

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, April 12, 2022 - 6:00 PM

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



MINUTES

CALL TO ORDER WITH INVOCATION FOLLOWED BY THE PLEDGE OF ALLEGIANCE

Mayor Barbee called the meeting to order at 6:00 PM, followed by the invocation by Pastor Shawn Blackwelder of St. Paul's United Methodist Church 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

Finance Director Debbie Hall

Town Clerk Kim Ward

Town Attorney Noel Fox

ADOPT THE AGENDA

Council Member LeCompte said the item Police Advisory Committee Presentation on RideMICRO will be removed from 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. Set a Public Hearing for May 10, 2022, for a Text Amendment – to Amend:
 - Chapter 40 Sec 40-70 & 72, add multi-family uses to the Neighborhood Business (NB) zoning district with reduced setbacks
 - Chapter 40 Sec 40-74, increase the density in Neighborhood Business (NB) zoning district
 - Chapter 40 Sec 40-72, allow parking areas serving the use to be located in a different zoning district – Applicant: Hamby Beach Properties LLC
2. Approve Contract for Auditing Service for Period Ending June 30, 2022
3. Create a Capital Project Fund for HVAC

4. Budget Amendments/Transfers
5. Approval of Minutes from February 22, March 8, and March 31

Council Member Benson asked Finance Director Debbie Hall for clarification on audit and budget transfer items, which she provided.

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:

- Beachin' Car Show – April 23 at Carolina Beach Lake
- Street Arts Festival – May 7 at Carolina Beach Lake
- Superb Beach Soccer Festival – May 6-8
- Flock of Food Trucks – May 14 at Carolina Beach Lake
- Surf Dog Experience – May 14 at Pelican Lane Beach Access
- Beach Wrestling Nationals – May 20-21 on the beach strand behind the Boardwalk
- Double Sprint Triathlon – May 22
- Bingo – begins on May 25
- Fireworks/Music – begins on May 27

Maureen Lewis and Matt Hamlet gave a presentation about the Fancy Pants Croquet Tournament proposed for May 22 at Mike Chappell Park. This event, intended to be annual, would support the Carolina Beach Mural Project. In addition to croquet teams, there would be food, beverages, and live music. Mr. Murphy said because alcohol is planned for the event, it would require temporary fencing and the presence of a Police Officer.

ACTION: Motion to approve the Fancy Pants Croquet Tournament

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

7. Police Advisory Committee Presentation on RideMICRO

This item was removed from the agenda.

8. Proclamation Naming April 26 Jerry Ann Brady Kennedy Day

Council Member LeCompte read Proclamation 22-2257 declaring April 26 as Jerry Ann Brady Kennedy Day. Ms. Kennedy, who died on October 9, 2019, served on the Town's Board of Adjustment and Planning and Zoning Commission for many years. She also volunteered in various other ways throughout the community.

9. Proclamation Naming April 18 Holly/Love Where You Live Day

Mayor Barbee read Proclamation 22-2258 declaring April 18 as Holly/Love Where You Live Day. Holly is a rescued Great Pyrenees who belongs to Planning and Zoning Commission Chairman Wayne Rouse. After escaping from her home shortly after arriving in early spring 2019, the community came together to ensure her safe return. She found her way home on April 18, 2019, and Council would like to designate this day to celebrate community spirit and unity in the Town and by its citizens.

10. Manager's Update

Mr. Oakley gave an update on various projects and events.

Freeman Park

The Town has completed the purchase. There is a loan amount of \$3.2 million, and the Town has applied for a Land and Water Conservation Fund grant that would pay off the loan, if awarded. The next step is to create a conservation plan. A ribbon cutting/limited tour will be planned in the future.

Mayor Barbee praised Ms. Fox for being the one common thread through multiple Councils who made this happen.

Marina

Construction has started on the south end, and that section should be complete by October. All boats were relocated within the marina.

Hamlet Ocean Rescue/Public Restrooms

This project is scheduled to be complete by the end of the month. The Town is still waiting for garage doors to become available. Staff is working on the parking layout, and this will go to the Technical Review Committee next Monday.

Lake Park Project

Staff is working with engineers and surveyors to determine how much material can be used for stabilization on site. The permit has been submitted to the U.S. Army Corps of Engineers, and the Town is about 60 days out from approval. Staff is reaching out to Parks & Recreation about new amenities there.

