



Minutes
KITTY HAWK TOWN COUNCIL
Monday, May 5, 2025
Kitty Hawk Town Hall, Smith Room
6:00 PM

1. **Call to Order**
2. **Moment of Silence/Pledge of Allegiance**
3. **Approval of Agenda**
4. **Introduction of New Staff-** Marisa McCormick, Evidence and Logistics Technician, Amy Heckhaus, Police Officer
5. **Public Comment** – The 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 discuss by the Town Council in order to consider the items(s). Any item may be removed for discussion by the council or by any member of the audience who wants to hear the item presented and discussed.
 - a) **Approval of April 7, 2025, Regular Session Council Minutes** – Approval of the consent agenda will approve these minutes.
 - b) **Approval of March 25, 2025, Budget Workshop Minutes**
 - c) **Approval of April 1, 2025, Budget Workshop Minutes**
 - d) **Resolution Authorizing the Participation in the North Carolina Health Insurance Pool**
 - e) **Public Works Recognition Week Proclamation**
 - f) **National Police Week Proclamation**
 - g) **Firefighters Day Proclamation**
 - h) **Budget Memo #15 Grant to Police Department from Walmart**
7. **Items Removed from Consent Agenda:**
8. **Planning:**
 - a) **Public Hearing: Special Use Permit** – Parcel #:010399003, 0 The Woods Rd. Mini-warehouse self-storage facility.
9. **New Business:**
 - a) **Fiscal Year 2025-2026 Budget Presentation and Motion to Schedule Public Hearing for June 2, 2025.**
10. **Old Business:**
11. **Reports/General Comments from Town Manager**
12. **Reports/General Comments from Town Attorney**



13. Reports/General Comments from Town Council

14. Motion to go to Closed Session pursuant to

- a) **N.C. Gen. Stat. 143-318.11(6)**, Town Council will enter into Closed Session to conduct the annual performance evaluation of the Town Manager and to discuss other confidential personnel matters

15. Adjourn

Staff Members Present:

Town Manager Melody Clopton, Finance Officer Liliana Noble, Police Chief Mike Palkovics, Fire Chief Mike Talley, Public Information Officer/Town Clerk, Lauren Garrett, Administrative Services Director, Laura Walker, Lieutenant James Helms.

- 1. Call to Order**
- 2. Moment of Silence/Pledge of Allegiance**
- 3. Approval of Agenda**

Garriss: Council, before we approve tonight's agenda, if you notice you have an updated agenda at your seat. The only addition is after the 2025-2026 Budget Presentation, we need to schedule a public hearing for June 2nd meeting for our budget, and we will vote on it at that meeting, that is the only change. Do I have a motion to approve tonight's agenda?

Pruitt: So, moved.

Garriss: Thank you, Jeff. Second?

Walker: Second.

Garriss: Second by Charlotte. All in favor?

All Council: Aye.

Garriss: All opposed? None. Thank you, Council. Introduction of New Staff, Chief.

- 4. Introduction of New Staff-** Marisa McCormick, Evidence and Logistics Technician, Amy Heckhaus, Police Officer

Chief Palkovics: Yes, sir. Mr. Mayor and Council members, it is my pleasure tonight to introduce our new staff. There were supposed to be two new staff here tonight, but unfortunately one was not able to make it here tonight due to a last-minute obligation. I would like to welcome Amy Heckhaus to the Kitty Hawk family, Amy started back with us two weeks ago following an abbreviated field training. She will be out on the road alone next week. We are very excited to have Amy back on patrol. Secondly, I am proud to introduce Marisa McCormick who started with us just last week. As you know, we created this new Evidence and Logistics Technician position out of a position we had vacant for quite some time. We were excited to fill this position and were very pleased with the response we received. Marisa really stood out with her history working in evidence with the FBI in a lab and in the military. She comes to us from Fredericksburg, Virginia and has a master's degree in Forensics and brings a wealth of knowledge that we are looking to capitalize on and grow the position to become more efficient in what we're doing. So, with that I proudly introduce Marisa McCormick.

McCormick: Thank you. It's great to meet you all and I am very happy to be here and be part of this



town and the police department. I'm looking forward to all the things we can accomplish.

Garriss: Thank you Marisa, and we look forward to having you here for a long time. Public Comment, Lauren, has anyone signed up for Public Comment?

5. Public Comment

Garrett: No, sir.

Garriss: Thank you, Lauren. Is there anyone here tonight who would like to speak during Public Comment? Okay, let the record show no one chose to speak tonight. Council, you have the Consent Agenda in front of you. Do I have a motion to approve tonight's Consent Agenda?

6. Consent Agenda

Tillett: Mr. Mayor, I make a motion to approve tonight's Consent Agenda

Garriss: Thank you, Dylan. Second?

Hines: Second.

Garriss: Thank you, David. All in favor?

All Council: Aye.

Garriss: All opposed? None. Thank you, Council. We have no items removed from the Consent Agenda.

7. Items Removed from Consent Agenda

Garriss: Item 8A, Public Hearing. Council, I need a motion to go into Public Hearing.

8. Planning:

- a) **Public Hearing:** Special Use Permit – Parcel #:010399003, 0 The Woods Rd. Mini-warehouse self-storage facility.

Pruitt: So, moved.

Walker: Second.

Garriss: All in favor?

All Council: Aye.

Garriss: All opposed? None. We are in Public Hearing regarding the mini warehouse self-storage facility. Thank you, Rob. Casey, can you start us off, sir?

Varnell: Absolutely. Thank you, Mayor and Council members. I don't know the last time we had a public hearing, so I am going to give a brief overview of the process. Given this is a special use permit application, this is a quasi-judicial hearing so that takes us out of the veil of legislative decisions that you are typically making with text amendments and things of that nature. One of the big differences is the evidence that's going to be submitted is going to be sworn testimony outside of the lawyer. The lawyer is allowed to question his clients but if the applicant presents evidence and any of their experts or witnesses to include anyone from the Town who as citizens must also be sworn in. I will go over some of the considerations for you all as you go through this process. The decision you make needs to be based on competent material and substantial evidence. To go through each of those quickly, competent evidence, for example, any witness speaking must have firsthand knowledge of what they're talking about, not something that someone told them. Another aspect is opinion. Like in a court hearing, opinions about what might happen in the future are not admissible unless they are given by someone competent to give that opinion, usually this would be from an expert. For example,



