

CAROLINA BEACH

Town Council Workshop Minutes
Tuesday, June 23, 2020 @ 9:00 AM
Council Chambers
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Town Council Workshop was held on Tuesday, June 23, 2020, at 9:00 AM in Council Chambers.

PRESENT: Mayor LeAnn Pierce, Mayor Pro Tem Jay Healy, Council Member Lynn Barbee, Council Member Steve Shuttleworth, Council Member JoDan Garza

ALSO PRESENT: Town Manager Bruce Oakley, Town Clerk Kim Ward, and Town Attorney Noel Fox

MAYOR PIERCE CALLED THE MEETING TO ORDER

Assistant Town Manager Ed Parvin recognized Public Works Director Brian Stanberry for 20 years of service with the Town.

DISCUSSION ITEMS

1. Hurricane Preparedness Update

Fire Chief Alan Griffin gave an update on measures Town staff has taken to prepare for the 2020 hurricane season. He discussed the four phases of a disaster: mitigation, preparedness, response, and recovery and said his staff had recently participated in a training exercise as part of preparedness measures. Chief Griffin also discussed the chain of events during a disaster, emphasizing that decisions are based on life safety, incident stabilization, and property conservation.

Chief Griffin said there are "7 musts" for elected officials during a hurricane:

- Attend briefings with the Town Manager
- Review incident action plans
- Work within the NC system
- Help spread a consistent message
- Ask questions
- Work through the Emergency Operations Center Manager
- Understand departmental priorities

Council member Garza asked about expectations for the upcoming hurricane season. Chief Griffin said the forecast is for an active season but reminded everyone that it only takes one storm to cause significant issues for the Town.

Mayor Pro Tem Healy said elected officials should stay out of the way and let Town staff do their job in a hurricane. Chief Griffin said it is better for Town staff to be in charge rather than elected

officials because elected officials can get political pressure from citizens and businesses.

Council Member Garza recommended the creation of a 5-minute video for social media about hurricane preparation. Chief Griffin said this was a good idea and that it was a good time for messaging about having enough supplies to self-sustain for 72 hours.

Mayor Pierce said she had confidence in Town staff to be in charge and that Council would follow their lead.

2. Overview of the 2020 Land Use Plan Update

Assistant Manager Ed Parvin reviewed the public involvement steps in the process of developing the current draft of the proposed Land Use Plan: public survey, steering committee, website, social media and outreach, public open house workshops, and several public comment sessions. The steering committee was made up of dedicated, appointed volunteers having regular meetings since November 2018. Members had various perspectives and backgrounds and reviewed and guided all aspects of information gathering and plan development. The process has been wrapping up this year; the most recent action was the Planning & Zoning Commission recommending approval of a plan in June. Remaining steps include presentation to Council for adoption in July and to the Coastal Resources Commission for certification in November.

Mr. Parvin also reviewed changes that were made to the plan during the process:

- Change Canal Drive from low to medium density
- Change west side of Bonito Lane from low to medium density
- Mirror Downtown Business Area classification to Central Business District zoning
- Mirror low density area with R-3 zoning
- Remove the Gateway Corridor overlay district and the term
- Make the medium density residential minimum lot size 5,000 square feet instead of a range of 5,000-9,000 square feet
- Make verbiage less restrictive to reflect “discouraging” rather than “restrict” development in land around the lake
- Match the T-1 zoning

Council Member Shuttleworth suggested making Pelican Lane the boundary for the Central Business District rather than having it extend north of there, which would affect some residential properties. He also wanted to see allowances for more neighborhood commercial development along Lake Park Boulevard south of the lake to help with traffic flow so all businesses aren't located in the Central Business District.

Council Member Shuttleworth also asked about whether there was discussion of extending height limits in the Marina Business District or Lake Park Boulevard Corridor. Mayor Pierce said there was some discussion about lowering height limits at one point. Council Member Garza said he did not recall any discussion about extending height limits. Mr. Parvin said the current height limit is 50 feet, but if you do some additional setbacks you can go up to 60 feet. Council Member Shuttleworth said there has been some interest in developing apartment buildings that would provide long-term rentals that would be affordable workforce housing.

