

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, December 10, 2024 - 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 Mayor Pro Tem LeCompte and Pledge of Allegiance.

PRESENT

Mayor Lynn Barbee
Mayor Pro Tem Deb LeCompte
Council Member Jay Healy
Council Member Joe Benson
Council Member Mike Hoffer

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

ACTION: Motion to adopt the agenda

Motion made by Mayor Barbee

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

Motion passed unanimously

CONSENT AGENDA

1. Budget Amendments/Transfers FY25
2. Boardwalk Restroom Capital Project Budget Ordinance 24-1245
2. Approve 2025 Town Council and Committee Meeting Schedule
3. Room Occupancy Tax (ROT) Reimbursement Request in the amount of \$1,006,484.58
4. Approval of Council Meeting Minutes

Council Member Benson asked about the \$185,000 appropriation for engineering, survey, and permitting cost of the Stormwater Force Main Project. Mr. Oakley said this is part of the 2025 bond, and the Town will be reimbursed unless another means to pay for this is identified. He said staff will be coming back next month with another transfer for water projects, and right now the goal is to get the bond issued before June 30 so this budget year can be reimbursed.

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Barbee

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

Motion passed unanimously

SPECIAL PRESENTATIONS

5. Recognition of Dennis Barbour

Council recognized former Mayor Dennis Barbour for receiving a lifetime achievement award from the N.C. Beach, Inlet and Waterway Association.

6. Events Update by Tim Murphy

Tim Murphy, Community Services Manager, thanked staff for their work during the recent Christmas Parade and reviewed upcoming events:

- “Elf” Movie – December 14 at Lake Park
- Island of Lights Tour of Homes – December 14 at various locations
- Santa by the Sea – December 21 at Lake Park
- New Year’s Eve Celebration – December 31 at the Boardwalk

7. Update from Federal Point Historic Preservation Society President Gene Costa

Gene Costa, President of the Federal Point Historic Preservation Society, gave a report on the group’s projects, including updated displays, new technology, and improved ways to preserve collections. The Federal Point History Center is located next to Town Hall and is open Thursday through Saturday from 10:00 AM to 4:00 PM.

Mayor Barbee encouraged everyone to become a member of the group and expressed appreciation for the work of Mr. Costa and others.

Council Member Hoffer said a lot of people don’t realize the center maintains a library with a lot of priceless information. Mr. Costa said there are over 1,000 file folders with information about Federal Point, which is the area from Monkey Junction to the ferry landing at the south end of Pleasure Island. He said scholars come there to do research because they can’t find this data anywhere else.

Mayor Barbee said the center is run by volunteers and is a labor of love.

8. Manager’s Update

Mr. Oakley reviewed the budget FY 2025-26 schedule:

- Budget open house – January 15
- Council strategic planning sessions – February 20-21
- Public hearing for non-profit requests – March 11

- Public hearing for community input – April 8
- Budget workshop – April 22
- Budget workshop (if necessary) – May 6
- Budget open house – May 6
- Budget message presented to Council – May 27
- Budget adoption – June 10

Mr. Oakley gave an update on various projects:

- The beach nourishment project is still moving forward. The U.S. Army Corps of Engineers (ACOE) plans to hold a public meeting on the project before work starts.
- The Ocean Boulevard sidewalk project has started. It should be completed by June.
- The Boardwalk bathroom project should start in January. A portable restroom facility will be available in the parking lot across from the old Fork n Cork location during construction.
- Creech & Associates will conduct the facility study project. Staff will be meeting with them soon to get started.
- The Lake Park pump house project is out for bid.

Council Member Benson asked about money in the Brandy Myers Memorial Playground project for replacing the dated bathroom facility at Lake Park. Mr. Oakley said staff looked at a pre-fabricated facility similar to what is at Mike Chappell Park but determined it would not work because it needs to be flood-proof and elevated, so they are still working through this with engineers.