N.C. Department of Transportation (DOT) Projects

- Carolina Beach Avenue North – Council will meet with division engineers in May to get more information on funding the paving.
- Dow Road Turn Lane – This has been approved; the Town is waiting to hear from DOT on a timeline for implementation.

- Saint Joseph Street Multi-Use Path – The open house was successful. Most residents prefer a multi-use path over a bike lane.

Several Council Members praised staff for coordinating all these projects and making them happen.

Council Member Hoffer asked about the Hamlet stormwater project. Mr. Oakley said the Town is awaiting a third quote to move forward.

Council Member Benson asked about the proposed stoplight at Hamlet Avenue and South Lake Park Boulevard. Mr. Oakley said he had no updates but would add it to his list for May.

Council Member Benson asked if the Town is obligated to rebuild the Starfish Lane Beach Access gazebo back to original specifications. Mr. Oakley said he's not sure what the expectations are from Coastal Area Management Act (CAMA) when that organization funds a project that the Town should maintain. He said the Town is applying for a grant through the N.C. Division of Coastal Management that would cover stormwater improvements and also rebuild the gazebo and add parking, and this would require a 25 percent match from the Town.

Mayor Barbee said he continues to hear from residents and visitors who are struggling to get to the Boardwalk due to the location of handicap parking spots.

Mayor Barbee asked where the Town stands on beach crossovers. Mr. Oakley said staff is working on them now. Public Works Director Brian Stanberry said staff is wrapping up on sand going across three accesses, and two more needed structural repairs.

Mayor Barbee asked about the bathrooms at Mike Chappell Park. Mr. Oakley said the facility has been ordered but has encountered delays. He said he expects installation to be in late summer/fall.

PUBLIC COMMENT

Cindy Dunn reported that the Beautification Committee will be planting a white oak tree at Carolina Beach Elementary School for Arbor Day on April 29 at 8:45 AM. She invited everyone to attend. Ms. Dunn said the committee is also planning to plant seven trees at the Lake on the same day at 2:30 PM.

John Howard presented a petition from the Seagrove community to have four-way stops at the last three intersections on North Carolina Avenue closest to the Greenway.

PUBLIC HEARINGS

11. 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

Cindy Dunn of 915 Tidewater Lane, who is Chairman of the Beautification Committee, asked Council to consider establishing a budget line item of a few thousand dollars for the Beautification Committee.

Cathrine Robbins of 301 Ivy Lane asked staff to be more transparent on what room occupancy tax (ROT) dollars cover. She said this is not clear in the budget, and to clarify things for the public the Town should separate everything ROT does going forward.

Lynn Conto of 707 Magnolia Avenue said Council should consider the following parameters when considering budget items:

- Does it drive tourism?
- Does it add substantial value to our citizens and residents?

She said if it doesn't do either, she would ask Council not to include it in the budget. Ms. Conto said the Town must be prudent in how it allocates resources.

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

12. Text Amendment to Amend Chapter 40, Sec. 40-494. Site Plan *Supplemental information* to require total daily water flow and sewer data on projects

The Planning and Zoning Commission recommended to amend the supplemental information to address concerns over both water quantity and quality. The Town is currently working with its Engineering Services for a path forward to satisfy future demand and water quality concerns. Presently, the Town is challenged during consecutive peak days in the summer season. Similar to most utility providers serving vacation destinations, the water demand is noticeably seasonal and often comes with challenges. The water supply and storage are geared toward satisfying consecutive peak-day demands experienced over Memorial Day weekend, the July Fourth holiday, Labor Day weekend, and other peak summer periods. The Town capital improvements are a few years away before the added capacity will be coming online. Until that time, it is important to evaluate what impact future projects have on the infrastructure supply. To accomplish this, staff will require future projects to submit the total daily water flow usage and sewer design flow.

The 2020 CAMA Land Use Plan identified public water supply as an emerging concern. The plan states that protection of public water supply areas prevents damage to freshwater supplies that are vulnerable to sea-level rise and saltwater intrusion. The Town's public wells are being actively managed to preserve their capacity, and current consideration is being given to expanding public water supply through desalination.

Planning Director Jeremy Hardison presented the details.

