

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, July 12, 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

Town Clerk Kim Ward

Town Attorney Noel Fox

ADOPT THE AGENDA

For those who don't have the most updated copy of the agenda, Mayor Barbee said it includes a closed session.

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. Budget Amendments for Carryovers
2. Year-End Budget Transfers
3. Budget Amendments/Transfers FY23
4. Approval of Council Meeting Minutes from June 14 and 28, 2022

ACTION: Motion to approve 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

Mayor Barbee recognized New Hanover County Commissioner Jonathan Barfield Jr. in the audience.

SPECIAL PRESENTATIONS

5. Events Update by Tim Murphy

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

- Life Rolls On – July 23 at the beach strand in front of the Boardwalk
- East Coast Got Em on King Mackerel Classic – August 5-7 at Fisherman Lot
- Whomporama – August 6 at Hamlet beach access
- Family Night – Tuesdays at Boardwalk Gazebo
- Bingo – Wednesdays at Boardwalk Gazebo
- Fireworks/Music – Thursdays at Boardwalk Gazebo

Mr. Murphy said the Starz series “Hightown” will be using parts of Town Hall and the Recreation Center on July 14 after business hours. He also said the Amazon Prime series “The Summer I Turned Pretty” will be filming at a private residence on Cape Fear Boulevard overnight August 3-4. Mr. Murphy said he has been working very closely with this production and ensuring all the neighbors are on board.

Mayor Barbee said he recently heard some positive comments about the fireworks. He praised staff and volunteers for their efforts. Mr. Murphy said the Town is always looking for more volunteers on Thursday nights, especially during the 5:30-7:15 PM shift, and urged those who are interested to reach out to anyone at the Recreation Center.

Mayor Pro Tem Healy said Life Rolls On will bring 100 disabled surfers from eight states. Council Member Benson said there is a website for volunteers who want to sign up for this event. Council Member LeCompte said those interested can visit the Ocean Cure website.

6. Presentation on the Quarter-Cent Transportation Sales Tax Proposal

Staff from the City of Wilmington, New Hanover County, and Wave Transit presented information on the proposed quarter-cent sales tax increase related to public transportation.

Commissioner Barfield said this is estimated to bring in \$144 million over 10 years, and this would go to the following goals: improving bus service, greenways, and bike paths as well as for rail realignment, or moving the train tracks from downtown Wilmington across the river. He said he is hoping all municipalities will get behind the proposed quarter-cent sales tax increase to benefit the community as a whole.

New Hanover County Chief Communications Officer Jessica Loeper gave a presentation on key points of the proposal. She said the community can learn more at trailstransitnhc.com.

A quarter-cent public transportation sales tax could improve the quality of life in New Hanover County by:

- Enhancing trail connectivity
- Improving pedestrian safety
- Connecting people to jobs and education
- Contributing to better community health
- Reducing environmental impact
- Ensuring greater access and mobility for all residents

Summary

- Referendum for a quarter-cent sales tax to be used for public transportation systems will appear as a Yes/No vote on the November 8 ballot.
- Sales tax would be 25 cents for every \$100 spent on eligible goods by visitors, commuters, and residents.
- Does not apply to groceries, fuel, and prescriptions.
- Could bring in about \$14 million per year and provide a sustainable source of revenue for public transportation opportunities, greater connectivity with trails and sidewalks, and increased safety for bikes and pedestrians.
- Funds could also be leveraged to receive additional state and federal dollars and amplified for a significantly larger investment in public infrastructure.

Funding framework

Sales tax proceeds would be divided between three public transportation components over the first 10 years:

- 45% (approximately \$65 million) to Wave Transit
- 39% (approximately \$56 million) to bicycle and pedestrian pathway improvements in the City, County, and beach towns
- 16% (approximately \$23 million) for the Rail Realignment Project

Abby Lorenzo of the Wilmington Urban Area Metropolitan Planning Organization (WMPO) and Tara Duckworth of the County's Parks & Gardens Department highlighted priority projects that have been identified for the first five to 10 years, but they emphasized that these may change over time.

Carolina Beach

- Funding could be granted to Carolina Beach to help create more greenway and bike/pedestrian projects that connect people throughout the beach and to additional transit options.
- Carolina Beach's 2018 Pedestrian Plan outlines priority projects such as high-visibility crosswalks, multi-use paths, and sidewalks.
- WMPO's Cape Fear Moving Forward 2045 plan includes bicycle and pedestrian improvements in Carolina Beach.