Community Development Director Jeremy Hardison reported the following recent developments:

- Oceaneer Motel at Alabama Avenue and South Lake Park Boulevard is doing renovations and will be at the Board of Adjustment meeting on December 16 to request a front yard variance for a walkway.
- Items coming to the next Technical Review Committee (TRC) include:
 - Subdivision request at 1215 Saint Joseph Street
 - Partial alley closure on Glenn Avenue
 - 4-unit multi-family structure at 703 South Lake Park Boulevard
 - Review lot coverage requirements
 - Traffic-calming policy
 - Beautification Committee’s plans for Lake Park at Clarendon Avenue
- Demolitions are scheduled for 1215 Saint Joseph Street and 708 Harper Avenue.

Council Member Benson asked about ACOE-designated wetlands on the 5 acres at 1215 Saint Joseph Street. Mr. Hardison said there are definitely some wetlands on the site, and the current developer has been going back and forth with the ACOE on how much potentially can be disturbed. He said this will be a topic of discussion at TRC. Council Member Benson asked who will notify adjacent property owners if a permit is issued. Mr. Hardison said a permit requires advertisement, but he will check on whether adjacent property owners have to be notified. He said as part of the public hearing for the subdivision process, the Town does notify neighbors.

PUBLIC COMMENT

Matthew Shuttleworth of 625 Tarboro Avenue spoke about the long-term development of Freeman

Park. He asked about extending the drivable portion of the beach, what the stipulations of the grant are, forming a committee to work on the future of the park, automating the gate for the upcoming summer season, and whether the park now qualifies for beach nourishment. Mr. Shuttleworth said his vision for Freeman Park is an eco-friendly attraction with minimal impact, similar to the Fort Fisher Hermit Trail.

Natalie Evans of 1205 Saint Joseph Street spoke about the clearing of 1215 Saint Joseph Street. She said she is concerned about overbuilding in that area, particularly regarding the potential for flooding. Ms. Evans asked Council to review undisturbed properties to use for protected and undeveloped green space.

Ryan McDade, owner of Tow 2 Tow Towing & Recovery, spoke about the service his company provides to the Town. He said they work closely with the Police Department and have earned the relationship they have with them today. Mr. McDade said their business model puts the community first with one phone call, and if the Town votes to have another towing company in the rotation, it would be detrimental to the overall dedication that the Town receives today due to the low volume of accidents on the island. He said his company does not hold a monopoly but has put in the time and earned the trust of the community.

Matt Dunn of 907 Ocean Boulevard spoke about parking and said it would be inconvenient for Town residents, especially families with small children and the elderly, to not have the ability to park close to beach accesses. He said the solution needs to strike a balance, and he feels the Town must accept some responsibility for the current parking situation.

Betty Jo Phelps of Carolina Sands spoke in favor of having a towing rotation. She encouraged Council to expand the qualifications for wrecker applicants to include those located in New Hanover County within 10 miles of the Town to create a fair and unbiased opportunity for everyone.

J.R. Bullock of 4904 Carolina Beach Road, owner of Towriffin Towing, thanked Council for considering his request to add more towing options for the Town.

Cindy Dunn of 915 Tidewater Lane asked Council to consider quality of life for taxpaying citizens when making decisions regarding parking, especially when it comes to young families and older people trying to get to the beach.

Sarah Finn of 508 Raleigh Avenue asked Council to consider residents over revenue when it comes to parking. She said her family, which includes small children, can't walk or ride bikes to the beach for safety reasons, adding that taking away resident passes to ocean lots will devastate the lifestyle of residents. Ms. Finn read the results of a survey she created about parking options and asked Council to consider early bird pricing for a small window in January. She also suggested striking a balance between the price of car and golf cart passes.

Mark Miller of 702 Seafarer Drive asked why residents are only allowed 2 free re-entry decals. He said he shouldn't have to pay additional money to get on the island when he's already paying taxes. *(Mr. Parvin gave clarification about this during item 10.)*

Bob Ponzoni of Canal Drive said it's hard to hear the speakers and asked that the microphone volume be raised.

PUBLIC HEARINGS

9. Conditional Zoning to Consider a K-5 School at 105 Dow Road at Seaside Chapel
Applicant: Seaside Chapel

Applicant Seaside Chapel is proposing a K-5 school at its property on 105 Dow Road. This property is located in the R-3 Residential Zoning District. Schools are allowed through the approval of Conditional Zoning (CZ) in R-3. The proposal includes renovating the existing 2-story Family Life Center building into a school that allows grades K-5. Kindergarten and 1st grades will be on the ground floor and 3rd-5th grades on the second floor. The building includes a gym and kitchen.