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a citizen would say, I think this might have an impact on traffic. Without an expert to conduct a traffic study, comments like that would be disregarded. Property values, which I do know will be something presented in the exhibits and that's something you will see tonight from a certified appraiser. So that would count as competent evidence, and these are just examples. Material evidence, essentially, attachment two in the materials Rob has presented, Item 8A in your packet specifically the conditions and standards, the conditions you will be considering tonight as you hear the evidence. Any of the evidence that you are taking into consideration needs to relate to the standards. Finally, we've got sufficient evidence which is evidence that tends to support the finding that all the standards that Rob has listed in the attachment to any conditions part of our ordinance that those relevant standards are met by whatever is being presented and then that meets the burden of it being sufficient. Speaking of burden, it is on the applicant to establish that whatever they are proposing meets all the required conditions within the ordinance, but also the standards listed in attachment two of Rob's report. If this is something you are considering it needs to be on the record. You can't have deliberations or what you've discussed outside of this hearing. If it's not presented as evidence, you're not supposed to be taking that into consideration, everything needs to be on record. I'll just note that North Carolina statute 160D-75C when it comes to special uses does allow a governing board to place reasonable and appropriate conditions and safeguards in approving or in making their decision. However, any of these conditions must relate to the standards of the ordinance provides as far as land use impacts the proposed project. All these items that Rob has mentioned in his report and a simple majority as opposed to a variance where you would need four-fifths if you have a full board. A simple majority vote of the Council would result in a decision whether it be approval or denial. It needs to be a simple majority vote. I'm going to stop there. Of course, any questions as this thing goes forward that you might have for me, you likely won't have much for me because you won't hear me talk much. This is about the applicant. Rob is going to give a little bit of background as to what you all are here to consider the application itself, but ultimately the applicant is going to make their presentation for your consideration. Any concerned citizens who are here or any citizens who are in support, anyone may speak. It will be under oath. Just bear in mind the idea of opinion testimony versus having, for example, a traffic study scenario with an expert. I say that because in sitting through these things many times, it's human nature to say, "I think this will affect traffic" and the same goes for the applicant unless they are certified in that the applicant can't say I think this will do something unless it's coming from someone that you guys deem to be an expert in that particular field. I will turn it over to Rob now. For the record, I did speak with Mr. Ellis, the applicant's attorney. Do you stipulate having Rob's materials that he's written up and attached? Do you stipulate having those made part of the record?

Ellis, Hood: Yes, we do.

Varnell, Casey: Thank you, Mr. Ellis. What that means is that you can take Rob's packet and anything attached to it, that can be part of your consideration that something you are entitled to consider in making your decision.

Garriss: Okay, before we start, we will need everyone speaking to be sworn in.

Lauren Garrett, Town Clerk, then swears in Rob Testerman, Hood Ellis, Eddie Goodrich, and Greg Bourne for the Public Hearing.

Garriss: If there is anyone in the audience tonight who wishes to speak during the Public Hearing, you will need to be sworn in at this time. Thank you, Lauren.

Varnell, Casey: Just one more time, if there is anyone in the audience who would like to speak tonight, who did not just get sworn in, if you intend on speaking tonight, you will also need to be sworn in at this time. Just for the record.



Testerman, Rob: I will go through a brief introduction, I won't read the entire 10 pages. The proposal here, the applicant is requesting approval for a special use permit for a 105,000 square foot mini-warehouse self-storage facility. It has a 35,000 square foot footprint and it is three stories tall. These facilities are permitted in a planned commercial development as a special use with the conditions listed in 42-414B section 42-100B of the zoning ordinance states that special use shall meet all the special use site plan requirements as well as provide a list of all adjacent property owners. In most cases, a special use will require concurrent review of a commercial site plan. Citing the cost associated with developing a full commercial site plan, the applicant has requested to separate the review of the special use permit and the commercial site plan. Should Council grant approval of the special use permit, the applicant would be required to submit the full site plans for review by the Planning Board and Town Council prior to any permits being issued or land disturbance permits. The subject property is zoned BC2 with a plan commercial development overlay. This portion of the site is currently unimproved. The abutting property is a separate parcel that is also a part of the Planned Commercial District zoned BC2 and that contains the gas station and convenience store. There are also two properties zoned BC2 containing a cabinet shop and an auto mechanic which are not part of the Planned Commercial District. To the south that is also zone BC2 and is occupied by Dominion Energy. There are two undeveloped parcels to the west and the north that are owned by the state, and they are part of the coastal reserve. Then across 158 and Southern Shores, there's a residential development. As conditional use findings per the standards of section 42-100B8 to approve the application, Council must make the findings that the proposed conditional uses. Conditional use does not materially endanger public health and safety and does meet all the conditions and specifications, does not injure the value of adjoining property or be a public nuisance and will be in harmony with the area in which it's located and in general conformity with the comprehensive plan. The attachments with the staff report include an aerial view of the subject parcel, the conditions and specifications from the different sections of the zoning ordinance that will apply to this appraisal report that was submitted by this applicant and as well the sketch plan elevations and elevation drawings and renderings that were submitted. With that, I will turn it over.

Garriss: Rob, I have one question for clarification for the public and for us if council was to approve this special use permit, we can impose special conditions as we see fit such as a buffer zone or whatever right I think within reason as within reason.

Testerman, Rob: Yes, within reason.

Varnell, Casey: Yes, the question well here's kind of what you I mean obviously this is it's entirely within your discretion to make decisions tonight as long as those decisions are based on the evidence the competent evidence but also when it comes to additional conditions or restrictions they just need to relate to the purpose and intent if you will of the of the ordinance itself allowing as a special use many warehouses.

Garriss: Thank you. Thank you, Rob. Council, any questions for Rob while he's here? Okay, thank you Rob. The applicant please or his attorney, please come up.

Varnell, Casey: Did anyone have any questions about Rob before Hood Ellis?

Garriss: Rob, can you come up, please?

Ellis, Hood: My name is Hood Ellis, and I represent GHK Development from New Orleans and the owner of the property Mr. Eddie Goodrich. Rob, you are familiar with this project. They've been working with you for over a year, and the planning commission unanimously recommended granting a special permit, didn't they?



Testerman, Rob: They did.

Ellis, Hood: Again, do you find anything in what you've seen that you think the project materially endangers the public health and safety?

Testerman, Rob: I can't speak to that since I'm not an expert in that area.

Hines: I must interrupt, I'm sorry I can't hear you do you mind speaking a little bit more into the microphone.

Ellis, Hood: I'm sorry, I was asking one of the factors that the Council must rule on is whether the project materially endangers the public health or safety. I was asking Rob for his opinion on that, and Rob has said he doesn't feel confident as an expert, but you guys are entitled to hear his opinion on the question.

Varnell, Casey: Rob has said he doesn't feel confident as an expert, but you guys are entitled to hear his opinion on the question.

Testerman, Rob: Opinion-wise, I would say you know if all the relevant permits and all are pulled and it's done in a safe manner, I don't see it endangering public health and safety and again as far as meeting all the required conditions and specifications.

Ellis, Hood: As far as meeting all the required conditions and specifications you've given an exhaustive report, and you've indicated where there might be some things that have to be picked off on later permit approvals and when they submit their comprehensive plan but as far as anything else you found it complied basically.

Testerman, Rob: There were a few minor things like the requirement in the Planned Commercial Development says bicycle parking devices shall be installed that's not shown on there but that's a minor thing that can be added later and requirement for public restrooms is not indicated on it but that's something I think could be added. The noteworthy pieces you can see on the site plan where or the sketch plan where there's wetlands indicated it does say in all planned commercial developments to the maxim degree reasonably possible practical effort shall be made to preserve the natural environment historic sites scenic points large trees and other desirable natural growths water courses and other water areas and other features worthy of preservation either as portions of public sites or open spaces or in other such form as the neighborhood kind of goes on from there other than showing the wetlands that are not being disturbed there wasn't any identification or of those features.

Ellis, Hood: Are you aware of any?

Testerman, Rob: No, I'm not.

Ellis, Hood: Alright, the other thing that we've got Greg Bourne here is who's our Member Appraisal Institute appraiser who will address the value issue but what about the harmony. Is it in the BC2 zone?

Testerman, Rob: Correct.

Ellis, Hood: That's a permitted use in that it's a special with a special use permit right correct okay so it's in a good zone works zoning is okay.