Other projects in the City and unincorporated County over the first five years include multi-use trails, sidewalks, crosswalks, and safer intersections

Council Member Hoffer asked if the tax passes, how much of a guarantee is there that the money will be spent as outlined now. Ms. Loeper said the percentages are not coded into law. She said projects will be determined by various groups using a core document as a guide.

Mayor Pro Tem Healy asked how to get on the priority list. Ms. Loeper said the tax would come to the City and County by statute, and a formal process will need to be developed for the Town to request projects.

Council Member Hoffer asked if the Town would get a specific amount or receive funds on a project-by-project basis. Ms. Loeper said this would be project by project based on need.

Council Member Hoffer asked if there is a sunset on the proposed tax. Ms. Loeper said it would be in perpetuity.

Marie Parker of Wave Transit reviewed how the proposed tax would benefit public transportation.

Proposed Wave Transit improvements over the first five years

- Expand hours by 16 hours weekly
- Increase frequency so over half of routes come every 30-45 minutes
- Add 17 new benches and 10 new shelters at stops
- Enhanced technology signs to show real-time bus arrival times
- Expand microtransit service areas
- Free youth passes

Council Member Benson said the way the funding requests are currently structured, the Town would be competing for money by presenting its case.

Mayor Barbee said a direct portion of the funds would result in smaller municipalities getting small amounts of money, so the Town would struggle to get bigger projects done. He said the current structure would allow the Town to possibly do bigger projects.

Commissioner Barfield said it is important that the County and beach towns are partners, and the goal is to ensure ways to help all communities get what they need are being explored.

Mayor Barbee said a sales tax is being proposed rather than a property tax because everyone uses transportation and it's a way to spread out the cost among everyone. Commissioner Barfield said yes, a sales tax would ensure every visitor who comes here is contributing.

Aubrey Parsley, Director of Economic Development for the City of Wilmington, gave details about the City's Rail Realignment Project:

- 84% of Carolina Beach residents work outside of Town limits, and 80% of Carolina Beach employees live outside of Town limits (according to 2019 Census data).
- The sales tax could be leveraged for additional state and federal funds to help fund specific parts of the Rail Realignment Project that would help to create better connections through the

relocation of rails and implementation of sidewalks and multi-use paths to transit stops and opportunities.

He said more information about the Rail Realignment Project is available at www.wilmingtonnc.gov/rail.

Mayor Barbee asked what the next step is for those who want to learn more about the proposed sales tax. Ms. Loeper said groups may request a presentation, and the County is planning to host a series of community meetings at various locations in the fall. Mayor Barbee said it would be helpful to share this information in more of an open-house, casual setting.

7. Manager's Update

Mr. Oakley gave an update on various projects and events. He said he received a message from Fire Chief Alan Griffin that lifeguards from the Town's Ocean Rescue, the defending national champions for the United States Lifesaving Association Division C, are in Virginia Beach, Virginia, winning medals again and doing well.

Fiscal Year Update

Mr. Oakley told Council during the budget adoption process that before hiring for any new positions, he would come back with a financial update. He said revenues are higher than projected, and the Town has underspent on the expense side.

End of Fiscal Year Revenue Increases

- Property tax \$60,000 (1%)
- Sales tax \$489,000 (25%)
- Parking \$634,000 (29%)
- Alcoholic Beverage Control (ABC) \$391,000 (71%; this number includes ABC's sale of a property with proceeds being redistributed among all communities)
- Building \$159,000 (50%)
- Franchise tax \$55,000 (10%)
- Interest on investments \$15,900
- Room occupancy tax (ROT) gross revenues (June's figures are not yet available, but through May the Town has already exceeded the amount from the entire prior year)
- Estimated total to fund balance \$964,350
- Estimated fund balance 37% to 39%

Council Member Benson asked what amount the Town is carrying in the fund balance today. Mr. Oakley said that figure is a little over \$8 million in available unassigned fund balance.

Restroom Facilities

The Mike Chappell Park restroom is complete and ready to be delivered. The Town is doing prep work, and the facility should be open within the next few weeks.

The Hamlet Avenue facility is complete and open. Striping was scheduled to be done today, but rain has delayed this. Mr. Parvin and Operations Project Manager Ben Meister created temporary parking spaces last weekend until the work can be complete. Lining and striping should be done this weekend if the rain stops.

Paving Projects

Florida Avenue went out to bid today, and bids should be in within 10 days.

Slip lining has provided a reduction in inflow and infiltration at the Wastewater Treatment Plant following the recent heavy rains, which is a major improvement.