The property is a 2.52-acre lot surrounded by 4 roads: Dow Road, Charlotte Avenue, 8th Street, and Hamlet Avenue. R-3 mainly consists of single-family houses. The lot has 4 existing structures: 1-story chapel (built 1975), single-family residence (built 1977), 1-story worship sanctuary (built 1999), and 2-story Family Life Center (built 2005). The 2-story Family Life Center expansion to the chapel was approved through a Conditional Use Permit (CUP) in 2005. In 2020, Seaside Chapel was approved, through a CUP, to use the Family Life Center to operate a daycare and add a playground.

The CZ proposal consists of the renovation of the 2-story Family Life Center into a K-5 school with the original 9 classrooms being combined into a total of 5. The fellowship hall will be converted into a gym. The existing elevator, stairs, bathrooms, and kitchen will remain. No expansions to the building are proposed. When the Family Life Center was approved, a total of 86 parking spaces were required. Because changes in Town ordinances have reduced the parking requirements for churches, 58 parking spaces are required for the proposed school (1 per classroom + 5 for visitors = 11 spaces), church (1 per 300 square feet of indoor gross floor area = 44 spaces), and single-family house (2 per dwelling unit + 0.5 per bedroom over 2 = 3 spaces). Seaside Chapel proposes installing a total of 72 parking spaces.

Wilmington Metropolitan Planning Organization (WMPO) was asked and subsequently determined a traffic study was not warranted for the proposed school. To mitigate school pickup traffic, the parking lot was designed to queue cars through the parking lot. The 8th Street entrance to the parking lot will be blocked during school dropoff and pickup to funnel traffic into and out of the parking lot through the Hamlet Avenue entrance. The parking lot will consist of pervious gravel that meets State requirements. The proposed queuing plan shows a total of 34 cars held onsite within the drive aisles of the property.

As part of the application process, a community meeting is required. The applicant held the required meeting on January 21, 2024, and 18 people attended, voicing concerns about dropoff and pickup vehicle queuing and the potential increase in traffic. As a result, the applicant closed off the 8th Street driveway during dropoff and pickup to help with the flow and used the N.C. Department of Transportation's school traffic calculations to come up with the queuing plan.

The project is in general conformity with the 2020 Land Use Plan by promoting family-friendly character and meeting the low-density residential area description. The parcel is located in the low-density residential district, which consists of primarily large-lot, single-family, detached residential neighborhoods. Existing, by-right, entitled, higher-intensity uses will continue to be supported in low-density residential areas.

Staff recommends approval of the project with the proposed conditions:

1. Restoration of the previously required landscape buffer surrounding the 8th Street fenced-in playground as described in the 2020 Conditional Grant Order for 105 Dow Road.
2. At least 8% of the gross paved area of a parking facility shall be landscaped and located in the interior. For purposes of this section, interior shall mean the area within the parking facility curb or pavement and extensions that create a common geometric shape, such as a square, rectangle, or triangle.
3. Refuse collection agency to be used must be included in final site plans. The refuse collection site must be enclosed on 3 sides by a minimum 6-foot opaque fence.
4. Pervious gravel drive aisles will meet N.C. Department of Environmental Quality (DEQ) pervious pavement design criteria.
5. Any proposed signage will have to meet all standard zoning requirements in the future.
6. The Fire Department recommends a Knox Box to be installed on the building.

The Planning and Zoning Commission voted 4-2 to recommend approval of the project with the suggested staff conditions and an additional condition of a requirement that once per year, the Town receives from the applicant certification of a properly functioning pervious driveway.

ACTION: Motion to open the public hearing

Motion made by Mayor Barbee

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

Motion passed unanimously

Planner Haley Moccia presented the details. She reviewed current uses, surrounding uses, existing and proposed floor plans, the site plan, and criteria that must be considered in making a decision.

