

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, December 10, 2024 – 6:00 PM

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



AGENDA

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

ADOPT THE AGENDA

CONSENT AGENDA

- [1.](#) Budget Amendments/Transfers FY25
- [2.](#) Approve 2025 Town Council and Committee Meeting Schedule
- [3.](#) ROT Reimbursement Request
- [4.](#) Approval of Council Meeting Minutes

SPECIAL PRESENTATIONS

- [5.](#) Events Update by Tim Murphy
- [6.](#) Update from Federal Point Historic Preservation Society President Gene Costa
- [7.](#) Manager's Update

PUBLIC COMMENT

Public Comment allows the public the opportunity to address Town Council. Please direct your comments to Council only. Speakers should restrict comments to no more than three minutes. Items or questions presented during this time will not be discussed by Council. However, the topic may be deferred to Town staff or a Town committee for follow-up. Please be sure to state your name and address, and speak directly into the microphone for those watching online.

PUBLIC HEARINGS

- [8.](#) Conditional Zoning to consider a K-5 school at 105 Dow Rd. at Seaside Chapel.

Applicant: Seaside Chapel

ITEMS OF BUSINESS

- [9.](#) Parking Program Overview by Town Staff
- [10.](#) Consider amending Chapter 16, Article VII Wrecker/Towing Services and repeal Sec 18-78- Vehicle towing and storage- Police department eligible list, Sec 18-79 and Sec 18-80. Amend the rates and fees schedule to include towing application fee.
- [11.](#) Consider Entering into a Contract with Atlantic Coast Fire Trucks for the Replacement of Engine 21

COUNCIL COMMENTS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 12/10/24

SUBJECT: Budget Amendments/Transfers FY25

BACKGROUND:

I have received several budget amendment requests. Transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the amendment. I have also attached a copy of the supporting documentation for the appropriation.

Appropriations:

Appropriate \$574.70 donation from the Carolina Beach Police Foundation to account 10-510-014 Police Travel & Training to provide a meal for the end-of season meeting.

Appropriate \$3,130.27 Motorola refund for the Carolina Beach Police to account 10-510-016 Police M&O Equipment to purchase replacement handheld radios.

Appropriate \$185,000 to account 30-900-074 Stormwater Capital Over \$10,000 from the Utility Fund fund balance for engineering, survey and permitting cost of the Stormwater Force Main Project.

Transfers:

BUDGET IMPACT:

The Utility Fund Budget will be impacted by the budget appropriation.

ACTION REQUESTED:

Approve the budget amendments and/or transfers as presented by the Finance Director.



CAROLINA BEACH POLICE DEPARTMENT

1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
Tel: (910) 458-2540
Fax: (910) 458-2988



Item 1.

TO: Debbie Hall, Finance Director
Bruce Oakley, Town Manager

FROM: Chief C. V. Ward *C. V. Ward*

DATE: December 3, 2024

RE: Budget Transfer Requests

The Carolina Beach Police Department would like to request the following budget transfers:

- On 10/10/24, a donation from CB Police Foundation was made in the amount of \$574.70 for CBPD. We are requesting the transfer of those funds to 10-510-014 to provide a meal for the end-of-season meeting.
- On 11/5/24, a check from Motorola Solutions was deposited in the amount of \$3,130.27 for unclaimed property. We are requesting the transfer of those funds to 10-510-016 for the purchase of replacement handheld radios.

\$574.70

From 10-335-000 Miscellaneous Revenue
To 10-510-014 Travel & Training

\$3,130.27

From 10-335-000 Miscellaneous Revenue
To 10-510-016 Maintenance & Repair - Equipment

Thank you for your consideration.

Item 1.

