

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, February 8, 2022 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



---

## MINUTES

### CALL TO ORDER

Mayor Barbee called the meeting to order at 6:00 PM, followed by the invocation by Council Member LeCompte and Pledge of Allegiance.

### PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

Council Member Deb LeCompte

### ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

Town Attorney Noel Fox

### ADOPT THE AGENDA

Mayor Barbee wanted to make sure everyone knew a closed session was added to the agenda.

**ACTION:** Motion to adopt the agenda

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer,

Council Member LeCompte

*Motion passed unanimously*

### CONSENT AGENDA

1. Set a public hearing for March 8, 2022 for a Text Amendment – to amend:  
Chapter 40 Sec 40-70 & 72, add multi-family uses to the Neighborhood Business (NB) zoning district with reduced setbacks.  
Chapter 40 Sec 40-74, increase the density in Neighborhood Business (NB) zoning district.  
Chapter 40 Sec 40-72, allow parking areas serving the use to be located in a different zoning district. Applicant: Hamby Beach Properties, LLC
2. Budget Amendments/Transfers
3. Adopt the 2021 Records Retention Schedules for Local Government Agencies
4. Approval of Minutes from January 11, 19, 27, and 28, 2022

**ACTION:** Motion to adopt the consent agenda

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

## **SPECIAL PRESENTATIONS**

### 5. Events Update by Tim Murphy

Tim Murphy, Recreation Programs Superintendent/Community Events Coordinator, reviewed upcoming special events:

- Steve Haydu St. Patrick's Lo Tide Run – March 12
- Boardwalk Blast Fireworks and Music – starts May 27 and continues every Thursday through Labor Day with the exception of holiday shows on July 1 and September 2
- Movies at the Lake – Sundays May 29-September 4
- Family Nights – Tuesdays June 14-August 16
- Boardwalk Bingo – Island Women will run this on Wednesdays; start and end dates to be determined
- Coffee with a Cop – February 9 at Crush and Grind

Dwight Findlay of Superb Soccer, Superb Athletics, and Superb Futbol Club and Ryan Gillespie of Peak Athletics gave a special presentation about the proposed Superb Beach Soccer Tournament May 6-8.

Council Member LeCompte said if the tournament moves forward with one of the options, representatives should meet with Kevin Murphy of Ocean Cure about whether the wheelchair-accessible mats will be out yet and if so, how that will scope out with the courts. Mr. Gillespie said they will do that and talk to business owners that do rentals in the area to ensure there are no negative impacts. He said they are open to any necessary adjustments to ensure a positive experience.

Mayor Barbee said the beach should be a lot wider after the nourishment project, which will be done well before the proposed dates.

Council Member Hoffer said he supports the tournament, and his only suggestion is to spread out fields a little.

Mayor Pro Tem Healy said the closer the tournament is to downtown businesses, the better.

Mayor Barbee said he likes one of the options better than others because it's not in front of residential.

Council Member LeCompte said tournament representatives may want to talk to beach vendors to see how this would impact them.

Mr. Murphy said the Events Committee recommends approval, and the biggest conversation in the meeting was moving the tournament further south where the beach is bigger, and it would be less impactful because there are a lot of events in May and June on that strand.

**ACTION:** Motion to approve the Beach Soccer Tournament

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Mayor Pro Tem Healy asked about the Turkey Trot, which may no longer be able to operate in Wrightsville Beach, according to recent news reports. Mr. Murphy said the Wrightsville Beach Board of Aldermen is voting on Thursday whether to continue to allow the event, so Council should wait to see what happens before deciding whether to pursue the event for the Town.

Mayor Pro Tem Healy asked about the fireworks dates. Mr. Murphy said historically the Fourth of July fireworks have been on July 3, which would be a Sunday this year, but they are currently scheduled for July 1, a Friday. He said Council may change this. Mr. Murphy said for large fireworks displays the beach must be cleared starting at 1:00 PM, so the idea was that this would be easier to do on a Friday than a Sunday. He said it would also be cheaper from a staff perspective to have the fireworks on Friday rather than Sunday. The consensus of Council was to leave the date as July 1.

