

Minutes of the Saturday, June 8, 2024, Board Retreat of the Kill Devil Hills Board of Commissioners held at 9:00 a.m. in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills.

Members Participating: Mayor John Windley; Commissioners Terry Gray, T. Dillon Heikens, Ivy Ingram, and Bernard “B.J.” McAvoy

Members Not Participating:

Others Participating: Debora P. Díaz, Town Manager; Stan Keeler; facilitator; and James Michael O’Dell, Town Clerk

Call to Order

Mayor John Windley called the June 8, 2024, Board of Commissioners Retreat to order at 9:02 a.m. and introduced Stan Keeler, who would be facilitating the retreat session. Mr. Keeler shared about his years serving as a facilitator with General Electric, as well as his experience facilitating sessions with Rotary International. He noted that the Board had provided items to be discussed beforehand, and Staff had grouped the items into the following topic categories: Recreation, Town Facilities, Traffic / Pedestrian, Development, Housing, and Budget / General. Mr. Keeler shared that he had set equal time parameters for each category, and that the Board could extend those periods if the discussion warranted it. Mr. Keeler also noted that at the end of each topic category’s discussion, an outcome listing would be created.

RECREATION

Sound front boardwalk west of disc golf course

Improvements to disc golf park including parking, bathroom facilities, pavilion, street improvements and water hook up

Commissioner Gray and members discussed implementing a soundside boardwalk and other amenities, including a potential kayak launch and improvements to the Town’s disc golf course, which would complement surrounding facilities, including Camp S.A.L.T. The group supported the development of a committee to coordinate stakeholder input, and pursue funding opportunities, including Tourism Bureau grants, public / private partnerships, and interagency agreements. Although the improvements would be included in the updated Recreational Facilities Plan, the BOC suggested a Town committee that would have representative input from Dare County, the Sheriff’s Department, Dare County Schools, National Park Service, Dare County Parks and Recreation, North Carolina Park System, Nags Head Woods Ecological Preserve, and Town Staff. Ms. Díaz stated that Staff will review all of the previous plans for the Baum Tract in preparation for future development. The group requested a mechanism for permanent preservation for the Baum Tract. Ms. Díaz noted that many state grants require

recipient properties of recreation grants to be protected as recreational areas in perpetuity, which is what occurred with Meekins Field Park.

Outcome Staff will review all previous Baum Tract plans and materials, and return to the Board. A committee will be established to move forward.

Beach access/ recreation discussion how we can continue to support maintenance and beautifications with potential for conserving resources like water saving measures and solar.

Commissioner Ingram and members discussed additions at the Town’s beach accesses, including solar lighting and water conservation options. They also discussed the beach access plan update. Ms. Diáz shared that the Town was installing some push-button showers at some accesses for a pilot project, noting that for members of the public who preferred those facilities, other groups, including surfers, preferred manual valves for washing their boards and equipment. She stated the Town was trying to balance the interests of all groups. Commissioner Heikens inquired about any walkover improvements. Ms. Diáz replied that Staff will be coming to the Board in a future meeting for consideration of a grant proposal for the Hayman Access. Commissioner Gray reminded the group that to make improvements, along with regular maintenance and repair, to Town facilities, adequate staffing was required. Ms. Diáz noted that Staff would be presenting to the Board the results of the Workforce Manpower Study and Comprehensive Pay & Classification Study once completed.

Outcome Staff will continue to update the Beach Access Plan, and will forward to the Board when completed; beach access grant application to be presented to the BOC at an upcoming meeting.

TOWN FACILITIES

KDH Town / First Flight Campus

Commissioner McAvoy shared he had recently met with First Flight High School Athletic Director Chad Williams and had discussed the potential for the development of a collegiate summer wood bat baseball league, similar to the Edenton Steamers franchise. The group discussed the potential for coordinating the beautification of the Town Hall and First Flight Complex campuses, including the addition of banners, mapping of the campus, and updating of fields and facilities. Through consensus, members determined that a committee for the Baum Tract facility could contain representatives to discuss campus concepts, but campus concepts will not be the main focus. It was noted that Run Hill Recreation Area was a protected area and could not be developed or divided for any reason. Ms. Diáz stated that the Planning Department was currently working with Mr. Williams on the potential for banners along Veterans Drive. The Board supported the concept of a collegiate summer wood bat baseball league in town, but requested more information before taking any action.

Outcome No action taken; Board will await further information from Dare County Schools.

Discuss ideas for the current fire station building.

Commissioner Ingram and the group discussed potential options for future use of the Town's current Fire Station once Staff transitions to the new KDH Fire / Dare EMS facility. She noted that through the State of the Child conference, children's mental health was identified as one of the highest community needs. A community center concept was discussed, which could provide outreach for area children and youth, with possible funding from outside organizations. Mayor Windley inquired about Staff's input regarding future use of the facilities. Ms. Díaz replied that a structural engineering review would be necessary once the Fire Department Staff transitioned to the new facility to identify safety issues prior to any consideration of use. One long-term option would be for the Police Department to be transitioned to the site, either updating the facility or utilizing the site with a new one or two-story structure. Since that is a long-term option, members discussed the potential for the space to be managed by another organization and leasing the facility from the Town.