3. Hurricane Building Damage Review

Council asked Town staff for an update on the status of hurricane-damaged buildings. Over 1,000 units that consisted of single-family, multi-family, and commercial were damaged during Hurricane Florence. Staff has worked with the property owners since then to either demolish the structures or repair them. There are only 6 remaining properties that Town staff is still working with owners on either repairing or demolishing them. Mr. Parvin gave details about each.

1) 3 Carolina Beach Avenue south

This building is owned by the Town. It is in need of major repairs to include roofing, floors, ceilings, electrical, and mechanical.

Council Member Shuttleworth said he thought it had already been determined that this building was a teardown because of the excessive cost of repairs. He said he thinks Council should lead by example and get rid of the building because it is an eyesore and health hazard. Mayor Pierce said she was not ready to move forward with this now. Mr. Parvin said he could bring it up again in the future. He said the Town included money for the demolition in the loan when they bought it. Mayor Pierce said this would need to be done in the off-season and that Council will know its options better within the next couple of months. She asked about covering the windows. Mr. Parvin said he would look into making sure that is done and see if there is any decorative work that the Beautification Committee can do.

2) 106 Carolina Beach Avenue North and 7 Pavilion Avenue

Buildings have been damaged and had temporary repairs done to the roof. Further evaluations will be required.

Mr. Parvin said owners have been periodically making repairs. He said condemnation and demolition are possible options, but this is challenging because the buildings are connected to other properties.

Council Member Shuttleworth said this property has been an issue for 7 years and has become a hindrance to further economic development in the area because it is an eyesore and devalues the surrounding area. He said because there has been no commitment from the property owner to make a reasonable plan, the Town needs to follow through on some action. Mayor Pierce said years ago there was a plan to possibly put public restrooms in this building instead of building a new structure. She asked if this was still possible or worth exploring.

Mayor Pro Tem Healy asked about the process for getting a building condemned. Mr. Parvin went over the steps and said it is a 90-day process. Mayor Pro Tem Healy said this would force the owners to do something. Council Member Barbee said they have had years to come up with a plan, so the town needs to push forward with other options.

Council Member Garza asked Mr. Parvin what Town staff needs to move forward. Mr. Parvin said he can reach out to the owners to talk about options for a 6-month plan. Council Member Shuttleworth said he thinks the time has elapsed for this and that they need to be sent a notice so this doesn't continue to drag out.

3) 12 Pavilion Avenue

Currently the owner has discussed selling the building or removing it. Cost of repairs was too extensive for the owner at this time. He was going to evaluate his situation and get back with the Town once he makes a decision on his plans. The meeting was early in June.

Mr. Parvin said the Town Ocean Rescue building was here for many years, and after that moved out the owner entered a contract for the building to become a restaurant, which has since fallen through.

4) 101 Cape Fear Boulevard

Front of building is currently open for business. Currently the rear section and second floor is vacant and in need of major repairs. The owner has the property up for sale.

5) 109 Cape Fear Boulevard

The building is currently vacant and proposed to be demolished. The owners are still working with the insurance company to finalize claims. Once completed, the building will be removed. There is a sign stating that the business has been closed due to Hurricane Florence.

Mr. Parvin said the owners have been working with a demolition company and are motivated to move forward. He said Town staff can talk to them about covering windows. Mayor Pierce said she thinks owners would be open to allowing the Beautification Committee to help with this. Council Member Barbee mentioned the mold and mildew smell coming from the building.

6) 308 Carolina Beach Avenue North

Mermaid Manor has new ownership and plans to remove the building. They have come to the TRC meeting and have been granted approval to construct a new building as proposed. They are now working with their designers on the plans for the new building and have plans to submit for permits this fall with the intention of constructing it during the off-season.

Mr. Parvin said this project has been approved for mixed use.