Testerman, Rob: It's in the appropriate zoning district for special use permit you can see in the staff report the area in which is comprised of maritime forest and wetlands small scale commercial uses. There's a 4500-foot cabinet shop, an auto repair shop, convenience store, elementary school facility, and single-family residence development across 158.

Ellis, Hood: Basically, it is it's consistent with the zoning and in harmony with the neighborhood



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Testerman, Rob: It's consistent with the zoning.

Ellis, Hood: How about the harmony of the neighborhood? Do you find that it disturbs that?

Testerman, Rob: I won't go so far as to say that it disturbs it.

Ellis, Hood: The land use plan encourages this type of development in this zone.

Testerman, Rob: The future land use map is part of the land use plan list this, area as the invest and improve which is a designation for areas primarily in height traffic corridors where commercial or employment activity already exists or where conditions create the potential for higher intensity uses development. You've got the page exert attached to your staff report there. Back to the comprehensive plan, so I don't think it lines up with it but that's for Council to decide. As I mentioned in the staff report, community goals identified in the plan reinforce Kitty Hawk's unique low-key coastal identity and sense of community through high quality design, protection of natural and cultural resources, continuing to protect maritime forests, floodplains, marshes and wetlands. These areas are important for biodiversity and habitat ecotourism storm protection functions and so I think there could be arguments made both ways.

Ellis, Hood: Okay but again this is land that's off US highway 158 which is a busy highway and again down the road is a Home Depot and other big stores and this is again over 250 feet off the highway, correct?

Testerman, Rob: Yes, that is correct.

Ellis, Hood: The areas that they've included in the report show that it may be hardly visible from the highway. If there's a harmony problem, it couldn't be much more.

Testerman, Rob: That will be for Council to decide.

Ellis, Hood: Thank you, sir. That's all my questions.

Varnell, Casey: If I may ask a few follow-up questions. Please Rob, just a few not many at all. During Mr. Ellis's examination, you mentioned first you said the site plan and then you said sketch plan. I was just curious, is there any difference in a sketch plan and a site plan?

Testerman, Rob: The applicants requested to separate the commercial site plan review and special use permit. I don't necessarily want to refer to this as a site plan, it's more of a conceptual sketch plan. I suppose, I don't want to put words in their mouth, but if they're holding off or wanting to separate the two then I don't think it should be referred to.

Varnell, Casey: Understood and it was your word, so I just wanted to get your take. Did that in any way affect your not having a commercial site plan, did it in any way affect your ability to review and consider this project?

Testerman, Rob: I mentioned there's a couple of the more minor parts of the zoning requirements that typically will be shown in the commercial site plan like septic areas but again something like that can be addressed. They've got an area circled for storm water management, but we would have more detail in the commercial site plan, but I wanted to make sure there wasn't any huge difference.

Varnell, Casey: Perfect. So, we can keep the record straight and Mr. Ellis also mentioned the Home Depot and to be clear, it's true it's right down the road but is it the same zoning district as where this project is proposed where the Home Depot is located.

Testerman, Rob: No, that's in BC3.

Varnell, Casey: Is there any difference between BC3 and BC2 or strike that would you say would be



from a land use perspective the largest differences between BC3 and BC2?

Testerman, Rob: So, the BC3 is kind of set up for shopping center commercial shopping center the kind of big box retail stores more density.

Varnell, Casey: That's all I got, I will open it up to you guys.

Garriss: I don't know if y'all have any questions can I ask any more questions for Rob or Mr. Ellis.

Tillett: I do have a question for Rob. Did you notify the applicant tonight that it was recommended to submit a commercial site plan concurrently with a special use permit.

Testerman, Rob: The discussion we had back and forth was that it's typical that we'll have a commercial site plan attached to it if they could make a valid argument as to why we could separate the two then we can proceed that way. Citing the cost and time associated with it, we allowed them to move forward with the understanding that they had to show all those specifications.

Tillett: Would you agree that one of the only reasons not to submit a commercial site plan would be if you're not proposing any physical improvements to the property?

Testerman, Rob: The special use permits that come in for a use moving into an existing building typically would not require a commercial site plan be attached to it.

Tillett: But if you're proposing physical improvements to the property, I would think that a commercial site plan would be required concurrently with a special use permit is that what your opinion as well?

Testerman, Rob: I think it would give a greater level of review to being able to nail down wastewater areas, fire apparatus turnaround areas, things of that nature. We don't have that level of detail in some areas stuff that may not necessarily be in the ordinance but is typically shown.

Tillett: Thank you.

Pruitt: Rob, has anybody contacted the coastal reserve state of North Carolina to see if they felt like that this would have any effect on their coastal reserve in the maritime forest?

Testerman, Rob: They were sent the adjacent owner adjacent property owner notifications as were all the adjacent properties for this development I did not reach out to them specifically and I haven't heard anything back from them.

Garriss: Mr. Goodrich or was your attorney speaking for you in other words do you have any further for Rob or are you good?

Ellis, Hood: Rob, did they tell you how much money it was going to cost them to do a site plan?

Testerman, Rob: There was reference to full architectural plans, and I don't recall the cost, but they did provide the dollar value estimate.

Ellis, Hood: The cost is \$225,000 for the plans and \$75,000 for the engineering. Again, is this a permissible procedure we're engaging in to get the special use permit before we commit to that level of expenditure?

Testerman, Rob: I think the Council must decide if they can make their decision based on the information provided, typically the commercial site is done with special use permits so that we can ensure that all those specifications and conditions are met.

Ellis, Hood: But is it permissible under the Town or to proceed like this to get a special use permit?

Testerman, Rob: It'd not laid out that it can't be done that way but it's typical that together.



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Ellis, Hood: But again, we're talking about mini storage so there's not going to be much waste, but you would have told us that we couldn't be here.

Testerman, Rob: Right.

Ellis, Hood: That's all. Thank you, Mr. Mayor.

Garriss: Any more questions for Rob?

Varnell, Casey: I've got none, Mayor.

Walker: Rob, was it a mini warehouse where we approved a special use in that BC2 40,000 square feet and that's what we approved?

Testerman, Rob: So, the square footage reference is in the BC2 district. It was not part of the text amendment to allow the mini warehouse to use, and it lays out that no owner or tenant shall occupy space greater than 40,000 square feet as shown on commercial site plan. The last time we were here on this the applicants were present with a text amendment to get that changed and then appealed for that interpretation and the Board of Adjustment overruled the staff interpretation that the that 40,000-foot referenced in the ordinance. The board found that it's talking about footprint not the overall size and so that's kind of how we end up back here tonight it's the board of adjustment if I remember right.

Pruitt: Rob, if we disagree with the Board of Adjustment, it does seem kind of I didn't agree on just the footprint. I agreed on the square footage. Somehow, it's been a little bit confusing so if the Board of Adjustment thinks that's what we did then so but that's not what I think many of us thought so is there a method of saying we don't agree with the Board of Adjustment. Is there a procedure, Casey?

Varnell, Casey: It would have been to appeal and there were various reasons that the decision was made not to do that. To answer the question though as for tonight's purposes, no, that can't be a factor in your deliberations, in your findings, or in your conclusions. When I say that can't be a factor, I mean the fact that you disagree with the Board of Adjustment's ruling, there's other standards and things in there, that's not the only thing of course that you get to consider but correct that can't be a basis for a decision tonight of any nature.

Walker: The thing that was argued that night was the definition of square footage that was what was decided that night.

Varnell, Casey: Building area.