Council Member Benson asked if there are still two conditions from October 2020 that have not yet been met. Ms. Moccia said the grant order at that time said the playground must be fenced in, and as of now that has not happened, but they have applied for a fence permit at the Town has approved it. She said they have turned in photos of planted vegetation, but Town staff has not yet inspected it.

Council Member Healy asked if the school would be able to add additional K-5 classes beyond what they have proposed or whether they would have to come back to get approval. Ms. Moccia said if they add another classroom, they would have to come back through the CZ process.

Mayor Barbee asked if the applicant wanted to speak.

Dana Vess, speaking on behalf of Seaside Chapel, said they will continue to run the daycare during after-school hours and summer. She said there will be a maximum of 15 students in 1 classroom per grade, and that will fill the facility. Ms. Vess said traffic coordinators will direct cars to come down Cape Fear Boulevard to 8th Street with no left turns. She said they could put 40-42 cars onsite if they do double lanes, and pickup time would take about 20 minutes. Ms. Vess said regarding the playground and fencing, she thought the fencing was required by the State not the Town, and they didn't put in a playground until 2022 so there was no need to put a fence around nothing. Ms. Vess said the fence is scheduled to be started in the morning, and the vegetation was there.

Council Member Healy said the fence was a requirement from the Town. Ms. Vess said she interpreted that Seaside Chapel was requesting to put up a fence, not that it was a requirement.

Mayor Barbee asked if anyone from the public wanted to speak.

Katie Ray of 808 Cape Fear Boulevard handed out packets of information from concerned residents. She said they are concerned about stormwater, drainage, traffic safety, noise levels, effects on property values, and the impact of a private business entity competing with Carolina Beach Elementary School.

Chuck Newell of 110 M Avenue in Kure Beach said he is mainly concerned about stormwater management in the area and this development putting more water into the system, making existing problems worse. He recommended that the applicant be required to make some concessions or proffers to help with the stormwater system.

Jerry Vess of 105 Dow Road, Pastor of Seaside Chapel, thanked Council for considering this request and said he is speaking on behalf of church members present. He said the goal of Seaside Chapel is to serve the community, and the school is another way to do this. Mr. Vess said the school will operate as a non-profit organization, not a business, and will put 10% of its annual budget into the community. He said they have worked tirelessly to address and mitigate traffic concerns as much as possible, and traffic will only be during brief time periods, not throughout the day. Mr. Vess said the school offers an option for a Biblical-based education.

Dotty Guidici of 707 Hamlet Avenue said she is concerned about stormwater intrusion into the neighborhood. She said the Seaside Chapel property is a large, flat parcel of high elevation, so water fills it up and runs off. Ms. Guidici showed photos of flooding in the area and said the project needs a more detailed stormwater analysis before moving forward. She said every heavy rainfall causes a significant financial cost to residents due to water intrusion into sheds and garages and washouts of driveways and landscaping.

Brigitte Simone Hendy of 101 South 8th Street said she is concerned about Seaside Chapel's commitment to meet future zoning requirements due to them not following through on the previous conditions to operate a daycare. She said that project was contingent upon a fence and a landscape buffer, and she is unsure whether the 3 plants recently planted qualify as proper landscaping. Ms. Hendy said she also worries about the safety impact on the Island Greenway because 8th Street is narrow and has no sidewalks or shoulders, and there is the potential for cars to pick up gravel in their

tire treads and spread it along the Greenway, making it dangerous for skateboarders, rollerbladers, and bicyclists. She also said she believes traffic around the Fire Department could delay emergency response times during periods when there is a high volume of calls.

Kevin Murphy of 712 Hamlet Avenue said he is a teacher at Carolina Beach Elementary School and is outside every day during pickup, which runs back about 5 blocks from the school. He said the proposed school will have grave effects on the historic existing school, which has already lost students and staff.

Jim Norwood of 5 South 8th Street said after the new building was constructed on the church property, he started seeing significant amounts of water intrusion onto his property. He also said he is concerned about traffic crossing in front of his house twice per day and the potential for safety hazards posed by jamming extra cars along the Greenway. Mr. Norwood also questioned whether parents will continue to abide by the traffic pattern for the proposed school. He said the existing elementary school has been there for 100 years and is a mainstay.