1001


CAROLINA BEACH POLICE FOUNDATION
901 N CAROLINA AVE
CAROLINA BEACH, NC 28428-5630


SECURED BY EZSHIELD®

DATE 10/7/24 66-112/531

PAY TO THE ORDER OF Town of Carolina Beach \$ 574⁷⁰

Five hundred seventy four and 70/100 DOLLARS

TRUIST 

FOR _____ 

⑈0000100⑈ 05310112110111340028775

<p>>053101121< 10/11/2024 002028775</p> <p>8063506 0005 00044</p>	<p>ENDORSE HERE</p> <p>FOR DEPOSIT ONLY</p> <p>TOWN OF CAROLINA BEACH</p> <p>OR MOBILE OR REMOTE DEPOSIT ONLY</p>
<p>>053101121< 10/11/2024 002028775</p> <p>8063506 0005 00044</p>	<p>STATE FINANCIAL INSTITUTIONS</p> <p>DATE</p>
<p></p>	<p></p>

MOTOROLA SOLUTIONS
P O BOX 68429
(800) 543-4684
SCHAUMBURG, 60168-0429

Date 09/27/2024
Page 1 of 1
#255

Item 1.

SUMMARY INFORMATION

Total Discount \$0.00
Total Net \$3,130.27

CAROLINA BEACH POLICE DEPT
1121 N LAKE PARK BLVD
Carolina Beach NC 28428

0000279

Vendor No. 9031363
Check No. 50162432

REMITTANCE ADVICE

X-99271 12-05

INVOICE DATE	INVOICE NUMBER	DISCOUNT	NET AMOUNT
09/25/24	749250000000043	.00	3130.27
unclaimed property refund SEP24			

*** E N D O F A D V I C E ***

Misc - 10.335.000

X

145BMP0002

WARNING: MULTIPLE SECURITY FEATURES. THE FACE OF THIS CHECK HAS A COLOR SCREEN BACKGROUND. REFER TO SECURITY ENDORSEMENT BACKER FOR TRUE WATERMARK AND ADDITIONAL FEATURES.

BMO Bank N.A.
Roselle, Illinois



500 W. Monroe Street
44th Floor - Treasury Dept
Chicago, IL 60661

70-1558
719

No. 50162432

DATE

09/27/2024

AMOUNT

*****\$3,130.27

Three thousand one hundred thirty and 27/100 Dollars

Pay to the Order of CAROLINA BEACH POLICE DEPT

U. Springe
Authorized Signature

Security
Feature
Details
on Back

⑈ 50162432⑈ ⑆ 04⑈ 35⑈ 1⑈ 1⑈ 1⑈ 4⑈ ⑈

6

Debbie Hall

From: Brian Stanberry
Sent: Wednesday, December 4, 2024 9:16 AM
To: Debbie Hall
Cc: Bruce Oakley; Ed Parvin
Subject: Budget Amendment- FM Engineering

Debbie,

Can we please request a budget transfer from the stormwater reserve fund to account 30-900-074, in the amount of \$185,000. This is the engineering, survey and permit costs for the Stormwater Force Main Project that will be encompassed in the upcoming revenue bonds. If you have any questions, please let me know.

Respectfully,

Brian Stanberry
Director of Public Works
Town of Carolina Beach
910-455-8291 office
910-445-1537 mobile
brian.stanberry@carolinabeach.org



DISCLAIMER:
E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 12/10/2024

SUBJECT: Approve 2025 Town Council Meeting Schedule

BACKGROUND:

Each year, the Town Council is required to adopt a regular meeting schedule.

ACTION REQUESTED:

Council will review the recommended calendar of meetings and consider adopting the schedule.

RECOMMENDED MOTION:

Approve the 2025 Town Council meeting schedule with the consent agenda.