Walker: Right, yes and not square footage.

Varnell, Casey: Just for the record, not that this is necessarily material, however what was decided that night the definition of building area meant lot footprint not as you said the entirety of the square footage of the structure. So, however many square feet the lot footprint is and whatever our ordinance requires, the Board of Adjustment's decision was that the number of square feet within our ordinance only applies to the lot footprint not to the entire structure. Does that make sense, Councilwoman Walker?

Walker: Thank you.

Garriss: The proposal has both.

Varnell, Casey: I believe it does, I believe proposal is 35,000 square feet which would be the footprint and then I don't want to speak for the applicant but that would be just since we're talking about the Board of Adjustment hearing that would be the footprint with the I believe 105 unless it's been



modified being the total square footage of the building of the structure itself. That's correct.

Walker: Do we have a definition of "mini"?

Varnell, Casey: Now if it's not found within this ordinance allowing this as a special use if it meets certain conditions then no, we will not have a definition of "mini".

Varnell, Casey: I'm not going to speak for the applicant.

Testerman, Rob: No, our definition for mini storage facility I think mini warehouse facility does not include square footage.

Garriss: Okay, anything else Council?

Tillett: I've got one more question for Rob. If this was submitted to you as a plan a review that was administrative only, I don't even know if we have a process of that nature, do you feel like the items on this plan the what's included on this plan would be enough for you to decide for a site plan approval?

Testerman, Rob: The procedure for that if this was a permitted use by right it would be commercial site plan would go to go to the Planning Board and Council it would be an administrative decision meaning you're just basing it on what they're showing. I think the items that might be kind of lacking in there, like I said the minor things it would in the Council has granted like a conditional approval of the cycling just that they get those corrected. The information shown right before any permits being issued rather than denying and making it make them revise the plan to go back to the Planning Board and back to the Council, it's been handled that way.

Garriss: Are you good, Dylan?

Tillett: For now, yes sir.

Garriss: All right anything else, Council? Alright I'll ask again, is there anyone here tonight that would like to speak during this public hearing if so come up and be sworn in? Please anyone has any questions for Rob or this Council? Okay, we're good Council. Anything else during Public Hearing?

Varnell, Casey: Are you going to present?

Ellis, Hood: We've got two more witnesses, Mayor.

Varnell, Casey: I think the Mayor was referring to you guys too, not just anybody. No problem.

Garriss: I'm waiting for you to come up. Alright, state your name please for the record.

Goodrich, Eddie: My name is George Edward Goodrich

Ellis, Hood: Alright, Mr. Goodrich are you the owner of the property that's in that we're talking about tonight.

Goodrich, Eddie: I am the owner of the property.

Ellis, Hood: Tell me what you understand to be the history of this property.

Goodrich, Eddie: This property was purchased from the estate of Billy Roughton and prior to that it was owned by an oil company and of course as everybody knows there was an old gas station on the property for something like 50 years. Nobody else was able to work through the division of environmental laws, even the state of North Carolina removed what was there and built a new 7-Eleven with the gas pumps and everything and then there the residual property is what we're dealing with now okay.



Ellis, Hood: How much acreage is there?

Goodrich, Eddie: A little over five acres.

Ellis, Hood: How much acreage do you understand will be developed of that?

Goodrich, Eddie: Less than 50%

Ellis, Hood: Okay, which exceeds the open space requirement of the ordinance.

Goodrich, Eddie: Correct, it does.

Ellis, Hood: Tell me what you understand that Mr. Cobb and GHK are proposing on your property.

Goodrich, Eddie: They're proposing two things, one 10,000 square foot of retail space or office space out near US 168 and a 35,000 ft footprint three stories tall which is a storage facility that's fully enclosed, air conditioned, heated, and totally secure. Quite frankly everybody seems to be concerned about the size of this building, well in reality it's smaller than a food store, than a grocery store and it's no taller than a single-family home in Kitty Hawk. I've been in the real estate business for a long time, and I've seen a lot of things happen and nothing is ever as bad as everybody thinks it's going to be.

Ellis, Hood: How many mini storage units are proposed throughout the property?

Goodrich, Eddie: I'm not sure, I think 250 or something like that.

Ellis, Hood: Okay, but again it's for a homeowner that has extra stuff that they can't fit in their house they can store it in one of these units.

Goodrich, Eddie: The average age of people in Dare County is 10 years older than the average person in the state of North Carolina. The average person in Dare County is 48 or 49 years old and the average person in North Carolina is 39 years old. So, yes it's beginning to happen in real estate industry now, they're downsizing, they're moving from their large house to their small house some of them die, they all do and they have things that they want to store for their children and their grandchildren whether they want it or not but they feel they want to have things that were theirs. This facility is also suited for commercial like a plumber to keep his equipment and keep his materials so they won't be stolen, and he can go once a week and get what he needs, and he doesn't have to keep everything under his house.

Ellis, Hood: It's all accessible from the outside, are the units on the inside?

Goodrich, Eddie: Yes.

Ellis, Hood: Do you believe that this project in any way endangers public health or safety?

Goodrich, Eddie: I can't imagine how it could.

Ellis, Hood: You've owned real property in Dare County for how many years?

Goodrich, Eddie: 40 years.

Ellis, Hood: You've done other commercial developments?

Goodrich, Eddie: Quite a few.

Ellis, Hood: As far as you know based on the architect that prepared these plans that worked closely with Rob, is it your understanding that it meets the conditions and specifications of the Kitty Hawk ordinance?



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Goodrich, Eddie: I agree that it does.

Ellis, Hood: As far as in harmony with the rest of the neighborhood in which it's located what do you say about that?

Goodrich, Eddie: The neighbors are North Carolina Power, the 7-Eleven store, a cabinet shop, car maintenance and repair service. The other neighbors, some of it is the state of North Carolina so that's all open space. I would agree that it's in harmony with where it's located.

Ellis, Hood: Which is in BC2 beach commercial. Anything else you'd like to tell the board?

Goodrich, Eddie: I don't think so.

Ellis, Hood: That's all my questions.

Garriss: Thank you, sir. Council? Casey?

Varnell, Casey: No questions.

Garriss: Alright, thank you, sir. Thank you, gentlemen.

Ellis, Hood: Yes, sir, would you please state your name for the record?

Bourne, Greg: Gregory Lee Bourne.

Ellis, Hood: Mr. Bourne, where do you live?

Bourne, Greg: 4893 The Woods Road in Kitty Hawk North Carolina.

Ellis, Hood: You are resident in Kitty Hawk?

Bourne, Greg: Yes, sir I am.

Ellis, Hood: Is your office also located in Kitty Hawk?

Bourne, Greg: Yes, it is.

Ellis, Hood: How are you employed

Bourne, Greg: I am self-employed as a commercial real estate appraiser

Ellis, Hood: okay so can you tell us your credentials

Bourne, Greg: I have the state of North Carolina general certified license that basically allows me to appraise all property types, residential, commercial, and complex issues. In addition to that I'm a North Carolina broker, I'm a realtor and I hold the Member Appraisal Institute designation which basically is a level above what was required to get state certified. In fact, it was a lot more to get my Member Appraisal Institute than it was to get my state certification that takes more education, more experience, and more effort to get that designation. I have 39 years of appraisal experience in virtually all of it in Northeast North Carolina. I appraise a whole array of properties, I've appraised properties for all the towns, basically all the counties, banks, and individuals. I've dealt with attorneys, I've dealt with various government agencies, I've appraised for almost 40 years.