Mike, who did not give his last name, of Charlotte Avenue and 8th Street urged the Town to consider unanswered questions and potential impacts the project poses to the community. He mentioned concerns about water mitigation and drainage, traffic infrastructure, the existing elementary school, and the failure of the applicant to meet the minimal requirements from 2020. He said a tax-exempt entity will not contribute to the tax base and will strain stormwater systems, traffic management, and other local infrastructure. He said studies should be required before the project can move forward, and he cited 300 signatures in the packet from community members supporting these statements and questions.

Jeff Page of 926 Carolina Sands Drive said he supports the proposed school and believes it offers a great benefit to the residents of the Town. He said it is small compared to the existing elementary school, and he believes there have been a lot of scare tactics tonight. Mr. Page said the project will be a net positive to the community by offering choice, and he encouraged Council to take the recommendation of the Planning and Zoning Commission and staff.

Ricky Niec of 702 Clarendon Avenue said the proposed project is just adding a sidewalk, not any new buildings, and it won't infringe on neighbors' ability to enjoy the use of their property. He said the applicant is not asking for a rezoning to put duplexes but is instead requesting to do something already prescribed in the Land Use Plan, so he asked Council to grant the request.

Brian Marlowe, a member of Seaside Chapel, said he doesn't live on the island but wants to offer his support for the proposal. He said this property is already being used with 100 cars onsite every week, so it can be done. Mr. Marlowe said stormwater is a known issue that has been in the area forever, but he doesn't think the project will make it worse or better. He asked Council to do what's best for the Town and said this is a great opportunity and a great addition for the Town.

Tom Toby of 6605 Oliver Court in Wilmington, a member of Seaside Chapel, said the proposed school offers an opportunity for people who do not want their children to go to public school. He said the existing elementary school is not the only public school losing students, and the small proposed school

will have almost no effect. Mr. Toby said the project is a Christian alternative for the south side of the County, and he asked Council to approve it.

Tim Merrick of Greenville Avenue said he is concerned about traffic and the project's impact on public education. He said as a new member of the County Board of Education, he knows that losing pupils means losing funding for a school. Mr. Merrick said school choice is important, but this is not a free school so only certain people will be able to go, and all citizens deserve a quality education from a school that is well-funded. He said siphoning off funding from the existing elementary school will affect people with the least amount of money.

ACTION: Motion to close the public hearing

Motion made by Mayor Barbee

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

Motion passed unanimously

Ms. Fox instructed Council to refrain from considering sentiment about public education and the historical importance of the existing elementary school in their deliberations tonight and said the effect of a private institution on a public school should not be part of this discussion.

Council Member Hoffer said he agrees there are some things Council Members must put out of their minds when making this decision tonight, including management and their ability to run a school. He said Council does need to look at how this proposal will affect citizens around it, and therefore he is worried about the potential for traffic and possible growth of the school. Council Member Hoffer said residents of this area moved there because it's the quietest part of the Town, and that weighs on him.

Council Member Benson said he is concerned that the applicant is just now getting around to complying with conditions established in 2020.

Council Member Healy said he lives one block from Seaside Chapel and they are good stewards of the Town, but he has concerns about stormwater and is disappointed there wasn't a traffic study. He said the area of 8th Street and Charlotte Avenue is a lake when it rains, and he worries that the gravel parking lot will not remain pervious after a year. Council Member Healy said he is not sure this is in harmony with the neighborhood due to the unknowns involved with the final product, but he believes the applicant went through the proper channels and he would approve the project based on that.

Mayor Pro Tem LeCompte said her main issues are traffic and stormwater, and she believes a traffic study should have been required once staff members were factored into the count. She said the Town can't continue to allow residents' property to be flooded because of a lack of stormwater drainage, and while she loves Seaside Chapel she does have concerns about the proposal.

Mayor Barbee praised the members of the public who spoke and said they presented their case professionally and thoughtfully. He said he has concerns about the number of students and traffic, although he agrees Seaside Chapel is a stellar member of the community. He asked Council Members if

there are any conditions that would mitigate the concerns they have, and he inquired about the boundaries of conditions that may be imposed.

