

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, January 12, 2021 - 6:30 PM

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



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## MINUTES

### CALL TO ORDER

Mayor Pierce called the meeting to order at 6:30 PM, followed by the invocation by Mayor Pierce and Pledge of Allegiance.

### PRESENT

Mayor LeAnn Pierce

Mayor Pro Tem Jay Healy

Council Member Lynn Barbee

Council Member JoDan Garza

Council Member Steve Shuttleworth

### ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Town Attorney Noel Fox

### ADOPT THE AGENDA

**ACTION:** Motion to adopt the agenda

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

### CONSENT AGENDA

1. Budget Amendments/Transfers
2. Approval of Emergency Sick Leave Policy
3. Set Public Hearing for February 9, 2021 to Receive Requests from Non-Profit Organizations for Room Occupancy Tax Funds
4. Approval of Meeting Minutes

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

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

### SPECIAL PRESENTATIONS

## 5. Presentation – Scooter Rental Company (Bird)

Bird is a micromobility company that operates shared electric scooters. Bird operates with the user installing the Bird app, on which it displays all the scooters available (tracked by GPS) nearby. Before starting a trip, the user supplies payment information. The user then scans the QR code on the scooter, beginning the trip.

Planning Director Jeremy Hardison introduced Chris Stockwell of Bird, who joined the meeting via video conference and gave a presentation to Council. Mr. Stockwell said Bird had done an analysis of cities that would be a good market, and Carolina Beach was on that list. He said Bird is a shared scooter program with the mission of getting people out of cars to reduce congestion, improve air quality, and improve overall quality of life.

Mr. Stockwell gave details about how scooter rentals work, what the scooters look like, transportation benefits, the company's approach, a timeline for implementation, company innovations, and testimonials from communities where Bird is currently in use. Bird uses localized operations, working with a local entrepreneur to manage the fleet in exchange for that person earning money on each ride. Mr. Stockwell said 56 percent of rides connect to a local business, and Bird partners with local businesses to promote their services to riders.

Mayor Pro Tem Healy asked about the cost to the consumer. Mr. Stockwell said it is \$1 to unlock a scooter plus a per-minute fee that ranges from 25 to 39 cents. Mayor Pro Tem Healy asked how scooters get back to where the ride originates. Mr. Stockwell said the scooter could remain in the second location until someone rides it back, or if the scooter winds up in a low-demand area the fleet manager would rebalance the fleet and bring it back to a higher-demand area.

Council Member Garza asked Mr. Stockwell if he had been to Carolina Beach or looked at a traffic study or pedestrian and bike flow in the area. Mr. Stockwell, who is based in Pennsylvania, said he has been to coastal areas of the state, including Wilmington, but had not ever visited Carolina Beach. He said the scooters are complementary to and ride along with traffic. Council Member Garza asked if Bird is looking for someone to franchise the operation. Mr. Stockwell said Bird typically starts with about 50 scooters in an area and would look to find a fleet manager. Council Member Garza asked about accident statistics. Mr. Stockwell said the numbers are low and that he can send statistics to Council. He said a study found the accident rate is no different than for bicycles.

Council Member Barbee asked who is responsible if a scooter hits a car. Mr. Stockwell said the scooter rider is ultimately responsible but Bird holds the general liability overall and can indemnify any municipality upon request. He said there is protection for fleet managers, and all riders agree to terms and conditions prior to taking their first ride. Mr. Stockwell said this is a conversation Bird would handle between the rider and the car owner.

Mayor Pierce thanked Mr. Stockwell for the presentation and said Council will take the information under advisement and get back to Bird.

## 6. Manager's Update

Mr. Oakley updated Council on current and future projects. He said Parks & Recreation wanted to invite Council to a ribbon cutting for Joseph Ryder Lewis Jr. Civil War Park on February 11 at 2:00 PM.