2025 Town of Carolina Beach Standing Committees
 Regular Scheduled Meetings
 1121 N Lake Park Blvd. Carolina Beach, NC 28428

EVENT	TIME	PLACE	DAY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Council and Committee Meetings															
Beautification Committee	6:00 p.m.	Multi-purpose room	1st Wed	8	5	5	2	7	4	2	6	3	1	5	3
Bike/Pedestrian Planning Committee	6:00 p.m.	Confrence Room	3rd Mon	13	17	10	21	19	16	21	18	15	20	17	N/A
Board of Adjustment (as needed)	6:00 p.m.	Council Chambers	3rd Mon	20	17	17	21	19	16	21	18	15	20	17	15
Marketing Advisory Committee	2:30 p.m.	Council Chambers	4th Tue	28	N/A	25	22	N/A	N/A	N/A	26	N/A	N/A	N/A	N/A
Operations Advisory	10:00 a.m.	Multi-purpose room	2nd Mon	13	10	10	14	12	9	14	11	8	13	10	8
Parks and Recreation	7:00 p.m.	Recreation Center	1st Mon	6	3	3	7	5	2	N/A	4	8	6	3	1
Planning & Zoning	6:00 p.m.	Council Chambers	2nd Thu	9	13	13	10	8	12	10	14	11	9	13	11
Police Advocacy	6:00 p.m.	Multi-purpose room	1st Mon	6	3	3	7	5	2	7	NNO	8	6	3	1
Town Council - Regular Meeting	6:00 p.m.	Council Chambers	2nd Tue	14	11	11	8	13	10	8	12	9	14	12	9
Town Council - Workshop	9:00 a.m.	Council Chambers	4th Tue	N/A	25	25	22	27	24	22	26	23	28	25	N/A
Town Council - Budget Open House	4:00 p.m.	Multi-purpose room													
Town Council - Budget Workshop	9:00 a.m.	Ft. Fisher Air Force Base			20										
Town Council - Budget Workshop	9:00 a.m.	Ft. Fisher Air Force Base			21										

Blue - Date Changed due to holiday



AGENDA ITEM COVERSHEET

PREPARED BY: Sheila Nicholson

DEPARTMENT: Executive

MEETING: Town Council Meeting 12/10/2024

SUBJECT: ROT Reimbursement Approval Request

BACKGROUND:

At the January 2025 TDA meeting, the Town will ask for approval of reimbursement for funds spent on ROT eligible activities 3/1/24 – 10/31/24 totaling \$1,006,484.58

- 2023 Donation to Pleasure Island Chamber of Commerce: \$25,000
- Parks & Recreation expenses: \$154,973.45
- Ocean Rescue expenses: \$643,521.57
- Boardwalk maintenance expenses: \$111,579.81
- Hamlet Ave. Bathroom debt payment 2024: \$71, 409.75

ACTION:

Approve under consent agenda.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 12/10/2024

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

Attached are the meeting minutes from November 7, 12, and 26.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Special Meeting

Thursday, November 07, 2024 – 8:00 AM

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



MINUTES

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Deb LeCompte

Council Member Jay Healy

Council Member Mike Hoffer

ALSO PRESENT

Town Manager Bruce Oakley

Town Clerk Kim Ward

Town Attorney Noel Fox

CALL TO ORDER

Mayor Barbee called the meeting to order at 8:00 a.m.

ITEMS OF BUSINESS

Consider Approving the Carolina Beach Portion of the Coastal Storm Risk Management Project

ACTION: Motion to approve amendment #1 to the Project Partnership Agreement between the Department of the Army and the Town of Carolina Beach for periodic nourishment of the Carolina Beach portion of the Carolina Beach and Vicinity Coastal Storm Risk Management Project

Motion made by Mayor Barbee

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

Motion passed unanimously

ADJOURNMENT

Mayor Barbee adjourned the meeting at 8:01 a.m.

AMENDMENT NUMBER 1
TO
PROJECT PARTNERSHIP AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
TOWN OF CAROLINA BEACH, NORTH CAROLINA
FOR PERIODIC NOURISHMENT
OF THE
CAROLINA BEACH PORTION OF THE CAROLINA BEACH AND VICINITY
COASTAL STORM RISK MANAGEMENT PROJECT

THIS AMENDMENT NUMBER 1 is entered into this 7 day of NOV, 2024, by and between the Department of the Army (hereinafter the "Government"), represented by the District Commander for Wilmington District (hereinafter the "District Commander") and the Town of Carolina Beach (hereinafter the "Non-Federal Sponsor"), represented by its Mayor.