Ms. Fox said Council may propose conditions tied to mitigating impacts related to the proposed use. She said a traffic study would not be a condition but rather additional information that would help determine whether other conditions need to be imposed. Ms. Fox said staff can speak further about the stormwater discussion that went on during the TRC process.

Mr. Hardison said it was determined that there must be some improvements made to the property surface via a durable surface that would meet erosion control. He said they could either use asphalt and be required to retain stormwater onsite or put down a State-approved pervious surface, which is what they are proposing, and the Planning and Zoning Commission came up with the additional condition to ensure it remains pervious.

Council Member Hoffer said he feels that when the southern part of the County needs something, there is an expectation that the Town will provide it, and this is frustrating and burdensome. He said he thinks this will mostly be a school for kids who live off the island, and he said churches in that area should step up if there is a need.

ACTION: Motion that Town Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the Conditional Zoning district to allow for a school K-5 at 105 Dow Road is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area are mitigated by the approved conditions and the Planning and Zoning Commission requirement that once per year the Town receives from the applicant certification of a properly functioning pervious driveway

Motion made by Council Member Benson

Voting Yea: Mayor Barbee, Council Member Healy

Voting Nay: Mayor Pro Tem LeCompte, Council Member Benson, Council Member Hoffer

Motion failed 2-3

ITEMS OF BUSINESS

10. Parking Program Overview by Town Staff

Town staff presented a parking program overview and ways to mitigate recent ACOE restrictions to remain eligible for Coastal Storm Risk Management (beach nourishment).

Mr. Oakley said the Town worked with the ACOE, Ms. Fox, and Pivot Parking to come up with options based on citizen input. He said before Mr. Parvin presents the information, he wanted to clarify that the Town is not blaming the ACOE for this situation and considers the agency a great partner. Mr. Oakley said this is a result of an interpretation made by the ACOE, which is their right. He said based on their interpretation, the Town would be in the same spot if it had continued to offer non-resident passes at different rates from resident passes, as had been done previously.

Mr. Parvin also clarified an earlier comment that residents must pay for re-entry passes beyond a certain number. He said residents may get a free re-entry pass during the months of January, February,

and March for every vehicle they have registered in the Town, and the situation at hand does not have anything to do with re-entry passes.

Mr. Parvin reviewed information about the 2024 parking season and then presented options for Council to consider for 2025 in light of the ACOE requirement that 767 parking spaces near the beach strand must have equal availability for everyone.

Option #1 – No/Limited Change

1. Limit residential passes to the lots/on-street spaces outside the 767 spaces restricted by the ACOE beach nourishment contract
2. \$40 residential pass: designated on-street spaces and downtown lots
3. \$100 downtown employee pass: limited to same area as residential passes
4. \$100 low-speed vehicle (LSV) pass available in all public parking spaces

Mr. Parvin said based on recent conversations with the ACOE, the Town may be able to count some on-street parking spaces toward the 767-space allotment, freeing up some of the spaces in the currently restricted lots. He said the Town may have the ability to reconfigure things a bit, but it is not yet known exactly how that will look.

Mayor Pro Tem LeCompte asked if this includes a \$100 7-day pass. Mr. Parvin said nothing else has changed, so that would still be available and open to everyone.

Option #2 – Cap

1. Charge \$350/parking pass
2. Number of passes would be limited to 6,000
3. \$100 LSV pass available in all public parking spaces

Mr. Parvin said they saw this option as losing revenue. Mayor Barbee asked if Option #1 meets the budget that Council has approved. Mr. Oakley said it does as best as staff can tell. He said for Option #2, at some point people will not be buying it so the Town would lose money.

Council Members brought up the potential issue of not knowing who can park in residential areas because now that is designated by those who have a residential parking pass. Mayor Pro Tem LeCompte said maybe a re-entry pass would allow you to park in residential areas. Mayor Barbee asked staff to make a note about how to handle residential zones with Option #2.