Mr. Oakley also gave details about the status of the wheelchair access beach mat provided by Ocean Cure during summer months. The Division of Coastal Management previously denied a variance for the mat, which will be appealed to the Coastal Resources Commission on February 17. Council Member Shuttleworth asked what the Town is doing to offer letters of support. Mr. Oakley said there has been an outpouring of support, and the Town is seeking to get as much as possible in writing. Mayor Pierce said she can draft a letter of support to send. Council Member Shuttleworth asked if the two large hotels on the Boardwalk and the Pleasure Island Sea Turtle Project were in favor of the beach mat. Mr. Parvin said there are 20 letters of support that will be attached to the application, including from the two hotels and the sea turtle group.

Regarding the lake dredge issue, Mr. Oakley said the Town looked at doing a design build but that administrative costs for this were excessive. He said the Town is preparing a request for proposals for the dredging and disposal of spoils, which should be going out soon.

Mr. Oakley reminded Council of the budget retreat on January 26 at 9:00 AM at the Fire Department. He said there would be a brief review of the static line issue with the Coastal Resources Commission, followed by the retreat.

Council Member Barbee asked about the postponement of the Hamlet bathroom and shower rebuild due to bids coming back high. He said he has concerns that if the Town keeps sliding the project back, the costs will keep going up. Council Member Barbee asked if staff has reason to believe the costs will go down or whether this is wishful thinking. Mr. Oakley said anecdotally staff is hearing that the price of lumber is going down, so the Town is hoping to hold off and bid again later. Council Member Barbee said he would like Council to discuss this matter at the budget retreat, including a contingency plan if fall comes and the prices haven't dropped. Mr. Oakley said he will put this in the presentation for the retreat.

#### **PUBLIC COMMENT**

Lisa Overby Dosier of 807 Kenneth Avenue passed out materials to Council and spoke about her desire to add a refrigerator to supplement the two small food pantries on the island. She said this would be for produce and other perishables, not necessarily for cooked dishes. She said she was seeking feedback from Council about location, power, structure, and costs so organizers can develop a better plan. She said there is already interest in donations of signs, carpentry, and the appliance itself. Mayor Pierce asked if she would be willing to come back to make a presentation as an upcoming agenda item, and she said yes.

#### **ITEMS OF BUSINESS**

##### **7. Budget Amendment**

Mr. Parvin presented information about a parking-related budget amendment request.

## Improving Parking in 2021

### Continuing issues with the old paystations

- Dying Batteries – We would have to go and change batteries on a couple of paystations every other day.
- Failing Printers – A few machines, including Freeman Park, had printers that would stop working and need to be switched out.
- Not Communicating with Reporting System – There were software issues as well as issues with the controller in one machine that were keeping us from being able to report properly until they were fixed.
- Card Reader Issues – Maintenance was consistently having to clean and work on card readers.

### Benefits of new machines

- Low maintenance – Other than a paper jam every now and then and regular paper changing and cleaning, the new machines we got last year required much less attention.
- Fewer collections – With the machine at Freeman Park being the only one that will accept cash, the amount of time spent collecting and counting money will decrease.
- Compatible with LPR system software – Enforcing is more efficient when the LPR can scan license plates and tell the ambassador if the person paid with the new paystations.
- Easier reporting – Last year with the purchase of the first 10 Parkeon machines, it became more difficult as office staff had to run 2 different reports for paystation collections.

### New parking paystation locations

1. Freeman Park – cash and card options
2. North Pier Lot – card only (same as it has been for 2 years)
3. Canal Lot – card only
4. Weeks Lot – card only
5. Surfside East Lot – 2nd card-only machine (already has 1 card-only machine)
6. Palms Lot – 2nd card-only machine (already has 1 card-only machine)
7. Mack Lot – card only
8. Hamlet Lot – card only
9. Tennessee Lot – card only (same as it has been for 2 years)
10. Ocean Lot – card only

### Budget amendments for parking

Purchase of new Parkeon paystations: \$55,200

Cost for installation of new paystations: \$5,000

Wheel locks for vehicle immobilization: \$1,705.30

Total cost: \$61,905.30

Mr. Oakley asked if the improvements enabled by this budget amendment would offset the price at all. Mr. Parvin said some paystations have not been working, plus Parkeon is a better product that uses the latest technology. He said the Town is trying to limit meters and educate the public so people are comfortable with text and phone payment options, which use no infrastructure other than signs.