WITNESSETH, THAT:

WHEREAS, the Carolina Beach portion of the Carolina Beach and Vicinity coastal storm risk management project (hereinafter the "Project") was authorized by Section 203 of the Flood Control Act of 1962, as amended;

WHEREAS, Section 401(7) of the Water Resources Development Act of 2020, Public Law 116-260, extended periodic nourishment of the Project for a 15-year period;

WHEREAS, on November 24, 2021, the Government and the Non-Federal Sponsor entered into a Project Partnership Agreement (hereinafter the "Agreement") to extend periodic nourishment of the Project for a 15-year period beginning on the date on which the Government initiates construction of the first cycle of such periodic nourishment;

WHEREAS, on February 10, 2022, the Government initiated construction of the first cycle of such periodic nourishment;

WHEREAS, Section 8308 of the Water Resources Development Act of 2022, Public Law 117-263 (hereinafter "Section 8308"), directs the Secretary of the Army, for specified projects that includes the Project, to fund, at Federal expense, any incremental increase in the cost of the Project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option; and

WHEREAS, the Government and the Non-Federal Sponsor desire to amend the Agreement to reflect that the Government, pursuant to Section 8308, shall fund, at full Federal expense, any incremental increase in the cost of periodic nourishment of the Project, incurred after the effective date of Amendment Number 1, that results from a legal requirement to use a borrow source that is not the least-cost option.

NOW, THEREFORE, the Government and the Non-Federal Sponsor agree to amend the Agreement as follows:

1. Insert after the third WHEREAS clause the following:

“WHEREAS, Section 8308 of the Water Resources Development Act of 2022, Public Law 117-263 (hereinafter “Section 8308”), directs the Secretary of the Army, for specified projects including the Project, to fund, at full Federal expense, any incremental increase in the cost of the Project resulting from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option;”

2. In Article I.B. insert the following after “June 16, 2020” and before “(hereinafter the “Decision Document”)”:

“, with modifications to the cost-sharing requirements of periodic nourishment of the Project pursuant to Section 8308, as described in the Letter Report, dated August 2024 and approved by the Division Commander for South Atlantic Division on September 5, 2024”.

3. In the last sentence of Article I.D., delete the second “or” and insert the following after “negotiating this Agreement”:

“; or any incremental increase in the cost of periodic nourishment of the Project pursuant to Section 8308 incurred after the effective date of Amendment Number 1.”

4. In Article I.J., insert as the last sentence the following:

“The Maximum Cost Limit also includes any incremental increase in the cost of periodic nourishment of the Project pursuant to Section 8308 incurred after the effective date of Amendment Number 1.”

5. In Article II.A., insert the following sentence after the first sentence:

“Pursuant to Section 8308, the Government shall fund, at full Federal expense, any incremental increase in the cost of periodic nourishment of the Project, incurred after the effective date of Amendment Number 1, that results from a legal requirement to use a borrow source determined by the Government to be other than the least-cost option.”

6. Replace Article IV.A. in its entirety with the following:

“A. As of the effective date of Amendment Number 1 to this Agreement, total construction costs are projected to be \$65,892,000, with the Government’s share of such costs projected to be \$32,946,000 and the Non-Federal Sponsor’s share of such costs projected to be \$32,946,000. Construction costs allocated to coastal storm risk management are projected to be \$65,892,000, with the Government’s share of such costs projected to be \$32,946,000, and the Non-Federal Sponsor’s share of such costs projected to be \$32,946,000, which includes

