

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, May 10, 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 Pastor Gayle Tabor of Church at the Boardwalk 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

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 Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

Motion passed unanimously

CONSENT AGENDA

1. Approve Kure Beach and N.C. Aquarium Sewer Rates
2. Budget Amendments/Transfers
3. Approve Resolution 22-2263 Setting a Public Hearing for June 14, 2022, for the Financing Terms of the Second Street Paving Assessment
4. Approve Citizen Advisory Committee Missions
5. Approval of Minutes from March 22 and April 12, 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

6. Events Update by Tim Murphy

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

- Flock of Food Trucks – May 14 at Carolina Beach Lake
- Surf Dog Experience – May 14 at Pelican Access
- Beach Wrestling Nationals – May 20-21 on the beach strand behind the Boardwalk
- Double Sprint Triathlon – May 22 (Dow Road from Ocean Boulevard to Kure Beach closed 6:00-10:00 AM)
- Fancy Pants Croquet Tournament – May 22 at Mike Chappell Park
- Beach Music Festival – June 4 on the beach strand behind the Boardwalk
- Irreverent Warriors Silkie Hike – June 11 at Good Hops Brewery (start/end)
- Bingo – begins on May 25 at Boardwalk Gazebo
- Fireworks/music – begins on May 27 at Boardwalk Gazebo

Mr. Murphy said Whomporama, which takes place at the Hamlet Avenue beach access, is requesting to use the Boardwalk Gazebo after the event to award prizes, etc. He said organizers are not asking to serve alcohol here.

Council Member Hoffer said this year's Whomporama event is raising money for Friends of CB Parks & Greenways specifically for expansion of the Skate Park.

ACTION: Motion to approve the Whomporama use of the Gazebo

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

Council Member Benson asked if there is a rain date for this weekend's events. Mr. Murphy said they are working on this, but for the Flock of Food Trucks it would most likely be in June.

Mayor Pro Tem Healy said 30 teams have already entered the Fancy Pants Croquet Tournament. He asked for specifics about the wrestling event. Mr. Murphy said participants are ages 8-18 from all over the state.

7. Proclamation for Safe Boating Week – May 21-27, 2022

The local United States Power Squadron chapter is asking Council to support National Safe Boating Week by issuing a proclamation recognizing May 21-27, 2022, as Safe Boating Week. Mayor Barbee read Proclamation No. 22-2259. Cape Fear Sail & Power Squadron members Otis White, Mike Cramer, and David Parker addressed Council.

Mayor Barbee reminded everyone that the Carolina Beach Inlet is not in good shape and to use caution until dredging can be done.

Council Member LeCompte said boaters should go around and use Masonboro Inlet until dredging is complete.

8. Proclamation for Tourette Syndrome Awareness

Council Member LeCompte read Proclamation No. 22-2256, which recognizes June 4, 2022, as Tourette Syndrome Awareness Day.

9. Proclamation for Building Safety Month

Mayor Pro Tem Healy read Proclamation No. 22-2260, which recognizes May as Building Safety Month. Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our local code officials, who assure us of safe, sustainable, and affordable buildings that are essential to our prosperity.

10. Proclamation for I Love My State Parks Week

Friends of Pleasure Island State Parks is asking Council to issue a proclamation recognizing May 8-15, 2022, as I Love My State Parks Week. Mayor Barbee read Proclamation No. 22-2264.

ACTION: Motion to approve the four proclamations as read

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

11. Canal Drive Presentation by Staff

Planning Director Jeremy Hardison, Assistant Town Manager Ed Parvin, and Public Works Director Brian Stanberry gave a presentation about Canal Drive. It covered the history of monitoring water levels in the area, planning efforts, and projects now and in the future.

Mr. Stanberry said for the upcoming year, the Town will spend about \$910,000 trying to reduce some of the flooding that happens along Canal Drive. Some of the money from these projects will come from funding sources such as grants, the American Rescue Plan, etc.

Council Members praised staff for their work on this issue. Mayor Barbee said this was the most in-depth presentation he's seen about anything since serving on Council.

Mayor Barbee said a good future workshop item might be getting someone to explain recent changes in flood insurance ratings. He said this would be a good public service because the issue can be confusing.