Option #3 – Two Passes

1. Charge \$225 for a beach parking pass (in-person purchase only, non-transferable, and sticker-issued, limit of 3,000 passes)
2. Charge \$30 residential pass (designated on-street and downtown parking)
3. Charge \$75 downtown business employee pass: limited to same area as residential passes
4. \$100 LSV pass available in all public parking spaces

Mr. Parvin said the beach parking pass would be for the 767 parking spaces in beachfront areas, and the other pass would be for all the remaining spaces.

Council Member Benson said there should be a map given to each person buying a pass showing exactly where it goes. He said the limit of 3,000 seems arbitrary. Mr. Oakley said all the figures are estimates that staff came up with to minimize loss of revenue. Council Member Benson said the Town could adjust hourly rates in premium lots as a lever to achieve that benchmark, as well as automate the Freeman Park gate to save money. Mr. Oakley said staff is trying to separate the parking discussion from Freeman Park revenues and expenses, but complete automation may not be possible because Town employees would need to man the gate during certain hours and some people may try to pay cash.

Council Member Healy said he is not in favor of residents paying \$225 for a beach parking pass because residents pay higher taxes than those living outside the Town. He said he is in favor of Option #1 but with a reduced price of \$30 for the residential pass because there would be fewer spaces from which to choose.

Mayor Barbee said with the growth in southern New Hanover County, any change made to non-residential parking passes will be a nightmare. He said the Town is working through Congressional delegations to put pressure on the issue, but the ACOE is not the bad guy and is just trying to do its job. Mayor Barbee asked everyone to be patient with the process. He said Option #1 is not ideal, but it's the only one that meets the budget, and he hopes staff can come up with some ways to help residents have some parking spaces near the beach with their passes.

Council Member Healy said people don't want to pay more taxes, and parking is a big revenue generator. He said it's important that the Town get this program right to take care of the taxpayer while keeping quality of life, and hopefully over time there can be some negotiations with the ACOE.

Council Member Hoffer said he likes Option #3 because it's simpler and gives people more options. He said his concern is how to explain to someone who doesn't own an LSV why they have to pay twice as much as someone who does. Council Member Hoffer said the Town needs to look at how to price Option #3 and possibly consider an early bird in-person discount.

Mayor Barbee said he is adamant about not increasing property taxes to subsidize non-resident parking. He said he needs to hear from staff about where the money comes from with Option #3 because the Town often kicks the can down the road to make people happy, causing problems in the future.

Council Member Healy said he does worry that residents will get tired of being ping-ponged if the ACOE loosens the reins and more changes are made. Mr. Oakley said there are a lot of variables and many things can happen, such as numbers changing and losing private lots, so this will be an ongoing discussion.

Mayor Pro Tem LeCompte said she thinks the Town needs to be sure what the impacts will be for whatever decision is made, especially how any changes will affect leased lots and their revenues. She suggested that Council and the public have an opportunity to see the next proposal as soon as

possible. Mr. Oakley said they do their best to get out options as soon as possible. Mayor Pro Tem LeCompte asked staff to provide numbers on the amount of each pass sold last year.

Mr. Parvin said he heard support for Option #1 and Option #3, so staff will bring these back in ordinance form for a Council decision in January, which will be followed by a date to sell passes. Mr. Oakley reminded the public that they may give input anytime.

11. Consider Amending Chapter 16 Article VII Wrecker/Towing Services and Repeal Section 18-78 Vehicle Towing and Storage – Police Department Eligible List, Section 18-79, and Section 18-80 Amend the Rates and Fees Schedule to Include Towing Application Fee

The following is an amendment overview of proposed towing regulations:

Organized the ordinance based on:

1. Regulations that apply to all towing/wrecker operators
2. Regulations that apply to private/trespass towing procedures
3. Regulations for operators providing towing for public property/impoundment purposes

Proposed

- Combined Article VII Wrecker/Towing Services and Impoundment and Section 18-78 Vehicle Towing and Storage – Police Department Eligible List
- Changed age of individual operating a towing/wrecker consistent with State law
- Clarified policy for the Police eligibility list
- Changed from towing any automobile or truck regardless of size or weight **to** capable of towing the type of automobile or truck requested to be towed
- Changed from to have facilities to protect from the elements vehicles damaged by exposure **to** take the appropriate precautions to protect damaged vehicles from the exposure of weather elements and have sufficient fenced storage space with security lighting to protect vehicles from break-ins, theft, and damage
- Changed from having a garage located within the Town **to** within New Hanover County located 3 miles from Town limits
- Added to rates and fees schedule a \$200 towing/wrecker application fee

Mr. Hardison presented the details of the issue, which focuses on when the Police Department needs towing service for a vehicle. He said the goal is to have one section that addresses towing, and based on previous comments from Council, staff now has a proposed ordinance. Mr. Hardison said this will open up the ability for other companies to be eligible because only 1 company currently meets the criteria that the garage must be located within Town limits.