Mayor Windley inquired about the Town's use of the current EMS station, which is located behind the new KDH Fire / Dare EMS facility. Ms. Díaz replied that it would be utilized for the Town's Buildings and Grounds Division, aiding in the maintenance of Meekins Field Park.

Outcome Once the Fire Department has transitioned to new Fire / EMS facility, Staff will research options, including an engineering study.

TRAFFIC / PEDESTRIAN

Discuss potential move to upgrade sidewalks along US 158 to multi use paths.

Commissioner Gray and the group discussed the possibility of upgrading the Town's westside sidewalks along US 158 to multi-use paths, similar to Nags Head's infrastructure. He noted the increased pedestrian and bicycle / e-bike traffic on the sidewalks. The BOC noted the high-cost estimate for the already-submitted engineering study. Commissioner Ingram supported an engineering study if this project was moving forward; however, Commissioner Gray supported bidding out the study if necessary.

Ms. Díaz recommended the Board to defer plans for any conversion of sidewalks to multi-use paths since the Town has completed one of BOC's goals of developing a safe, north / south pedestrian sidewalk corridor. She suggested that the BOC continue developing east / west sidewalk links from neighborhoods to US 158, similar to the successful Third Street sidewalk, which connects into the north / south pedestrian artery. Through consensus, the Board agreed to this plan and focus any Tourism Bureau funding opportunities on the additional development of the Baum Tract.

Outcome Sidewalk-to-multi-use path conversion project is placed on hold. Board will focus Tourism Bureau grant efforts on further Baum Tract development.

Pedestrian safety and a discussion on e-bikes, golf carts, etc. How we can all harmoniously use our roads and sidewalks.

Commissioner Ingram and members discussed pedestrian safety and the growth in e-bike use. Mayor Windley noted that e-bikes are classified as bicycles under North Carolina statutes. The group discussed options for enforcement and education. Following a discussion on signage options, Ms. Díaz stated that Staff could develop educational signage similar to what has been placed on the bike trail on NC 12.

Outcome Staff will place pedestrian and bicycle / e-bike educational signage on the Town's sidewalks.

Stoplight Plan - Do we have plans to add any further stoplights to our current collection?

Commissioner Heikens and members discussed signal lights in the north end of town, from Fourth Street to Helga Street. The BOC noted that once all infrastructure is in, it would be good to request traffic study.

Outcome Once all commercial construction has reached full occupancy, Staff will place on the Board's meeting agenda to request a North Carolina Department of Transportation (NCDOT) traffic study for US 158 from Fourth Street, north to Helga Street.

DEVELOPMENT

Density/development in the OIR zone.

Mayor Windley and members discussed options for limiting density and development in the Ocean Impact Residential (OIR) Zone. He noted that currently, the Kill Devil Hills Waste Water Treatment Plant (KDHWTP), a private wastewater treatment facility, currently has no further capacity to provide customers with centralized sewer / waste water treatment for the foreseeable future. This results in any potential development in the OIR served by KDHWTP being immediately denied centralized sewer service, and being required to develop a septic system. Mayor Windley noted that it would be a good time to discuss lot coverage and height requirements. Members discussed the potential impact on decreased structural development sizes. Commissioner Ingram also suggested additional parking requirements in the OIR to promote safety.

Outcome Administration will meet with Planning Staff and the Town Attorney to consider what development options are available in this window in which capacity is limited.

Look at zoning to protect full-time residential neighborhoods that would potentially limit short-term rentals in some capacity.

Commissioner Ingram and members discussed zoning to protect full-time residential neighborhoods in town. She noted that communities across the U.S., especially in tourism areas, have been striving to limit short-term rentals and protect the properties of year-round residents through zoning restrictions. With the recent downturn in Airbnb rentals, it may be an option to consider zoning options to limit or ban Airbnbs and promote full-time neighborhoods. Mayor Windley suggested an exception for current residents to apply prior to any exclusion. Commissioner Ingram expressed concern about the future affordability of housing in the area. Commissioner McAvoy shared his concern about government restrictions, and noted that the market can address the issue. This phased-in concept would be for the Residential Zone, not in other zones. Commissioner Ingram stated that the housing market is deciding that people will not be able to live here. Ms. Díaz noted that in her neighborhood, several neighboring properties may utilize a property management company or even independently rent to friends, rather than utilize the Airbnb system.

Commissioner Ingram stated that a phased-in lottery system to decrease the number of short-term rentals in the Residential Zone could be a concept. She shared that several North Carolina-mountain communities had taken steps, including lottery systems and the establishment of zoning districts for long-term housing. Ms. Díaz said that restrictive covenants were also an option.