Mayor Barbee recognized former Council Member Steve Shuttleworth in the audience.

12. Manager's Update

Town Manager Bruce Oakley gave an update on various projects and events. He said the internet connection at Town Hall went down a couple of hours before the meeting, so he praised Town Clerk Kim Ward, Executive Assistant Sheila Nicholson, Mr. Parvin, and Mr. Hardison for getting presentations done at home or with WiFi hotspots.

N.C. Department of Transportation (DOT) Projects

- Lake Park Boulevard Paving – scheduled for 2025
- Dow Road Turn Lane – funded and will start after Labor Day
- Hamlet Avenue Traffic Signal – late summer/fall 2023 due to delays with obtaining poles
- Beautification Project on Snow's Cut Bridge – seeking ideas, such as trees or wildflowers
- Traffic Signals at Cape Fear Boulevard and Harper Avenue – awaiting feedback about timing issues
- Carolina Beach Avenue North Paving – money is allocated and verification forthcoming

Lake Park Project

Engineers have taken surveys and are trying to determine how much fill can be removed and reused. The Town is working with the U.S. Army Corps of Engineers to get an updated permit.

Marina

The first phase (south end) is underway and ahead of schedule; it should be complete by October, if not earlier. Then work will begin on the second phase (east side), which will take longer.

Ocean Boulevard Sidewalk

The Town has funding and is ready to keep moving forward. Staff will look to Council for direction in the future and seek input from the Bike/Pedestrian Committee.

Americans with Disabilities Act (ADA) Plan Open House

This is scheduled for May 17 at 6:00 PM and will cover handicap parking spaces, sidewalk accessibility, etc. The public will have a chance to see proposed changes and make comments.

Beach Mats – Ocean Cure

These will go out on May 22, and Ocean Cure is seeking volunteers.

Weekly Updates

Residents can find most of the items in the Manager's Update and others in the Weekly Updates section of the Town's website.

Council Member Hoffer asked about Spartanburg Avenue. Mr. Oakley said he is waiting for some additional data to justify the request.

Mr. Oakley said DOT representatives have mentioned that Snow's Cut Bridge is approaching 60 years old, so the Town will eventually need to start planning for its replacement.

PUBLIC COMMENT

Lynn Conto of 707 Magnolia Avenue said she wanted to voice opposition to Town support for Wave's RideMICRO virtual stop service. She said she has cost and safety concerns and questions whether it does anything to help tourists or residents.

Bob Ponzoni of 1201 Canal Drive commended staff for a good presentation on Canal Drive. He expressed concerns about possible health issues from flooding and encouraged the Town to look at smaller fixes.

Jaci Ponzoni of 1201 Canal Drive thanked Council and staff for their attention to Canal Drive. She said she is hopeful the problem can be addressed and looks forward to a better future for the area.

Greg Higgins of 1101 Canal Drive said the Canal Drive presentation was informative but did not address long-term issues. He said the only solution is a comprehensive program to raze bulkheads all the way down the basin.

Olin Furr of 440 Oceana Way said he agrees that flooding is an issue on Canal Drive but thinks this should not preclude the need for paving. He said the road is in bad shape.

PUBLIC HEARINGS

13. Public Hearing to Receive Public Input on the 2022/2023 Budget

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

Council Member LeCompte asked if she could read an email from a citizen during the public hearing. Town Attorney Noel Fox said the Town's policy is to not read emails as part of the public hearing, but Council is welcome to read any emails personally and consider them in making decisions. Mayor Barbee said Council did make an exception to this policy for a brief period during the COVID-19 pandemic state of emergency.

Mr. Oakley went over key calendar dates for the budget process, which began in January with a strategic planning retreat and is scheduled to end with budget adoption in June. He presented a draft of a balanced budget for 2022/2023 that reflects increases in spending and revenue. Mr. Oakley said since last week's presentation, he made some cuts to balance the General Fund and implemented adjustments to rates and fees to help balance the Utilities Fund, which will also require a transfer from reserves.