Mayor Barbee said he does not think it will be a huge burden to figure this out. Mr. Hardison said this is something the Town would need to know anyway, but it's just being requested upfront so the data is available when evaluating the project.

Council Member LeCompte said the Town must be cautious and that water storage and wells should be the number one priority.

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

No one 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

ACTION: Motion that whereas in accordance with the provisions of the NCGS, Council does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40 Section 494 to Site Plan Supplemental information to require total daily water flow and sewer data on projects is consistent with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents

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

13. Text Amendment to amend Chapter 40, Sec. 40-487. Planning and Zoning Commission to amend the meeting time from 6:30 PM to 6:00 PM

Council recently changed its meeting time from 6:30 PM to 6:00 PM. Multiple Town committees meet at 6:00 PM, including the Board of Adjustment, Beautification Committee, Bike/Pedestrian Committee, and Centennial Committee. The Planning and Zoning Commission's meeting time should be changed to 6:00 PM to be consistent with Council and other committees. The current zoning ordinance states that the Commission shall meet at 6:30 PM on the second Thursday of each month. To change the meeting time, a text amendment must be approved. The Commission recommended approval of the text amendment at its March 10 meeting.

Mr. Hardison presented the details.

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

No one 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

ACTION: Motion that whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40 Section 487 to change the Planning and Zoning Commission meeting time is consistent with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents

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

14. Update on the FEMA lot and Harper Avenue Parking

Mr. Oakley presented two possible locations for additional parking. One is on the FEMA lot between Fayetteville Avenue and Hamlet Avenue. It would cost approximately \$20,000 to convert this to a parking lot. The other location is along Harper Avenue. The estimated cost for this project would be up to \$90,000.

Mayor Barbee asked if it would be possible to get input from residents about these lots. Mr. Oakley said the Town can notify adjoining property owners that changes are planned to take place.

Mayor Barbee said the Town must be careful not to overextend itself until it is determined how things settle with other funds pulled from reserves.

Mayor Pro Tem Healy said it would be good to see projected revenue before making any decisions. Council Member LeCompte said she had given a projection that the possibility for just the Harper Avenue lot alone was \$135,000-\$200,000.

Council Member LeCompte said the Town must be proactive on parking because private lots are going away. She said the Town will lose about 200 spaces when private property gets developed.

Mayor Barbee asked Mr. Oakley to work the parking lot costs into the budget forecast so Council can discuss at the April 26 workshop. He said by then, he hopes Council will have updated parking numbers.

15. Discussion on Repurposing the Operations Advisory Committee

Council Member Benson led a discussion on repurposing the Operations Advisory Committee. He said the current title is broad and should be more focused. Council Member Benson said he met with Mr. Oakley and discussed the idea of having a Citizens Infrastructure Advisory Committee with specified tasks and projects. He said this group would operate with clear guidance from Council through staff.

Mayor Pro Tem Healy said he doesn't understand why the committee can't keep its name but narrow its focus. Council Member Benson said the title in and of itself is vague, but Council can work around that by being more specific with tasks assigned.

Mayor Barbee said he thought Council intended to get all committees more focused.

Council Member Hoffer said the name doesn't have to be changed, but he's not opposed to a new name that brings more clarity.

Mayor Barbee asked staff to craft these ideas a little more and come back at the April 26 workshop to identify initial items for Council to discuss.

16. Paving Condition Index Update

Mr. Stanberry gave an update on the Paving Condition Index (PCI) Report conducted by Transmap Corporation.

What is the PCI?

- PCI = Pavement Condition Index
- A number between 0 (worst) and 100 (best)
- Indicates overall condition of pavement for a specific street segment
- Based on Pavement Distress Analysis: cracking, depression, rutting, shoulder dropoff, patching, severity, and other ASTM D6433 standards for roadways, as well as ride quality

How is the information gathered?

- Services provided by Transmap
- Survey conducted via Transmap's ON-SIGHT vehicle
- Laser Crack Measurement System (LCMS) uses laser line projectors, high-speed cameras, and advanced optics to create high-resolution 3D profiles of road
- Both travel lanes are driven, and 100 percent of roadway is captured
- All information is entered into MicroPAVER to generate a PCI for each segment
- Quality assurance/quality control conducted through "boots on ground" for verification of distresses and severity

What is provided?