## 6. Manager's Update

Town Manager Bruce Oakley gave an update on various projects and events:

- Seasonal preparations: Staff is already working on replenishing landscaping areas, cleaning beach accesses, pressure washing sidewalks and the Boardwalk, and maintaining the wooden Boardwalk. Temporary employees will be starting soon.
- Freeman Park passes: The Town will stop selling these on March 1, and only daily passes will be available after that. This is new this year, so there will be continuous reminders for the public.
- Lake Park improvements: Bids for the lake dredge came in way over budget, so staff is working with engineers to rescope the project and come up with alternatives.
- Marina: Staff will open bids Tuesday. This will be a 24-month project, so it may be cumbersome at times. Council Member Benson asked about Carolina Beach Avenue North repaving. Mr. Oakley said the first step is working with the state to get funds, but he doesn't know the timing, although the intent is to try not to do it in peak season.
- Mike Chappell Park restroom: The restroom has been ordered, and delivery and installation are scheduled for late summer.
- Hamlet Ocean Rescue/restroom: This project is well under way and on target, with completion before Easter likely. The parking lot will be resurfaced and resealed.
- Beach nourishment: Work should begin within the next 2 weeks, and when the digital placement tracker is ready there will be a link on the Town website so people can plan beach activities accordingly. There will also be a public education meeting scheduled.

- February 22 workshop: There will be presentations from Wave Transit, the Beautification Committee about Tree City USA, and the Pleasure Island Chamber about the proposed visitors center.

Council Member LeCompte asked if the beach rangers will be back and whether they will be able to write tickets this year. Mr. Oakley said yes, they will be back, and staff is working through the process to make sure they have handheld devices that coordinate with the Police. He said he is not sure if they are sworn officers, so he'll need to check with the Fire Chief.

Mr. Oakley said there is a masquerade ball coming up for lifeguards, and the event has requested a Freeman Park pass to put up for auction. He said this would require Council action.

**ACTION:** Motion to give the Fire Department a Freeman Park pass

Motion made by Council Member LeCompte

Voting Yea: Mayor Barbee, Mayor ProTem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

#### **PUBLIC COMMENT**

Melanie Boswell of 107 Island Palms Drive asked Council to reconsider year-round paid parking. She requested that the item be put on the March agenda for public discussion and another vote. Mrs. Boswell said year-round paid parking will negatively impact small businesses, and there are other ways to increase revenue that won't be at the expense of small business owners.

Chad Davis of 11 Pavilion Avenue South #2, owner of Carolina Surf Brand surf shop on the Boardwalk, said he would like to see Council reconsider year-round paid parking. He said he must rely on public parking for his customers, and he thinks this will be a big blow.

Brittany Grimsley of 12 Moraga Court in Wilmington, who has worked on the island for 7 years, said traffic is already slow for local businesses during the winter even with free parking, so she thinks having year-round paid parking will cause some places to close in the off-season. She said this would hurt the community and asked Council to reopen the vote and give new Council Members a chance to have a say.

Mike Hackett of 1616 South Lake Park Boulevard, who moved here 6 months ago, thanked Council Members for serving the community and said he wanted to lend support to local business owners.

Debi DiNatale of 102 Cape Fear Boulevard #404, who owns 3 properties in Town, including the Carolina Beach Inn, said she supports other business owners regarding year-round paid parking. She said this would be pinching pennies and throwing away dollars.

Tom DiNatale of 102 Cape Fear Boulevard #404 said the amount generated from year-round paid parking is estimated at \$64,000, so the Town can find that elsewhere.

Duke Hagestrom of 920 Riptide Lane said he wants Council to reconsider year-round paid parking. He said the amount received in the off-season is not worth the loss to the businesses that help sustain the community. Mr. Hagestrom said he doesn't want to put a barrier on those who may not be able afford to visit here during peak season.

David Cole of 205 Greenville Avenue, who owns Hurricane Alley's and has lived here for 25 years, said the year-round paid parking vote on November 30 during a Tuesday morning workshop did not give the public or newly elected Council Members a voice because the item was not advertised or on the agenda. He said owning and running a small business on the island is hard in the winter months, and this vote will hurt the entire island. Mr. Cole said 3,000 people have signed a petition against year-round paid parking, which is not worth the proposed income. He said he is demanding better transparency and asking new Council Members to reopen the issue for another vote.

Michelle Alberda of 205 Greenville Avenue, who owns a business and rental properties on the island, said over the past 2 years she has fought against what she considers 2 new taxes: the Municipal Service District (MSD), which did not pass, and year-round paid parking. She said both of these impact businesses that were shut down by the government during the COVID-19 pandemic, both were out of the blue, and both involved the generation of dollar amounts that are small but would have large unintended consequences. Ms. Alberda said it seems all options were not explored before a vote took place, so she encouraged the sitting Council to call for a new vote on year-round parking.

Cathrine Robbins of 301 Ivy Lane, who owns HopLite Irish Pub & Restaurant, asked Council to re-evaluate the year-round paid parking issue and call for a new vote. She said her business is not directly impacted by this, but she thinks the vote happened in an unfair manner. Ms. Robbins said residents and business owners have come up with great alternatives that could provide more revenue in the long term without hurting businesses. She said the issue should be part of current budget discussions so the public can understand and offer solutions.