Outcome Staff will research long-term options that other North Carolina communities are taking to address the housing shortages created by the short-term rental market, and report back to the Board.

HOUSING

Accessory Dwelling Units (ADUs) - are we doing enough to make these a viable option for people to either provide more housing or otherwise to subsidize their home expenses?

Commissioner Heikens and members discussed accessory dwelling units (ADUs). He noted that ADU parking requirements were the same as building an addition onto a house, and that the two main challenges for additional ADUs were parking and lot coverage requirements. Mayor Windley inquired about the number of ADUs permitted since the Town ordinance had been amended. He inquired about lot coverage requirements for lots less than 7,500 square feet. The group noted the challenges with parking and septic service. Commissioner McAvoy does not support ADUs because of the increased density, especially for the smaller lots. Mayor

Windley said that ADUs serve a need under current conditions. Commissioner Gray supported the original intent of ADU development. Commissioner Ingram supported the concept unless lot coverage and parking were negatively affected.

Outcome Staff will research the number of submitted ADU plans, along with the number denied, as well as with any challenges to their development.

Employer-provided (or subsidized) Housing - Is there anything that we can do to incentivize the private sector to help solve a problem that so acutely effects it?

Commissioner Heikens and members discussed options to incentivize employer-provided housing. Mayor Windley inquired whether concepts like a dorm-style development with decreased parking requirements could be considered, and until local businesses approach the Town with what they need to house their employees, it is difficult for the Board to address anything. Commissioner Ingram stated that the Dare County Board of Commissioners had recently denied a similar development. Commissioner Gray inquired whether, for instance, four apartments for employees could be constructed on the large lot at 1513 South Croatan Highway (the old Burger King) in conjunction with the anticipated Cook Out restaurant development. Ms. Díaz noted that the Town Code permitted mixed-use developments in the Commercial and Light Industrial Zones, and the Board had recently amended the ordinance to modify mixed-use setbacks to align with commercial setbacks to facilitate mixed-use development.

Outcome Staff will research what mixed-use options would be available for the property at 1513 South Croatan Highway.

Upcoming Planned Housing - do we have any upcoming planned housing that has been submitted?

Commissioner Heikens and members discussed ongoing planned housing developments. Mayor Windley inquired whether the planned educator housing from the Dare Education Foundation had begun. Ms. Díaz replied that they had not begun the additional apartment; however, she noted that it was another approach that the Board had committed to promote essential housing by waiving certain development fees.

Outcome No action taken.

BUDGET / GENERAL

Plans for the next 2-year fiscal cycle (years 2025-2026 and 2026-2027): Which capital projects are scheduled? How much debt service is scheduled for the fire station? Would we need to increase taxes to maintain current service levels? Estimate future cost of living adjustments (COLAs)? Board priorities for this time

period? Open discussion- each board member shares their goals and priorities for the next 1.5 years.

Mayor Windley and members discussed an overview of the upcoming goals for the next two-year cycle with capital projects. Commissioner Gray and the Board commended Ms. Díaz on the Town's efficient operations. Ms. Díaz presented the Town's debt allocations, which were included with the retreat materials. She proposed early in the year that the Board meet in a similar format, and set some budget goals. She noted that from the Board's response at this retreat, priorities included increased funding for recreational opportunities, focusing on the Baum Tract; and further development of east-west sidewalk infrastructure that promotes pedestrian access and safety. Ms. Díaz noted that costs for everything continue to increase, and that a tax increase will be recommended in the next fiscal year cycle. She said that the Workforce Manpower Study and Comprehensive Pay & Classification Study results would likely result in a recommended increase in full-time positions. She thanked the Board for its commitment to competitive employee salary and benefits packages, noting the Town needs to keep its passionate and dedicated Staff. She provided a historic overview of estimated cost of living adjustments (COLAs), and noted that they have returned to a more historic norm, following the unusual COVID-19 rate increases. She anticipated 3.5 – 4.0 percentages over the next several years. Mayor Windley inquired about the streets scheduled for investment. Ms. Díaz replied that Commissioner McAvoy, who chairs the Street Improvement and Special Projects Committee (SISPC), was working with Staff to schedule a meeting to set street projects. She said that it is crucial for streets projects to include drainage and sidewalk components, which may take longer in planning and completion, but saves money in the long-term. The Board expressed its commitment to maintaining Town services for its residents and visitors, and implementing any necessary tax increases incrementally, with proactively-built reserves for Baum Tract development.

Commissioner McAvoy and members discussed various beach accesses. Ms. Díaz replied that proposed access improvements would be included in the Shoreline Access Plan, which is undergoing Staff review and update.

Outcome No action taken. Proactively plan for Baum Tract project within the budgetary process.

Adjournment

The Board expressed its appreciation to Mr. Keeler for his work facilitating the retreat, and invited him back for future sessions. Mayor Windley then adjourned the retreat at 12:39 p.m.

Submitted by:

James Michael O'Dell
Town Clerk