Ellis, Hood: You got any estimate of how many appraisals you've done?

Bourne, Greg: I've done more than 2500 but my appraisals are not like a residential appraisal, my appraisals are big.

Ellis, Hood: Have you also done work for the town of Kitty Hawk?

Bourne, Greg: Yes, I have.



Ellis, Hood: What type of work have you done for them?

Bourne, Greg: I just recently appraised the police station.

Ellis, Hood: You were employed by GHK and Mr. Cobb and Mr. Goodrich in this case?

Bourne, Greg: Yes, I was.

Ellis, Hood: What were you employed to do?

Bourne, Greg: My problem to solve as an appraiser or the problem that was considered is whether the project here will have an impact on any of the adjoining adjacent or nearby properties. Whether it would be in harmony with the neighborhood and not be a public nuisance and as far as the effect on adjoining properties.

Ellis, Hood: That's to determine if this project would diminish the value of those adjoining properties.

B Bourne, Greg: Yes, it was.

Ellis, Hood: the packet that Rob your report that Rob included in what's been given to the town council was dated 2024 when we first were coming here

Bourne, Greg: Yes, sir.

Ellis, Hood: You've updated that?

Bourne, Greg: Yes, I have.

Ellis, Hood: Mayor, may I introduce this?

Garriss: Yes, sir.

Ellis, Hood: Greg, if you would just sort of take us through your process and how you did this and how you compiled the report.

Bourne, Greg: Basically, what I did was look at the existing projects here primarily. I looked at the US storage chain right up the street here the same folks own all the mini warehouse facilities there right there at the Nags Head and Kill Devil Hills line. I looked at a project in Kitty Hawk that also one on Collington Road going into Kill Devil Hills as part of Kill Devil Hills outside the corporate limits and what I did is to look around those properties and see if there was either an impact either improved properties or vacant properties to see if that facility had an inverse adverse impact or any impact at all on the surrounding properties. I look for sales to show that if there was an impact the data that I gathered indicated that there was no impact on the surrounding properties. This property in its specific position within its neighborhood would have no impact on its adjacent surrounding property

Ellis, Hood: As far as the factor that asked whether this project would substantially damage the value of the adjoining property was your determination was no, correct?

Bourne, Greg: Yes, sir.

Ellis, Hood: In your opinion, was there any negative impact at all on the enjoyment problem?

Bourne, Greg: No, sir, not from the data that I collected would indicate.

Ellis, Hood: What about harmony and public nuisance?

Bourne, Greg: Given the surrounding properties, and you got Dominion a large facility over 10 acres, you have warehouses, you have shops, you have an office, the auto repair place, the cabinet shop, both pretty old establishments and the fact that it's surrounded by woods on basically three sides,



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that it would have no adverse impact. You know out front there is 10,000 square feet of retail space which kind of shields the project in the back of the property the woods would remain around the property, so it's screened from the highway, and somewhat visible from the other properties and uses in the area.

Ellis, Hood: Based on your familiarity having lived here for years, worked here for years, in your opinion is there a need for a facility like this?

Bourne, Greg: Yes, there is. I've basically appraised every facility on the Outer Banks and except for maybe during the time of the great recession occupancy has been always very high and there's a reason there's all those facilities across the bridge because there's no place to do it here. From my work on the other projects, it's obvious there's a demand for space here on the beach people would prefer not to drive across the bridge and deal with traffic and so forth.

Ellis, Hood: Thank you, sir. That's all my questions, Mayor, unless somebody else has questions.

Hines: I do. I understand your comparables that you have to use. How many warehouse facilities have you appraised overall?

Bourne, Greg: I would say about five.

Hines: One of them is new. Two of them have switched, the other three have switched hands so when they switched hands. Did you appraise those during the switch?

Bourne, Greg: I appraised one of them for the property owner for tax issues.

Hines: I'm going to go back to my question, overall, how many storage facilities would you say you've done in the last 5 years?

Bourne, Greg: I'd say about probably since we don't have a whole lot of them down here and they don't change hands very often you know maybe three to five something like that.

Hines: You said you used Colington

Bourne, Greg: I used it.

Varnell, Casey: Mr. Goodrich was not tendered as an expert as you were, and the field was what one more time for the record? What field were you tendered in?

Bourne, Greg: As an appraiser.

Varnell, Casey: Do you hold an engineering degree?

Bourne, Greg: I do not.

Varnell, Casey: A law degree?

Bourne, Greg: I do not.

Bourne, Greg: I am not.

Varnell, Casey: The reason I was asking that when you testified as to the harmony with surrounding properties was that and I'll try not to bifurcate this question was your opinion that it was in harmony with the surrounding properties was that based on an impact in value to those surrounding properties?

Bourne, Greg: Yes.

Varnell, Casey: Okay and not in expert opinion as a certified land use planner?



Bourne, Greg: Correct.

Varnell, Casey: Thank you, no further questions.

Pruitt: So, what you were referring to is just the effect on the businesses or the structures not so much the environmental impact part of this, correct? When you say in harmony we're not talking about in with water flow and we're just talking about value. Okay, thank you.

Garriss: Alright Council, anything else? Sorry about that, we have a technical problem going on, I think. Anybody else who would like to speak? Thank you, Mr. Ellis. Thank you, Mr. Bourne. Mr. Goodrich, anything else, council before we go back into regular session?

Varnell, Casey: For clarity, includes questions of anyone that testified tonight I think it's okay if you ask me some opinionated questions. I will tell you I'm not supposed to be asserting my discretion or my opinion or interpretation of any of these considerations or standards in supplanting that for yours so I'm limited I guess as to what I can do but before you close, Mayor, I just wanted to make sure there's no further questions of anybody else that testify of of the by the board. Okay, perfect. Thank you.

Garriss: If not, Council I'll entertain a motion excuse to go back in regular session.

Hines: So, moved.

Garriss: Motion made by David. Second?

Pruitt: I'll second.

Garriss: Second thank you Jeff all in favor?

All Council: Aye.

Garriss: All opposed? None. Alright, we are back in regular session. Council, what would you like to do here? Comments? Questions?

Tillett: I'll comment. Being that the applicant decided to separate the commercial site plan from the standard or special use permit, I'm having trouble agreeing that it meets all the conditions of the ordinance. Casey, do I need to specify what I'm referencing?

Varnell, Casey: Yes, clarify if you would please.

Tillett: The approved comprehensive land use plan is one of the requirements and correct me if I'm wrong is to continue to protect maritime forests, floodplains, marshes, and wetlands from reviewing this submittal. I'm unable to understand how much land disturbance is proposed, how much wetland impacts are proposed, where the wastewater is proposed, what the grading and elevations of the site is supposed to look like. All of that I would consider to be impact on the environment and without that I'm having a hard time being able to say that meets the conditions of the ordinance and approved land use plan.

Varnell, Casey: As I said initially the conditions of the ordinance and then any standards that are imposed upon Planned Commercial Districts or imposed upon by our statute chapter 42 such as the harmony that we were just all those standards and conditions you guys need to be satisfied that they are met.

Tillett: That would be included in the ordinance and specifications that need to be met.

Varnell, Casey: That's correct.

Hines: Would that not be after? Tonight is to move forward with the special use permit so that they



can do all that.