Amy Webster, owner of Pop's Diner, said she stays open year-round 7 days per week and is worried that year-round paid parking will negatively affect not just her guests but also employees who live off the island. She said this would hurt businesses and make it hard to find employees, so she would like for Council to reconsider.

Noel Stevens of 402 South Fifth Street, who owns Lake Park Steakhouse, said people who live over the bridge but patronize island businesses are upset and feel shut out by year-round paid parking.

Jeff Hogan of 1108 Merchant Lane, who is Chairman of the Town's Marketing Advisory Committee, said year-round paid parking would deter businesses from opening in the winter, which would discourage off-season tourism. He said he thinks Council should reconsider and let the public speak before having another vote.

Kristen Dunn of 905 and 907 Ocean Boulevard said Mike Chappell Park still needs porta-potties even when the new restroom facility is complete. She said she'd like for the Town to hire a service to maintain the porta-potties during the spring season while sports are in session because staff has had a hard time keeping them clean.

## **PUBLIC HEARINGS**

### 7. Public Hearing to Review Requests from Non-Profit Organizations for General Fund Contributions

The following organizations submitted the required documentation to request funding in 2022-2023 from the General Fund:

- Carolina Beach Inlet Association: \$7,500 for education
- Federal Point Historic Preservation Society: \$9,000 for operating expenses
- Friends of Felines: \$2,000 for spaying and neutering feral cats
- Island of Lights: \$5,000 for events
- Katie B. Hines Senior Center: \$12,000 for operational costs
- Pleasure Island Sea Turtle Project: \$6,000 for monitoring
- Pleasure Island Paws: \$2,000 for spaying and neutering

**ACTION:** Motion to open the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Nancy Busovne of Pleasure Island Sea Turtle Project said the organization relies on volunteers, with many of them coming from over the bridge, so she thinks parking changes will have a negative impact on them as well as volunteers for all non-profit organizations. Mayor Barbee asked if there is a provision for non-profits that need parking. Mr. Oakley said staff will propose an across-the-board policy for non-profit organizations.

No one else requested to speak.

**ACTION:** Motion to close the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

## **ITEMS OF BUSINESS**

### 8. Discussion on Accepting the Oceana Stormwater

The water and sewer infrastructure located within the Oceana subdivision was adopted by the Town in 2018. Since that time, the homeowners association (HOA) and Town staff have been working together to make the Town's adoption of the stormwater infrastructure possible. The Oceana HOA hired an independent contractor to camera and assess the system. This report was followed by a list of recommended repairs. The Oceana HOA provided this report to the Town and sought approval for the necessary repairs, along with the proposed methods. Once in agreement, the HOA hired a utility contractor to perform the needed repairs, and these repairs were inspected by Town staff.

Public Works Director Brian Stanberry presented the details, including a brief timeline.

Currently, the stormwater infrastructure in the Oceana HOA is in satisfactory condition, according to Town staff. Based on the due diligence Oceana has put forth in this effort, staff recommends adoption of the Oceana stormwater infrastructure, which will provide future clarity on all utility maintenance in the subdivision.

Council Member LeCompte asked if the Town is opening the door for other HOAs to ask the Town to take over their stormwater infrastructure. Mr. Stanberry said taking over infrastructure in the right-of-way is one thing, but the Town doesn't take over private ponds.

Mayor Pro Tem Healy said the Town had an agreement in writing in 2018 to do this, plus the Town maintains the Oceana stormwater infrastructure anyway, so he thinks this is a no-brainer.

Council Member Hoffer said he would generally be opposed to a measure like this because of taking on liabilities and costs, but in this case he'll accept it because it was already agreed upon years ago and it would not be good governance to decline now.

**ACTION:** Motion to accept the Oceana stormwater as presented

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

#### 9. Committee Appointment

**ACTION:** Motion to appoint Kelly Wyckoff to the Centennial Committee

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

#### **CLOSED SESSION**

**ACTION:** Motion to go into closed session to discuss an attorney/client matter in accordance with NCGS 143-318.11(a)(3). Matters being discussed include:

18 CVS 3151 Town of Carolina Beach vs. Carolina Freeman LLC

18 CVS 3152 Town of Carolina Beach vs. B&F Enterprises LLC

18 CVS 3153 Town of Carolina Beach vs. DRDK LLC

18 CVS 3154 Town of Carolina Beach vs. Freeman Beach LLC

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Mayor Barbee called the meeting back to order and said Council took no action during closed session.

**ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer,  
Council Member LeCompte

*Motion passed unanimously*

The meeting adjourned at 8:05 PM.