Mayor Pierce said it needs to be clear on all lots whether Town decals are accepted.

Council Member Barbee said this is a maintenance item and seems like a reasonable request.

Council Member Garza asked for a line item for future maintenance so there's a small savings account when needs arise. Mayor Pro Tem Healy said this is a good idea.

**ACTION:** Motion to approve the budget amendment for the parking meters for \$61,905.30

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

#### 8. NCLM 2021 Legislative Goals

Mr. Oakley asked Council to review and consider casting a vote to support the North Carolina League of Municipalities 2021 legislative goals. He said Mayor Pierce is the delegate to the organization but relies on Council to share input.

Among the legislative goal statements recommended by the organization's Board of Directors are:

- Grant local governments the authority to build broadband infrastructure in order to partner with private providers and provide additional funding to help close the digital divide.
- Secure federal and state aid directly to municipalities to offset all lost revenues due to the COVID-19 pandemic.
- Expand incentives and funding for local economic development.
- Revitalize vacant and abandoned properties with enhanced legal tools and funding.
- Create a permanent and adequate funding stream for local infrastructure needs.
- Provide funding to keep aging water and sewer system financially solvent today and viable for the future.
- Ensure state funding for any new state-mandated benefits for municipal employees.
- Allow a short grace period for online posting of local emergency declarations while allowing them to take effect immediately.
- Increase public safety grant funding and expand allowable uses.
- Reduce pressure on property taxpayers by expanding locally controlled options for revenue generation.

Council Member Shuttleworth asked Mr. Oakley for his thoughts. Mr. Oakley said he thinks securing federal and state aid is important. Council Member Shuttleworth said any kind of funding with a low interest rate would help to reduce the burden on taxpayers.

Mayor Pierce asked Council to share their thoughts before the upcoming meeting.

#### **NON-AGENDA ITEMS**

Council Member Barbee said 2025 will be the Town's centennial, and he thinks it is important to celebrate that. He proposed asking the Town's Business and Economic Development Committee to

develop a framework for celebration possibilities. Among his ideas was leaving a legacy item, such as raising money to complete the playground at the lake or building a new bandstand. Council Member Barbee said he wanted to see if Council supports this. Council Member Garza, Mayor Pierce, and Mayor Pro Tem Healy said they were in favor of moving forward with a request to the committee to explore options.

Council Member Garza said he had no items to bring up until the upcoming workshop. He wished everyone a happy new year.

Mayor Pro Tem Healy said although dogs are not allowed on the Boardwalk, there is only one sign stating this rule. He said he would like to have a conversation in the future about changing the rule so dogs are allowed on the Boardwalk.

Mayor Pro Tem Healy brought up COVID-19, stating that the pandemic seems to be at a peak. He said he didn't realize the Town had 266 cases along with 50 in Kure Beach. He expressed hope that things would improve after a couple of weeks but said it's imperative for everyone to continue following masking and social distancing guidelines, something he feels might be lacking, especially in the downtown area.

Mayor Pro Tem Healy said he is glad to see demolition of older buildings in the Central Business District but wanted to know if there are any regulations regarding cleaning up the lots after demolition is over. Council Member Shuttleworth and Council Member Garza also expressed interest in knowing whether there is a policy for this. Mr. Parvin said the owners of the lots are responsible for the cleanup, and if this doesn't happen in a timely fashion then Town staff talks to them and gives them a time frame for completing the task. Council Member Shuttleworth asked if there is an expectation to groom the lots to a certain standard. Mr. Hardison said they must be cleaned up of all debris, graded, and stabilized. Council Member Shuttleworth said it is important to accelerate this process in the Central Business District because of its prominent location for both residents and visitors.

## **CLOSED SESSION**

### 9. Closed Session to Discuss an Attorney/Client Matter

**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 are:

18 CVS 3155 Town of Carolina Beach vs. Winnie Futch Heirs

18 CVS 3153 Town of Carolina Beach vs. DRDK LLC

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

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

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

20 CVS 2596 Porter vs. Town of Carolina Beach et al

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

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

**ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,  
Council Member Shuttleworth

*Motion passed unanimously*

The meeting adjourned at 8:15 PM.