Varnell, Casey: I think and correct me if I'm wrong Councilman Tillett, what you're trying to say is based on what you've got here in front of you tonight, you can't get to that step because you can't tell whether all the conditions of the ordinance are met.

Tillett: That's correct. I understand there's a cost associated with the design. I fully understand that however, I think that's the name of the game in development is you put forward a little understanding that you must invest in it I do understand this a significant cost.

Garriss: Anything else, Dylan?

Tillett: That's all I have.

Hines: I'm going to stand and go last.

Pruitt: I'm good.

Garriss: Charlotte?

Walker: I'm good.

Hines: Back to me, I don't personally have a problem with moving it forward you know I voted for it the first time. You know I don't know of any other place for that to go really unless you're heading north, you're not really going to. It's all going to tie into basically looking like one property more or less. I mean you can't ask for a better buffer on the east side of that area right there, in fact it's almost circled around and buffering. I don't disagree with Councilman Tillett it either generally speaking and I had to have some questions answered before I got here today. You know this is a, correct me if I'm wrong, a two-step process that's correct right so we're not approving it to be built tomorrow, we're just allowing it to move forward to get to the step where they spend the \$275,000 and then at that point do we not get to put restrictions on but at that point do we not then get to really comment on what we need to be commenting on?

Varnell, Casey: Are you talking conditions like additional conditions?

Hines: Let me rephrase my words, at that point in time do we not get to critique certain aspects that's where they have to fall in line with anybody else who submits a site plan for commercial development.

Varnell, Casey: The specifics of the site correct is that what you're talking about I see no reason why you couldn't comment at that stage.

Hines: Absolutely, because we're not approving a permit tonight to start construction tomorrow, we're pushing it forward so they can spend more money to get to that point. Is that correct, is that what I'm hearing?

Varnell, Casey: I'm sorry, I missed David, what did you say?

Hines: Tonight, again we're voting to move this forward so that they can start spending the money on this on everything they need to come back to the Council.

Varnell, Casey: Correct, so any monetary amounts that have been discussed tonight that are associated with full commercial site plan review. Yes, they would clearly have to spend that money, I agree as for the second step.

Hines: I agree with Councilman Tillett over here with what he's saying you know you draw site plans for a living so you know more than anybody, but I don't know that I would spend \$300,000.

Tillett: How are we supposed know? Part of the special use permit process of one of four items that



need to be met is does that meet all required conditions and specifications. I'm unable to say that it meets all the all of that that I don't disagree with the material at hand.

Hines: That's what I'm saying, I don't disagree with you on that. I'm in favor of moving forward. I might be again the only one sitting up here, I don't know where else it can go in Kitty Hawk personally speaking, I personally have a unit across the bridge that I pay \$200 a month for now. Is it more expensive to be here? I don't know, but I know that there's a shortage of places for people to store their items. I was lucky enough to get one unit across the bridge so there's a need for it. I'm not going to get into the logistics of appraisals and this that and the other. I could care less personally, the fact in my mind, what matters is does it fit the area with flow and I personally believe that it does. I could be in the minority again, but I have no problem with that. I have some things I'd like to suggest on lighting and different things to that effect, but we're not there yet so I can't even get into that side of it yet because it's not been moved forward so that's where I'm at with it. If everybody's done talking about it and there's not any more discussion, then I think at this point there needs to be a motion made.

Garriss: Anything else Council? Any more conversation discussion questions? David, right on. If anyone wants to make a motion now's the time to do it.

Hines: I'm going to make it. I'm sure it's going to end up made the same way as it did before. I move to grant approval of the special use permit to allow mini warehouse storage facility and associated retail building located in the Planned Commercial District at parcel 01 039903. The Town Council finds that the proposal meets the conditions of Section 42-1000B8 as well as Section 42-414B4

Garriss: Thank you, David. Do I have a second?

Garriss: Call again, do I have a second Council?

Garriss: Alright Casey we've got a motion we do not have a second.

Varnell, Casey: So, that matter dies. Now I will say meaning usually that leads to denial then of what's been presented but there's a nuance here in that there are additional conditions and things that you guys could propose that are not currently being shown so if one of you would like to make a vote to include anything additional then I believe that would be in order but if not then I would say that this fails.

Garriss: Charlotte?

Walker: No.

Garriss: Jeff?

Pruitt: I'm good.

Garriss: I don't have anything. Dylan?

Tillett: Explain to me what again what are we talking about?

Garriss: Any conditions that could be placed so that we could go forward.

Varnell, Casey: If there are other reasonable conditions outside of what's listed in the ordinance, for example, those that are tailored or substantially related to the intent of the ordinance itself you can propose those in addition. What I was saying is generally if a motion to deny and or if it was approved vice versa if a motion to deny is made and it dies then it fails thus it's not approved. Does that make sense? However, since you can have the discretion to add additional conditions, I just don't want to take that off the table if that's something that you guys want to consider because it wouldn't be a flat



denial of if you added conditions of what you've got here tonight.

Tillett: No, I don't have any additions to make.

Hines: Okay, so just so I understand it as Councilman Tillett. What question was on 42-100 B8? Is that what he was hung up on? Is that a place for him to bring up his concern?

Varnell, Casey: Is what a place? Help me out.

Hines: Sure, right here.

Varnell, Casey: What he said is that he cannot understand that because it does not meet all required conditions and specifications and then I do believe, and I want to do this for the record and ensure that's what these decisions are based off because there's got to be a rational nexus. Which condition were you referring to?

Tillett: Condition B, does not meet all required conditions and specifications.

Varnell, Casey: And then those conditions and specifications were those the ones you referenced during deliberations?

Tillett: During my deliberations.

Varnell, Casey: Understood yes sir, is that what you were referring to as you were deliberating and you've answered that.

Tillett: That's correct.

Hines: Is that a place to put a condition on it now or not?

Varnell, Casey: I mean if somebody wants to make that motion, yes.

Hines: If I were to retract my motion and include his concern is that okay?

Varnell, Casey: You would be putting words in his mouth.

Hines: I mean I'm not putting words in his mouth.

Varnell, Casey: All I'm stating is make sure you understand the concern. Maybe I'm confused.

Hines: Is that the only thing that you were concerned about?

Tillett: That's correct.

Varnell, Casey: Right but I think what he's saying is he's not able to determine that all the conditions and specifications have been met based on the evidence presented.

Tillett: That is correct.

Varnell, Casey: So, there wouldn't really be a scenario where all right well let's approve now you there could be a continuance and then there could be.

Hines: Can it not be contingent upon satisfying?

Varnell, Casey: According to what I'm hearing, remember what I said in the beginning. We're based on what we got tonight right well and if Councilman Tillett is saying that he doesn't believe there's enough there and that is a basis for his non-vote, I suppose it is you know again within your deliberations. Do you Mayor, Councilman Pruitt, and Councilwoman Walker concur with Mr. Tillett's comments?

Pruitt: I do. Go ahead, Mr. Mayor.



Garriss: Would it be easier to have a second to David's motion do we either approve or deny what we got before us tonight?

Varnell, Casey: I think for the record what would be most clear if, Councilman Tillett, if you would make the motion based on and give the basis for it and let's go.

Tillett: We still have an open floor now that the first motion was not seconded.

Varnell, Casey: Yes, in this there is no closure.

Tillett: Correct.

Hines: Am I retracting mine?

Varnell, Casey: No, yours died.