Council Member Shuttleworth asked if Town staff was looking at building improvements on other parts of the island, not just the Central Business District. He asked what Council needs to do to give Town staff teeth to expedite enforcement issues. Town Building Inspector Darrel Johnson said there has been progress with demolition in other parts of the town. He said these properties were typically identified on a complaint basis. Mr. Oakley said he will meet with the Town Attorney and other staff and report back with the next steps to address Council concerns. Council member Barbee said he would like to see the issue come back to Council in the fall for an off-season check on progress.

4. Review Proposed Marketing Budget for FY 20/21

Mr. Oakley gave an update on the proposed FY 20/21 marketing budget presented by the Convention and Visitors Bureau (CVB):

Total: \$408,325

Contingency 7.35%: \$32,394

FY Budget Total: \$440,719.00

Council Member Shuttleworth suggested a 15% holdback due to continuing economic uncertainty. He said the Town is already busy, and due to COVID-19 larger crowds should not be encouraged. Other Council Members agreed that they would like to see larger reserves of 15% or 20%. Council Member Shuttleworth said his suggestion would be to ask the CVB to approve a \$374,000 budget with the balance going into reserves and asking them to cut 10% of advertising and media services.

ACTION: Motion to adopt a 20 percent reduction in the proposed advertising budget

Motion: Mayor Pro Tem Healy

Vote: UNANIMOUS

Council Member Shuttleworth said he would like to present it as a “friendly amendment” to this proposal. Mr. Oakley said he would take the requested amendment back to the CVB.

5. Efficiency Study Contract

At the June 9 Council meeting, Council approved Mr. Oakley to move forward with negotiating an agreement with one of top three respondents to an RFP for an efficiency study. There were 10 respondents ranging in cost from \$30,000 to over \$100,000. After scoring of the top three by a Town staff committee, Evergreen Solutions was the top choice. Mr. Oakley negotiated a lower price of \$30,000 from the original proposal of \$38,500. The study would start on July 1 and take about 4 months. Mr. Oakley said the goal is to identify ways to maximize services with minimal costs.

Council Member Barbee asked Mr. Oakley to emphasize to Town staff that the firm is here to help and not harm. Mayor Pierce said if everyone is open-minded, then great ideas will come out of the study.

ACTION: Motion to authorize Mr. Oakley to engage Evergreen Solutions on this project

Motion: Council Member Barbee

Vote: UNANIMOUS

NON-AGENDA ITEMS

Council Member Barbee said he needed some guidance for what to tell people on Mackerel Lane. Mr. Oakley said he will work with Town staff to come up with a message to let them know of next steps or whether there are next steps.

Council Member Garza asked if it was possible to list all sections in the town that do not have a stormwater system. Mr. Oakley said there is a phased plan. Mr. Parvin said Town staff can show Council phases for stormwater and infrastructure projects, including what is already funded in the budget.

Mayor Pro Tem Healy said there are a couple of businesses downtown that have disregard for COVID-19 capacity regulations. He said he has brought this up to the Police Chief and Fire Chief but is worried about a lack of ways to enforce this as a Town. Mr. Oakley said the Town can cite a business and give a court date. Mayor Pierce suggested having private conversations with offenders to ask them to implement better procedures as a first step.

Mayor Pierce asked Mayor Pro Tem Healy to talk to Mr. Johnson about getting the Beautification Committee involved with helping with decorative window coverings for the Central Business District buildings discussed earlier in the meeting.

CLOSED SESSION

6. 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). The matters being discussed include:

TCB vs. Carolina Freeman LLC NHC 18 CVS 3151

TCB vs, B&F Enterprises LLC NHC 18 CVS 3152

TCB vs DRDK, LLC NHC 18 CVS 3153

TCB vs Freeman Beach, LLC 18 CVS 3154

Motion: Mayor Pierce

Vote: UNANIMOUS

Council returned to open session at 11:30 AM. No action was taken during closed session.

ADJOURNMENT

Mayor Pierce made a motion to adjourn at 11:30 AM. Motion passed unanimously.