Staff met with the N.C. Department of Transportation (DOT) about paving Carolina Beach Avenue North, and the DOT will come back with costs and timing.

Committee Training

Mr. Parvin and Ms. Fox led training for the first group of committee members last week. The next group will have training tomorrow, and Council Members will be there to observe.

Water Tower Lease

The water tower lease between the Town and Verizon is up. Ms. Fox said the original lease was executed in 2010, but it's unclear whether there was a standing resolution for the Town Manager to execute any subsequent amendments. She said there is an amendment due for an additional five-year term and then three additional five-year terms. Ms. Fox said there is specific enabling legislation that allows for this, and there is a rent escalation clause of 3% per year.

ACTION: Motion to authorize the Town Manager to execute the amendment for the water tower agreement

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 said he would like to see similar stormwater projects bundled into one bid to help reduce costs and time. Mr. Oakley said this may be possible with some of the projects, so staff will look to see what can be done to help the process.

Council Member Benson asked for a timeline on paving projects. Mr. Oakley said he will have an updated timeline at the upcoming workshop.

Council Member Benson asked about the Ocean Boulevard sidewalk. Mr. Oakley said this is moving forward, and Council will need to decide at the upcoming workshop which side it will go on.

Council Member Hoffer asked about the permit application for the lake dredging project. Mr. Oakley said this has been submitted.

Mayor Barbee said the completion of the Hamlet Avenue facility, which was paid for with ROT funds, is a huge accomplishment for the Town.

PUBLIC COMMENT

Patrick Boykin of 712 Glenn Avenue said residents of Ocean Heights presented the Town with five petitions in January, but no one has received any written communication back about those. He said employees were recently working at nearby Town facilities before 7:00 AM on a Sunday. Mr. Boykin also asked about the petition requesting landscaping along Glenn Avenue at SunFun Rentals. He said there is a chain-link fence, which offers no privacy, and no landscaping. Mr. Boykin also said through-traffic from SunFun Rentals is supposed to use Bridge Barrier Road, but adjacent roads are often being used instead. The timer ran out, so he said he'd be back with more comments next month.

April Gaster of 904 Blanche Avenue said she has concerns about traffic in Ocean Heights. She said the issues are excessive speed, freight trucks using the neighborhood roads as a throughway, and hazards created by unloading of golf carts on trailers at the beginning of Glenn Avenue when turning off Dow Road. Ms. Gaster said possible solutions include posted speed limit signs, signs indicating no through-traffic for big rigs, signs indicating children at play, using the empty side lot with the dirt road for unloading golf carts, and moving the gate from Glenn Avenue to the side of the golf cart business.

Mayor Barbee asked Mr. Oakley to give an update to Council at the next workshop about where things stand with the petitions previously presented regarding Ocean Heights.

James Sattie of 610 Glenn Avenue said the issues in the petitions regarding Ocean Heights are a major concern, so he hopes every Council Member will review them. He said the traffic situation on Glenn Avenue is a safety hazard and is destroying the street. Mr. Sattie also expressed concerns about the business' lack of landscaping and installation of a chain-link fence despite agreeing to a wooden fence.

Council Member Hoffer said the population of that community has increased and lots of families live in the area, so there must be a way to keep tractor-trailers from roaring through the streets. He said this sounds like a good workshop topic.

Melinda Sininger of 1512 Carolina Beach Avenue North Unit F3 said Canal Drive and Carolina Beach Avenue North are in bad shape with rocks, divots, and holes in the road. She said she's also concerned that a speed limit of 25 mph on those roads is too fast, so she'd like to see it reduced to 20 mph.

Mayor Barbee asked Mr. Oakley to take the speed limit issue to public safety staff members for feedback and guidance.

PUBLIC HEARINGS

8. Hearing on Adoption of the Americans with Disabilities Act (ADA) Transition Plan

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

Senior Planner Gloria Abbotts gave a presentation on Mobility for All: ADA Transition Plan.

Why do we need a plan?

- Federal law requirement
- Town meets criteria
- Federal grant funding

What is the ADA?

Americans with Disabilities Act Title II

Governments must provide people with disabilities an equal opportunity to benefit from programs, services, and activities.

- Public buildings
- Sidewalks
- Curb ramps
- Policies/procedures

Ms. Abbotts shared statistics about people with disabilities, described the Town's self-evaluation and audit, and gave details about community outreach, including a May 17 public input meeting.

