterward. Would it be recommended to adjust the rate now to account for the funding for the ladder truck? What is the average increase for a resident if the tax rate is adjusted to 22 cents with the new revaluation? What would that be for a \$500,000 home?

Clopton replied that if a house is valued at \$500,000 and you pay \$1,500 right now. If the valuation goes up to the full 74% then the new value would be \$875,000. The increase at 22 cents per \$100 in value would be \$400.

Clopton then confirmed that all the Council agreed with adding one Ocean Rescue lifeguard stand and next year funds will be allocated to begin saving for a new ladder truck in 2030.

Clopton stated that Public Works was requesting funds for a new roof and exterior painting of the medical building and new playground equipment. Clopton stated that a grant would be pursued, however the funds would be included in the budget to cover if the grant is not awarded.

All Council members confirmed their agreement with the Public Works budget request items.

Tillett stated that during last year's budget discussion, Midgett had brought up the culvert crossing at Eckner Street and the Town is keeping an eye on that area. Sooner or later, it may be an issue that needs to be addressed.

Midgett agreed and stated that for now the repair that had been made is adequate.

Tillett asked if the funds for the Public Works department requests were included in the proposed budget.

Midgett confirmed that the funds were included in the proposed budget. Midgett confirmed that the Ocean Rescue utility vehicle is leased at \$4,500 per year for four years. The current UTV is 11 years old and near the end of its life cycle. In addition to litter patrol on the beach, the UTV is also utilized for trail maintenance. A new UTV lease would be \$4,534 per year for four years, a new UTV purchase would be \$17,500.

Hines asked what Midgett's preference would be, leasing or buying.

Midgett replied that purchasing would be preferred.

Clopton stated that the Public Works presentation concluded all the outstanding budget request questions from the previous meeting. Clopton asked if there were any questions pertaining to the administration, finance, planning, non-departmental, and recreation budgets.



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Pruitt stated that he had a question for Councilwoman Walker pertaining to the Recreation Committee budgets.

Councilwoman Walker replied that there has been productive discussion with the committee and the submitted budget items are well aligned with the committee's master use plan.

Pruitt thanked Councilwoman Walker and commended her work at the Recreation Committee liaison. Pruitt stated that he had no further questions regarding the departmental budget requests.

Clopton asked the Council if they agreed with the proposed tax rate of 22 cents per \$100 in value.

All Council members responded in agreement with establishing the tax rate of 22 cents per \$100 in value.

Clopton stated that the next step would be the presentation of the draft budget and tax rate at the May 5th Town Council meeting. The draft budget will be made available to the public for inspection. At the June Town Council meeting, the budget will be approved and made available for public comment. Clopton stated that the last item to present for today's meeting would be Rob's presentation of the Special Use Permit process.

Director of Planning and Inspections Rob Testerman stated that he had sent an email to the Council members the prior week related to the special use permit process. The applicants submitted their presentation and then the staff would be responsible for determining whether the proposed action meets all criteria for a special use permit. The state statute requires the burden of proof to be on the applicants themselves while the current process requires Testerman himself instead to in essence pitch the project to Council. If evidence is presented and the proposal meets the criteria then the applicant is entitled to approval. Currently, the special use permits are also being reviewed by the Planning Board and that recommendation should not be a factor in the decision as to whether a special use permit is approved. Usually, the special use permit and commercial site plan are reviewed at the same time as the current process. The Planning Board is required to look at the commercial site plan. Rather than staff pitching the project to the Council, the Town Attorney would review in terms of what kind of quasi-judicial decisions there are for comment to describe the general nature of the proposal then turn it over to the applicant to hear evidence and if there is any other evidence from the staff or if the public has evidence to present during the hearing. At that point, it would go to Public Hearing to deliberate what evidence is more relevant. If Council approves or denies an application and we're not following the proper procedure, then we're open to having decisions overturned. Either way, the best practice is to follow the state statute.

Pruitt stated that he agreed with Testerman.

Tillett asked if this would pertain to subdivision.

Testerman replied that subdivisions are administrative decisions. If a subdivision proposal meets the ordinance, then it is entitled to approval, if not then it is denied.

Pruitt asked if that would still be the case if the subdivision was in a fragile wetland area.

Testerman replied that to make that a consideration, it would require a legislative change through an ordinance which right not could be made challenging with the state's changes to allowing municipalities to be able to downzone.

Pruitt asked if Testerman's recommendation to the Council is to have this process come before the Council instead of the Planning Board with the proof of burden on the applicant.

Testerman said it could go two ways, one with a use that is listed at special use permit for an existing



structure, and for that instance there would be no reason to go to the Planning Board. If one comes in as a new development with a commercial site plan, it will have one application. The Planning Board will review the site plan, so they can make a recommendation on that portion of the application. The Council will make a recommendation on the special use permit based on the evidence.

Pruitt asked to confirm that the Planning Board will review the site plan, but the actual use of the building is what we're separating from the Planning Board. Pruitt stated that he wants all decisions to be made in accordance with the applicable state statutes. Pruitt indicated his support.

Garriss, Walker, Tillett, and Hines all stated their agreement.

Garriss asked if there were any additional questions. Garriss thanked all Council members and department heads for their work and participation in the budget meetings. If there was nothing else, Garriss asked for a motion to adjourn.

Pruitt made a motion to adjourn.

Charlotte Walker seconded the motion.

Meeting was adjourned at 10:48 am.

The Minutes of the April 1, 2025, Kitty Hawk Town Council Meeting are approved at the May 5, 2025, Kitty Hawk Town Council Meeting.


D. Craig Garriss, Mayor


Lauren Fox Garrett, Town Clerk