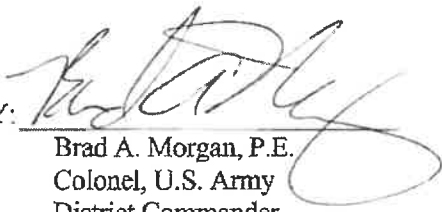
creditable in-kind contributions projected to be \$0, and the amount of funds required to meet its cost share projected to be \$32,946,000. Construction costs allocated to beach improvements with exclusively private benefits are projected to be \$0. Construction costs allocated to improvements or other work located within the Coastal Barrier Resources System that the Government has determined are ineligible for Federal financial participation are projected to be \$0. Construction costs allocated to the prevention of losses of undeveloped private lands are projected to be \$0. The total incremental increase in the cost of periodic nourishment of the Project pursuant to Section 8308 is projected to be \$11,501,000. Average annual costs for operation, maintenance, repair, replacement, and rehabilitation are projected to be \$136,000. Costs for betterments are projected to be \$0 and costs for additional work are projected to be \$0. These amounts are estimates only that are subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Non-Federal Sponsor.”


7. All other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Number 1, which shall become effective upon the date it is signed by the District Commander.

DEPARTMENT OF THE ARMY

TOWN OF CAROLINA BEACH, NORTH CAROLINA

BY: 
Brad A. Morgan, P.E.
Colonel, U.S. Army
District Commander

BY: 
Lynn Barbee
Mayor

DATE: 07 Nov 2024

DATE: 11/07/2024

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



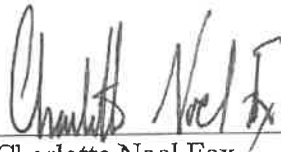
Lynn Barbee
Mayor
Town of Carolina Beach, North Carolina

DATE: 11/7/2024

CERTIFICATE OF AUTHORITY

I, Charlotte Noel Fox, do hereby certify that I am the principal legal officer for the Town of Carolina Beach, North Carolina, that the Town of Carolina Beach, North Carolina, is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment No. 1 to the Project Partnership Agreement between the Department of the Army and the Town of Carolina Beach, North Carolina in connection with the Carolina Beach Portion of the Carolina Beach and Vicinity Coastal Storm Risk Management Project, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Amendment, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Amendment on behalf of the Town of Carolina Beach, North Carolina, acted within his statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this 7th day of November 2024.



Charlotte Noel Fox
Town Attorney

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, November 12, 2024 - 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 Mayor Pro Tem LeCompte and Pledge of Allegiance.

PRESENT

Mayor Lynn Barbee
Mayor Pro Tem Deb LeCompte
Council Member Jay Healy
Council Member Joe Benson
Council Member Mike Hoffer

ALSO PRESENT

Town Manager Bruce Oakley
Assistant Town Manager Ed Parvin
Finance Director Debbie Hall
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 LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

CONSENT AGENDA

1. Set a Public Hearing for December 10, 2024 – Conditional Zoning Application for a K-5 School at 105 Dow Road Applicant: Seaside Chapel
2. Budget Amendment/Transfer
3. Approval of Council Meeting Minutes from October 8, 2024

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Barbee

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

Motion passed unanimously

SPECIAL PRESENTATIONS

4. Presentation of Annual Financial Audit

Victor Blackburn of Bernard Robinson & Company presented a summary of the annual financial audit, which included the following:

- Unmodified opinion on the audited financial statements, which is the cleanest opinion.
- Due to the amount of Federal and State funding received by the Town, the Town was required to have both a Federal and State single audit.
- Testing of those audits noted no findings or internal control issues, which resulted in unmodified opinions on Federal and State funds subject to additional audit procedures.

Mr. Blackburn reported that the Town has a 45% fund balance, which equates to approximately 6 months of reserve funds. He said this is up from 20% in 2019 and is indicative of the Town's fiscal responsibility.

Mayor Barbee thanked Town staff, including Mr. Oakley and Ms. Hall, for managing the Town's money well, resulting in a great audit that will put the Town in a strong position to do the next round of infrastructure projects.

5. Manager's Update

Mr. Oakley welcomed Mr. Parvin back, who recently returned after a 4-month Coast Guard deployment, and thanked him for his service.