Pruitt: Can I ask a question, Casey? Can some of these conditions that we're concerned about be done without the expensive site plan? One of my main hang-ups is it in harmony, if somebody said the water's going to flow right with the nature part and it's not going to cause some stormwater. I'm worried more about the flooding and stuff like that. Other than that, I do agree with David that it is a good location for a facility like this, but I don't have the information to know. I would like just to like to know a little bit more about where the water's going and what effect it's going to have on people, that's it with me. I don't know if that details a whole site plan or just an environmental concern.

Hines: I'm just saying we can't even get there until we push it to that place.

Tillett: You can you just have to invest in your project a little bit more.

Hines: Well, that's true correct.

Tillett: You can get there right, and many applicants do in towns all over the place.

Hines: I don't disagree with that.

Tillett: Okay, so you need something, alright. Mr. Mayor, I move to deny the proposed special use permit for a mini warehouse storage facility located at parcel number 010399003 due to not meeting all the required conditions and specifications part of the as per 40 Chapter 42-100BA as per 42-100BA special use permit requirements.

Garriss: Okay, thank you, Dylan. Do I have a second to Dylan's motion?

Walker: Second.

Garriss: Second by Charlotte. Any further discussion? All in favor of the motion to deny please signify by saying, "aye".

Garriss, Tillett, Pruitt, Walker: Aye.

Garriss: All opposed?

Hines: Aye.

Garriss: Motion to deny tonight passes four to one. We finally got there, thank you.

Varnell, Casey: What will happen now guys is I will prepare it has to be a written order generally and I will give it to Mr. Ellis. There's no appeal rights anything of that nature that begin running until there is a written order approved by you guys so between now and next meeting I will present that to Mr. Ellis to see if we can come to an agreement on it with the idea bringing it back to you guys as an agenda item where you can approve the contents of the order as per your results and decisions just now.



Garriss: Very good, that's what we need. Thank you, sir. Thank you, gentlemen. Folks, thank you.

Varnell, Casey: Yes, sir.

Garriss: Thank you, Council. Item 9A, Fiscal Year Budget.

9. New Business:

a) Fiscal Year 2025-2026 Budget Presentation and Motion to Schedule Public Hearing for June 2, 2025.

Clopton, Melody: Good evening, Council and members of the public. We are here to present our Fiscal Year 2025-2026 Budget. This is the first step in the budget approval process. After today, the budget will be available for public inspection and then we will have a public hearing and a Council vote. We hope to have the first meeting in June. Our budget theme this year is defining a path forward and just to review, a budget is a comprehensive plan outlining anticipated revenues like our tax revenue and proposed expenditures like spending on services for a specific period, often for a fiscal year, that reflects the government's priorities and policies. Our budget reflects our goals from our mission and our vision of community involvement, family values, responsible use of town resources, preserving the town's history, enhancing natural resources, and promoting resiliency, striking a balance between the needs of our year-round residents and our visitors and continuously improving the quality of coastal living. When our lead team sets out to talk about their department budgets and what ultimately becomes the town budget, we consider efficiency, we try to maintain expected services, and we also think about sustainability. What does our future look like? We need to allocate funds for capital improvements and long-term projects and infrastructure so those are the things we consider and the three things I'm going to talk to you about tonight are our reevaluation. Everybody I think knows about the property tax revaluation, our revenue stream, and our expenditures. Dare County did their 2025 property revaluation, their goal is to do it every five years so our townwide property values increased this current fiscal year. The townwide property ad valorem was one and a half billion. With the property revaluation, the property values for this year are \$2.4 billion so what we must do first is calculate a revenue neutral tax what would generate with the new value. What would generate the same amount of taxes, and it was calculated at 19 cents, and the municipal service district was 6 cents using the revenue neutral tax and revenues less requested expenses left a shortfall of \$746,000. In this budget our projected revenue is \$12.5 million, we are proposing a townwide tax rate of 22 cents which includes the two-cent allocated to beach nourishment and the MSD which is revenue neutral at 6 cents. Our current tax rate is 30 cents with three and a half cents dedicated to townwide beach nourishment and the municipal service district tax rate is 10 cents. The proposed tax rate is three cents above revenue neutral, and one penny generates \$248,593. Our projected expenditures and our balance has to be budgeted so it is \$12.539 million, the same as expenses. Personnel benefits are the largest cost for the town. Operations are \$4.1 million, maintenance, and repairs are just close to \$400,000. Our capital outlay this year is \$674,000 and the transfer to capital reserve is \$493,000. That is a 4.8% increase over last year's budget. The budget does not use any fund balance to balance the budget, which means we're leaving our savings alone. Currently as of May 2025, our unassigned fund balance, meaning it's not allocated toward any project, is \$3.1 million and we also have an emergency fund set aside for emergencies at \$3.5 million. Those totals remain intact in our 2025/2026 budget. The highlights are 3% pay plan adjustment and a step increase for all staff, we are adding two new full-time sworn police officers, we are changing our health insurance provider, and we are experiencing a flat renewal because of that change. We are replacing playground equipment at Paul Pruitt Park and staffing an additional lifeguard stand south of Bleriot Street. We are also working to paint and put a roof on the medical side of the building at 5200 North Croatan Highway. Things that



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we are going to do with our capital funds, we're going to as I said roof repair at 5200 North Croatan Highway, replace the playground equipment, we need to replace vehicles, \$40,000 of police equipment, fire vehicle replacement, fire bunker gear replacement, fire equipment, street resurfacing, which is comes from the state at \$172,000 and we are purchasing an ocean rescue UTV vehicle. Things we're setting aside money for, we're putting aside \$493,900 for IT equipment, finance software, HVAC replacement at the fire station, our Caterpillar backhoe replacement, rehab of firehouse kitchen, the land use plan update police in-car radios, our fire truck replacement, and then \$217,000 goes into beach nourishment. In conclusion, I just want to say thank you council we have talked about this and not something we take lightly at all. It's been a group effort, everybody's been involved in this, so I really want to thank you, and I thank our lead team and their staff for making this a sound budget. This gives us a sound financial future, the budget aligns with our core values and our goals, and I think it ensures that we meet the needs of our community, so I appreciate everybody's time

Garriss: Thank you, Melody. It's obvious a lot of hard work went into this budget. We've had discussions, I've had discussions with each Council member, some other ideas that came up, but nothing can happen because we're at the 22-cent proposed rate and that's where we're going to stay. If we want to do anything else we're going to have to go above that number and I don't think, there's a whole lot of what I gather interest in doing that. We spoke about a fire truck for the future I think everybody kind of mentioned that that I talked to but I am open for discussion while Liliana and Melody are here. You all have done outstandingly with your work, thank you. Charlotte? Jeff?

Pruitt: I'm good Mr. Mayor, thank you. I think it's a good budget. We tried to work with everybody, we were able to give everybody a step raise and percentage. We're trying to pay off some big items this year and hopefully we can trim some of the things that we're paying for this year and get some things paid off and move forward and the purchase of putting aside for a new truck so that we're not hit all at one time. I've talked with Dylan, and I think both of us talked about the need to go ahead and start setting aside funds which would require raising the taxes and but during the budget the conversation was if we can wait one more year then the possibility that that might happen next year. I don't know but I'm happy with the budget that we've set this year.

Clopton, Melody: I want to point out that it's a second truck, we're almost there with one fire truck but next we must start saving for a ladder truck so that's the next thing that's what they're talking about now.

Garriss: We heard \$2 million. Okay thank you, Jeff. Thank you, Charlotte. Dylan?