Implementation

- Annual update
- Phase C – infrastructure plan
- Priorities addressed in budget
- Incorporate in all upcoming projects

Council Member LeCompte asked if Phase C has been pushed out five years. Mr. Parvin said this is based on funding, so the Town is looking at another round of revenue bonds to fund Phase C in three to five years.

Mayor Barbee asked if anyone from the public wanted to speak about this item. No one requested to speak.

Council Member Hoffer said mobility-hampered people would rather be on sidewalks than streets, but a sidewalk that's not up to par is not helpful.

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 LeCompte said there are a lot of bad sidewalks in the Town. She thanked Ms. Abbotts and other staff members for their work.

Mayor Barbee said sidewalks in the Town can be tough to navigate for those with mobility issues.

ACTION: Motion to approve the Americans with Disabilities Act Transition Plan, as it is consistent with federal guidelines

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

9. Approval of Financing Terms for F-550 Brush Truck and Spartan Fire Apparatus

Finance Director Debbie Hall requested bid proposals from seven banks for financing of a 2022 F-550 Brush Truck at \$189,000 for five annual payments and a 2022 Spartan Fire Rescue Apparatus at \$638,810 for 10 annual payments. The following proposals were received:

F-550 Brush Truck

- Truist Bank at 3.41% interest for five years
- Government Capital Corporation at 4.00% interest for five years

Spartan Fire Rescue Apparatus

- Truist Bank at 3.59% interest for 10 years
- Government Capital Corporation at 4.20% interest for 10 years

Ms. Hall said the two items are currently being constructed, with expected completion of the truck in September or October and expected completion of the apparatus in December or January. She said the Town would like to get the loans locked in now because interest rates are going up. Ms. Hall said she recommends the Truist loans for both items. She said the debt service was already approved in the budget.

ACTION: Motion to approve Resolution #22-2266 and Resolution #22-2267 to accept the terms of the proposals from Truist Bank

Motion made by Mayor Pro Tem Healy

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

Motion passed unanimously

COUNCIL COMMENTS

Council Member LeCompte she has gotten some complaints about drainage in Henniker's Ditch, so she would like an update on where things stand with its maintenance. She also requested an update on the mooring field and how the Town can move forward with some possible mooring balls. Regarding the complaints from Ocean Heights residents, Council Member LeCompte said she thought work at Town

facilities should not begin until 9:00 AM on Sundays, not 7:00 AM. Mr. Oakley said he thinks that is what the ordinance says. He said there have been some issues with GFL emptying dumpsters early in the morning, and staff members have let GFL know this needs to stop.

Council Member Hoffer said he wants to remind everybody about the Lake Park Boulevard 2025 project that will entail the DOT paving from Snow's Cut Bridge to Carolina Sands. He said this is an important opportunity for the Town to have a plan in place for related improvements to the road. Council Member Hoffer also reminded staff that the application deadline for Tree City USA designation is at the end of the year.

Mayor Pro Tem Healy asked if Council can sit down with the new Code Enforcement Officer to find out what his job description is and possibly give him some solutions for what he can do. Mr. Oakley said Planning Director Jeremy Hardison can give Council details about the Code Enforcement Officer's job description and role. Mayor Barbee said Council Members get a lot of comments from residents about what Code Enforcement should do, but Council Members don't always know the details. Mr. Oakley said the Code Enforcement Officer is limited in what he can do, and details such as what can be enforced and how are spelled out in the ordinance. Council Member LeCompte said it is frustrating when there is an ordinance on the books but no enforcement.

Council Member Benson gave some updates on the most recent meeting of the Operations Advisory Committee. He also asked Ms. Fox for a briefing on short-term rentals at the August workshop.

Council Member Hoffer said the Beautification Plan is going in front of the Technical Review Committee (TRC) on July 18, and there will be feedback from staff before starting a bigger conversation.

Council Member Benson asked about an open house for the Military Ocean Terminal Sunny Point (MOTSU) Commander. Mayor Pro Tem Healy said he would love to see that. Mr. Oakley said MOTSU will be arranging a tour again in August for a limited number of elected officials.

Mayor Barbee said at the next workshop he'd like to see a review of the Master Plan for Harper Avenue. Mr. Oakley said it's on the agenda.

CLOSED SESSION

ACTION: Motion to go into closed session to discuss a real estate matter in accordance with NCGS 143-318.11(a)(5); the property being discussed is located at 1209 North Lake Park Boulevard

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

Mayor Barbee adjourned the meeting at 8:00 PM.