Mayor Barbee said he wants to hear from Police Chief Vic Ward about whether the proposed changes will work for his department.

Chief Ward said the Town does not have a tow problem, and he is focused more on response time than how far away a garage is. He said he doesn't have an issue with the garage being as far as 10 miles away from Town limits as long as they can respond within 30 minutes.

Mr. Hardison said there are 3 ordinances that need to be amended so the proposed changes can take effect.

ACTION: Motion to approve Ordinance 24-1241, Ordinance 24-1242, and Ordinance 24-1243 as presented

Motion made by Mayor Barbee

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

Motion passed unanimously

12. Consider Entering into a Contract with Atlantic Coast Fire Trucks for the Replacement of Engine 21

The National Fire Protection Association (NFPA) recommends that a fire engine should be in front-line service for 10 years. After this period, the engine should transition to reserve status, where it serves as a backup or is used less frequently. Retirement from the fleet is recommended after 20 years of service, as modern fire apparatuses are often equipped with advanced technology and features that make them more effective and older vehicles may face reliability and safety concerns.

Engine 22 is a 2016 model and is currently the Fire Department's first-out apparatus. It will be at the end of its front-line status when the new engine arrives.

Engine 21 is a 2003 model, which means it is currently 21 years old as of 2024.

Based on the NFPA's recommendations, Engine 21 is at the end of its service life and should be considered for replacement.

It currently takes about 2 years to build a new fire engine. If the Town enters into a contract, the new engine would likely not be available until 2026 (assuming the build process starts now in 2024).

Current Environmental Protection Agency (EPA) changes in motors will create a price increase estimated at \$58,000 if the Town cannot meet the window of the current motor availability. There is a projected price increase of 4.5% for 2025 effective January 1, 2025.

Fire Chief Alan Griffin presented the details. He said the Town would save about \$100,000 by going to contract on this now, when the current price is \$1,118,955. He said he is asking Council to authorize a 1% contingency that allows the Town Manager to be flexible with change orders. Chief Griffin said the Town is not spending the money out of the general fund now but just signing a contract, and once the engine is built Council would approve financing.

ACTION: Motion to authorize the Town Manager to enter into a contract subject to the approval of the Town Attorney with Atlantic Coast Fire Trucks LLC for the purchase of a new fire engine; the contract price is \$1,118,955 with a no more than 1% contingency, which would be an \$11,189.55 allowance in the final bill cost

Motion made by Mayor Barbee

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

Motion passed unanimously

COUNCIL COMMENTS

Mayor Pro Tem LeCompte said the Island of Lights Tour of Homes is Saturday, and she thanked staff for decorating Town Hall, which will be part of the event.

Council Member Healy thanked all staff members for their hard work throughout the year.

Council Member Hoffer mentioned that he wanted Council to start visualizing a Welcome to Carolina Beach sign in front of CVS where the Island of Lights sign currently is. He also said the last steering committee meeting for the Bike/Ped Master Plan update is Monday at 4:00 PM, and because he is unable to attend, he asked another Council Member to go. Mayor Pro Tem LeCompte and Council Member Benson both said they are available.

Council Member Benson said he would like Seaside Chapel to come back to Council with their request for a school. Mr. Hardison said the statute does not allow them to bring the request back for one year unless there is a substantial change to the use. Council Member Benson also asked about smoke testing results in November. Mr. Oakley said the purpose is to know where there is infiltration so repairs can be made.

Mayor Barbee said tonight was difficult for making decisions, and he thanked the public for being professional with their comments and Council Members for listening and voting their conscience.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 10:00 PM.