Tillett: I agree, I'm happy with where we landed with this budget. The 22-cent tax proposed tonight, I do have some concerns about saving for that \$2 million fire truck. I'm the last one to want to increase taxes. If we were to do such a thing I would want to dedicate that money specifically to a fund for the new fire truck and if we want to revisit it next year that's all right with me as well. I'm a planner, I like to think ahead and that's all that my concern is making sure as of right now it doesn't seem to appear to me that we are going to meet a target goal of \$2 million by the time we need that firetruck. That is my concern that and going like this we will be leaving money on the table and there's shared revenue. I learned this as a new councilman, there's such thing as shared revenue that's a combination of the occupancy tax the land transfer tax and the sales tax in Dare County and that's divided up to each town by the percent of property taxes that the county that each town does so when other towns increase their taxes, our share of property taxes becomes smaller. Which is fine with me, however, that means our share of participation goes down. Very few people know about that, and that was new for me to learn as well.

Garriss: And that's where we've been in years past too everybody around us will go up and we didn't



correct, and we suffer.

Tillett: If we can budget that, then I'm okay with it. I have concerns about the fire truck, that's all if we want to visit next year then I'm more than fine with that.

Garriss: David?

Hines: I'm good. Thank you.

Garriss: I'm good, too we need to keep that on the in line for next year.

Tillett: It's also my understanding from Liliana that we if should the need arise that we need that firetruck, we can put a special tax just for the fire truck that disappears once the firetruck is purchased. That could be a great plan to go with if that should need arise

Garriss: Alright any more conversation about this Council?

Walker: I just think it would be better to go up another cent if not two and dedicate that money straight to the fire truck. If we order that truck now, we get it at today's price not two and a half million dollars. We must have it by 2030, and I just think I would rather come back and ask you again, I just think you get what you need. Go ahead and bite the bullet and get what you need and save for that truck. There's not a soul in Kitty Hawk that doesn't want that firetruck to come to their house if they need it.

Pruitt: Do we know what the other towns are doing? Do we know each one?

Clopton, Melody: We don't know specifically but Southern Shores and Duck are both looking at five to six cents. Nags Head is probably a penny and Kill Devil Hills has not disclosed.

Pruitt: We really don't know our shared revenue right now. We're assuming it's going to be lower, but we don't know, correct?

Clopton, Melody: Correct.

Tillett: We're assuming that based on the two towns that you think that that we understand could be going to five or six cents yes and that's now two towns go to.

Clopton, Melody: No, but that's pretty much confirmed, Southern Shores because of their new fire department and Duck has a public safety project that they're trying to work on. That a special tax I don't know the details of it but that's what the town managers have shared.

Tillett: If two towns go five or six, two towns go one or two, and we're at three shared revenues may not change. There's a chance it may not change.

Clopton, Melody: It's hard to predict until it comes out. There's no way you're not going to know until it comes out, it's an unknown but I do think we all have a better understanding of it now and we kind of know what more to expect so I feel good about the progress that we've made this year.

Garriss: Council, keep in mind we're getting ready to set a public hearing for that meeting, we can still discuss some more at that meeting. We need to have it approved at that meeting, though.

Garriss: Council, I need a motion to schedule a public hearing for the budget presentation for our next meeting, please.

Hines: So, moved.

Garriss: Motion made by David to schedule a motion public hearing for June 2, 2025. Do I have a second?



Tillett: Second.

Garriss: Second by Dylan. All in favor?

All Council: Aye.

Garriss: All opposed? None, thank you. No Old Business, Town Manager.

10. Old Business

11. Reports/General Comments from Town Manager

Clopton, Melody: Yes, sir. I want to remind everybody that May 20th is the last day to schedule a large item pickup and then we go on hiatus for the summer and start back in September. The Dare County hazardous waste event, which is extremely well attended, will be this Thursday here at the Town Hall between 9 and 3. It is free, and you can bring motor oil and paints and varnish and fluorescent light bulbs and all kinds of things and here in the parking lot from 9 to 3. Then to give you an update on the police station, the power's been turned on and the crew is turning on lights on each circuit and electrical panel should be fully lit up tomorrow. All will be tomorrow, flooring will consist of carpet, resilient vinyl tiles, and ceramic tile will begin installation in the next week or two. The inside overhead inspection is scheduled for Thursday so once that's complete, they can start putting in the ceiling panels. We expect the construction trailer to be moved by the end of the week so that the final concrete pour and the grading can begin. We are expecting furniture to arrive and be installed on June the 2nd and tentatively anticipating a mid-June move in date.

Garriss: Wonderful, thank you. Casey has split on us. David?

12. Reports/General Comments from Town Attorney

13. Reports/General Comments from Town Council

Hines: I don't have anything really

Garriss: Dylan?

Tillett: I don't have anything either

Garriss: Charlotte?

Walker: I would like to say a special thank you to the fire department and the police department for the help I received last month, and everybody was timely, and they couldn't have been better. I really appreciate all that help. Thank you

Garriss: Jeff?

Pruitt: Yes, I'd like to thank all the department heads and all the all the staff, Liliana especially, for all your hard work on the budget. As Melody has said it's a tough thing for us to sit down and hash out numbers and we try to do the best we can here to keep your taxes as low as we can but provide you with the services that I think you deserve, and you really need. I hope you all are happy with our budget. That's all I have to say.

Garriss: Thank you, Jeff. Lieutenant Helms and the police department, thank you for the great skate park day. Jeff, you showed up and I think you said one of the biggest turnouts you'd had in a long time. You all did a great job, gave away some good prizes too. While we're on the police it's National Police Week coming up May 15th is National Police Officers Memorial Day. Chief Talley, your firefighter's proclamation, thank you for what you and your staff do too. Wonderful. I've been a member of this council for 12 years, going on for 12 years. Jeff and I came together eight years as Council. This is my last term as Mayor, I will be up in December. Twelve years is long enough. I will not be filing for



reelection as the Mayor of the Town of Kitty Hawk. I will have more to say on this later and there's no further discussion. I need a motion to go into closed session, Council.

Hines: So, moved.

14. Motion to go to Closed Session pursuant to

- a) **N.C. Gen. Stat. 143-318.11(6)**, Town Council will enter into Closed Session to conduct the annual performance evaluation of the Town Manager and to discuss other confidential personnel matters.

Garriss: Motion made by David we're going into close session to discuss our Town Manager evaluation. Do I have a second?

Pruitt: I'll second.

Garriss: Second by Jeff. All in favor?

All Council: Aye.

Garriss: We are in close session folks, thank you for coming tonight.

Town Council then entered Closed Session to conduct the annual performance evaluation of the Town Manager and to discuss other confidential personnel matters.

Garriss: Anything else, Council? If not, I will entertain a motion to adjourn.

Walker: So, moved.

Garriss: Motion made by David. Second?

Tillett: Second.

Garriss: Second by Dylan. All in favor?

All Council: Aye.

Garriss: Thank you, we are adjourned.

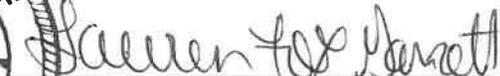
15. Adjourn

Adjourned at 8:25 pm.

The Minutes of the May 5, 2025, Kitty Hawk Town Council Meeting are approved at the June 2, 2025, Kitty Hawk Town Council Meeting.


D. Craig Garriss, Mayor




Lauren Fox Garrett, Town Clerk