General Fund revenue increases

- Property tax: \$139,000
- Parking: \$842,000
- Sales tax: \$586,000
- Room occupancy tax (ROT): \$167,000

General Fund expenses

- Personnel
 - Communications Coordinator
 - Financial Analyst
 - Human Resources Administrative Support
 - 3 firefighters
- Projects
 - 4.5 miles of paving
- Fund balance addition
 - \$150,000

Mr. Oakley said the current draft of the budget has no proposed property tax increase.

Mr. Oakley said a \$190,000 line item for contract services in the Legislative budget should result in leftover money because the Town has resolved some lawsuits and this should reduce the figure.

Utilities Fund revenues and expenses

- 4% water/sewer rate increase
- Permit fee increases
- Phase 1 of water study
 - Preliminary engineering report – permitting
- Stormwater projects
- \$238,506 transferred from Utilities Fund Balance

Mr. Oakley said the previous shortage for the Utilities Fund is due to inflation. He said it's not fair to pass all of these costs to the public, so the Town is seeking some extra money from new development and will transfer the rest from reserves.

Mayor Barbee asked Mr. Oakley to explain the difference between the General Fund and the Utilities Fund. Mr. Oakley said the General Fund must be covered by taxes and other revenue, but the Utilities Fund should be funded on a pay-as-you-go basis. He said the latter is the only thing in government that should be run like a business as much as possible. Mr. Oakley said there have been major increases in the prices for chemicals and materials.

Council Member LeCompte said she wants detail for the following budget items: \$3.645 million in contract services and \$725,000 for professional services.

Council Member LeCompte expressed concern about the utilities rate increase, especially sewer because it is already twice as much as water. She asked if the Town will look at lowering the minimum charge for sewer or make the rate increase less than 4% for the sewer portion.

Council Member LeCompte asked Mr. Oakley to explain the \$750,000 amount that is paid from the Utilities Fund to the General Fund. Mr. Oakley said this is to reimburse the Town for staff and other resources that are used to operate the Utilities Fund. Council Member LeCompte said this just seems to be a moving around of numbers when you factor in what has to be transferred from reserves for the Utilities Fund shortfall, but Mr. Oakley said these are supposed to be separate accounts that take of themselves.

Council Member Benson asked if additional money, such as leftover funds from the 2016 revenue bonds for the lake, can later help to offset the utilities rate increase. Mr. Oakley said if the Town finds money to result in lowering rates during the course of the fiscal year, rates can be changed.

Council Member Benson said he thought there had been discussion of communications duties being added to an existing position with some increased compensation. Mr. Oakley said his direction was to compile research and make a proposal for a new position. Council Member Hoffer said he also thought the communications role was not quite a full-time position. Mr. Oakley said changing the proposal from a Public Information Officer to a Communications Coordinator would encompass all of the Town's messaging, including work with the CodeRED system, as well as filming of meetings and other technological needs.

Council Member Hoffer said he doesn't think the Town should tinker with minimum charges for utilities. He said many of those paying the minimum are out-of-town people who own condos and other vacation property here, so this move would only help a small amount of people who really need it. Mr. Oakley said the minimum is basically a charge for accessing the system.

Mayor Barbee said he trusts Mr. Oakley's explanation for the need for new staff positions, but he doesn't want the Town to hire people and then realize it can't afford the additions. Mr. Oakley said he is proposing a staggered plan to hire some of the new staff on July 1 and others during the following quarter so the Town can monitor the budget and overall economy and make delays or changes as necessary with Council guidance.

Council Member Hoffer said he is worried about how inflation may affect the budget.

Council Member Benson said he has concerns about the liability of adding more personnel to a staff that has grown significantly in the past nine years.

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

Paul Levy of 1606 Mackerel Lane said the budget information presented via the provided web link was neither informative nor transparent. He said he was happy to hear more detailed information tonight but thinks it should've been provided with the web link. Mr. Levy said he would like to see a more complete explanation of this budget.

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

Council Member Hoffer said he is still not clear on many aspects of the budget.

Mayor Pro Tem Healy said only three people plus the press showed up for the budget open house on May 3.

Mayor Barbee said staff members put a lot of work into preparing for the open house and what they did is important regardless of attendance.