- PCI map
- PCI segment report
- Light detection and ranging (LiDAR) street imagery
- 4K van-view imagery
- Laser crack management
- GIS data for Town assets: signage, water valves, catch basins, sidewalk failures

Carolina Beach statistics

- Centerline miles of asphalt roadway: 42.96
- Represents an investment of roughly \$67 million
- 651 road segments equaling 531,502 square yards of asphalt
- Weighted average PCI: 73
- Asset data:
 - Crosswalks: 68
 - Striping: 184,968 linear feet
 - Sidewalks: 77,102 linear feet
 - Signs: 2,353
 - Hydrants: 348
 - Manholes: 967
 - Americans with Disabilities Act (ADA) ramps: 345
 - Road markings: 390
 - Curbing: 113,235 linear feet
 - Streetlights: 894
 - Catch basins: 1,643
 - Water valves in road: 977

Mr. Stanberry reviewed the 2022 PCI Proposed Phase One Paving Map and the 2022 Priority Paving List.

Mayor Barbee asked if the Town will get all of these roads done in terms of money currently available for paving. Mr. Stanberry said the Town would like to put the money in reserves toward the streets identified for phase one. He said there is about \$673,000 in Powell Bill reserves with about \$200,000 expected for next year.

Council Member LeCompte said the most problematic streets are in areas where there has been a lot of construction. She said the Town needs to be able to do something about builder damage to its streets.

Mayor Pro Tem Healy asked how often the report is done. Mr. Stanberry said the last one was in 2016, and about every five years in the standard rate.

Highlights

- 23,682 linear feet of asphalt to be paved
- 4.48 mile of roadway

- Nearly \$1.5 million to be put toward roads (not just Town funds but also coming from the American Rescue Plan and the State)

Mayor Barbee asked Mr. Oakley to explain to the public what Powell Bill money is. Mr. Oakley said the DOT gets a certain amount of funding from the State budget, and each qualifying municipality is appropriated a certain amount of that money based on mileage of public roads to help with those. It is essentially a State street-aid program.

COUNCIL COMMENTS

Mr. Oakley said he forgot an item earlier in the Manager's Update. He said a few lifeguards along with the Beach Patrol will be starting this weekend, and the Beach Patrol will be issuing citations for violations.

Council Member LeCompte said there have been concerns about excessive speed on Saint Joseph Street and asked if the Town could put a speed trailer there. Mr. Oakley said this has already been done.

Council Member LeCompte said the private parking lots near the Boardwalk are using mulch that is going to wash away after the first rain.

Council Member LeCompte said she wants to talk to Mr. Hardison about restaurants that cover their outdoor seating during the winter. She said she will send him an email to start the discussion.

Mayor Pro Tem Healy said he wanted to remind everyone that the Town purchased Freeman Park.

Council Member LeCompte added that the Town has a 95-foot Ferris wheel coming soon.

Council Member Hoffer encouraged staff to get ahead of any potential situations that may come up now that the Town owns Freeman Park, such as people running all over the dunes. Mr. Oakley said staff has a strategy session and meeting on site tomorrow to discuss that and other issues.

Mayor Barbee said the Town needs to replace "stay off dunes" signs that are unreadable due to sandblasting.

Council Member Benson clarified that contractors will be sleeving the lines on Florida Avenue starting on April 25 and the road will be paved right after this is complete.

Mayor Barbee said Congressman David Rouzer visited to survey the beach nourishment project and took lots of photos. Mayor Barbee said he asked Congressman Rouzer what the Town should do now to ensure there are not more funding problems every three years. He said Congressman Rouzer said he is confident that it will not happen again and a lot of eyes are on it now.

Mayor Barbee said he spoke to the Leadership Wilmington group along with other beach town mayors and encouraged interested residents who want to better understand their community to submit an application for the program.

CLOSED SESSION

17. Closed Session – Attorney/Client Privilege

ACTION: Motion to go into closed session to discuss attorney/client privilege in accordance with NCGS 143-318.11(a)(3) as well as a personnel matter in accordance with NCGS 143-318.11(a)(6)

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

ACTION: Motion to adjourn

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

The meeting adjourned at 8:30 PM.