ITEMS OF BUSINESS

14. Saint Joseph Street Project

On March 24, the Town along with Kimley-Horn held a public input meeting to present an overview of three possible alternatives for a feasible bike path project on Saint Joseph Street. On April 18, Kimley-Horn presented a summary and overview of comments that were received to the Bike/Ped Committee. The committee took a vote and proceeded by drafting a resolution of a recommendation.

Mr. Parvin presented the details and introduced Jonathan Guy of Kimley-Horn, who gave a project overview and next steps. He said 65 residents showed up on March 24, and this resulted in the collection of 22 comment cards. Mr. Guy said safety is the key motivator for residents wanting improvements in the corridor, but he also saw feedback indicating concerns about flooding and speeding. He said of the three alternatives presented, Alternative 3 was preferred among those at the public input meeting.

Mr. Guy said the next steps are as follows:

- Procure design firm for engineering
- Update DOT on project
- Notify public of preferred design option

Several Council Members said they preferred Alternative 3.

Mayor Barbee said safety is the whole purpose of the project.

Council Member LeCompte said she likes the raised pedestrian crosswalks and thinks the Town should do that with every crosswalk.

Council Member Hoffer said this project must get people off the road and needs to focus on calming traffic.

ACTION: Motion to adopt Ordinance No. 22-1175, which will transfer \$114,445 from account 10-410-090 Legislative Contingency to account 41-350-000 General Fund, which is the 20% grant match for Saint Joseph/Lewis Drive bike and pedestrian project, and to approve option number 3 (multi-use path) as recommended by the Bike/Ped Committee and per Kimley-Horn's presentation

Motion made by Council Member Benson

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

Motion passed unanimously

15. Bicycle Multi-use Transportation Implementation

Staff is recommending multiple stop signs be modified to be consistent with the vision as described in the Town's long-range bike and pedestrian plans. The Bike/Pedestrian Committee gave a presentation to Council on August 25, 2020, about recommending several modifications to existing stop signs. These modifications will help improve vehicular, bike, and pedestrian movement and safety in the recommended areas.

Mr. Parvin presented the details, including the history of these recommendations.

The recommendations are to amend Sec. 16-205. Schedule B, stop intersections, and Sec. 16-207. Schedule D, through truck/large vehicle streets as follows:

1. Remove the stop signs on 4th Street at the Spartanburg Avenue intersection.
2. Add an all-way stop (three-way stop) on 4th Street and Greenville Avenue.
3. Remove the stop signs on Greenville Avenue at the 5th Street intersection.
4. Remove the stop sign on Clarendon Avenue at the 6th Street intersection.
5. Eliminate Spartanburg Avenue as a truck route.

Council Member LeCompte said it will be necessary to advertise that the four-way stops will be removed because people are used to them. Mr. Parvin said the engineer has also recommended this and there are several options for getting the word out. He said the Town can also ask the Police Department to give warning tickets for an initial period.

ACTION: Motion to adopt Ordinance No. 22-1176 to amend Sections 16-205 and 16-207

Motion made by Council Member Hoffer

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

Motion passed unanimously

16. Discussion on the Structure of Council Workshops

Council Member LeCompte requested a discussion about the structure of Council workshops. She said there have been complaints from residents about actions taken in workshops without public input. Council Member LeCompte said the proposed solution is if an item comes up for vote in a workshop, Council will ask Mayor Barbee to open public discussion at that time. She and Mayor Barbee said they are in agreement with this.

Council Member Hoffer said while he doesn't regret the decision about increasing staff pay during the last workshop, looking back it would've been best to move the vote until tonight.

Council Member LeCompte said sometimes there must be immediate action, but the public should have a voice before a vote is taken.

COUNCIL COMMENTS

Council Member Benson said he is working on a revamped proposed mission statement for the Operations Advisory Committee and will submit this for the next workshop.

Council Member Hoffer said Council should get ideas for improvements to Lake Park Boulevard to the DOT by 2023 or 2024 in advance of the 2025 repaving plan.

Mayor Pro Tem Healy said the Town is doing a lot of good things, and Council and staff should be proud.

Mayor Barbee said many of these items take years to get momentum, so he praised past Council Members for their work.

Mayor Barbee said he would like the Town to consider reviewing the ordinance for golf carts and other low-speed vehicles (LSVs) at some point because of recent technical changes to these types of vehicles.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 9:10 PM.