Mr. Oakley reviewed upcoming events:

- Trash to Treasures Yard/Vendor Sale – November 16 at Lake Park
- Santa by the Sea – November 30 and December 21 at Lake Park
- Letters to Santa – mid-November through December 2 at the Rec Center
- Christmas Parade – December 6 on Lake Park Boulevard from Lake Park to Publix
- Holiday Market – December 7 at Lake Park
- "Elf" Movie – December 14 at Lake Park

Mr. Oakley reviewed the FY 25/26 budget schedule:

- Budget open house – January 15
- Council strategic planning sessions – February 20-21
- Public hearing for non-profit requests – March 11
- Public hearing for community input – April 11
- Budget workshop – April 22
- Budget workshop (if necessary) – May 6
- Budget open house – May 6
- Budget message presented to Council – May 27
- Budget adoption – June 10

Mr. Oakley gave an update on various projects:

- Beach renourishment should start in late January or early February.

- Parking requirements the U.S. Army Corps of Engineers (USACE) made for the Town to receive funding for the renourishment project were clarified. Staff's goal was to ensure the downtown business district accepted resident passes under the new guidelines.
- The Ocean Boulevard sidewalk project should start this week.
- The Boardwalk bathroom project is scheduled to start in January.
- The Texas Avenue pump station is in the design phase. The temporary solution is working, but the permanent solution will be more efficient.
- The Town is applying for a grant to conduct a flow analysis of the entire stormwater system.
- The Town did not get the grant for the Lake Park Boulevard sidewalk project but is still moving forward with a sidewalk from Lake Park to Carolina Sands. The Town should be in a good position to possibly receive funding next year.
- The Town received several bids to conduct a facilities study that will project needs 10-20 years out.

Council Member Hoffer said the Town should make a request to the N.C. Department of Transportation (DOT) to change the speed limit on Ocean Boulevard. He also asked that staff consider installing irrigation lines on Ocean Boulevard for residents who are willing to water along the new sidewalk.

Mr. Oakley said back when the speed limit on Dow Road was reduced the Town also asked for a reduction on Ocean Boulevard, but DOT said no because they didn't believe it was warranted. He said the Town can make the request again but needs action from Council, so he suggested putting a resolution to request a reduction in the Ocean Boulevard speed limit on the next agenda. There was consensus among Council for this.

Mayor Pro Tem LeCompte requested a status update on the welcome sign being worked on by the Beautification Committee.

Community Development Director Jeremy Hardison reported the following recent developments:

- 55 renovation permits, 4 new residential construction permits, and 28 certificates of occupancy have been issued
- 3 demolition permits have been issued: 210 Teakwood Drive, 1517 Pinfish Lane, and 1101 North Lake Park Boulevard
- New businesses: Hooks and Arrows Bait and Tackle Shop at 1401 North Lake Park Boulevard, Sand Dollar Restaurant at 5 Cape Fear Boulevard, and Drift Coffee Shop and K38 at 1000 North Lake Park Boulevard
- Board of Adjustment on November 18: Dry Dock Inn pool fence variance and 315 Carolina Beach Avenue North
- BeBot beach sweeper will run on Sunday, December 1
- Proximity has 98 residential units approved as well as the leasing office, fitness center, and pool, and they are requesting finals as they complete each building; the stoplight at Winner Avenue should be installed in January
- Seaside Chapel will be requesting a K-5 school at the November Planning and Zoning Commission meeting and December Council meeting

PUBLIC COMMENT

Natalie Evans of 1205 Saint Joseph Street asked Council to consider purchasing the 5 acres of land at 1215 Saint Joseph Street for conservation if the pending sale is not completed. She said there is a variety of wildlife that lives on that property and the surrounding area. Ms. Evans also encouraged Council to look at preserving other untouched properties through the use of grants.

Tony Bruffy of 1205 Saint Joseph Street said he is concerned about flooding at 1215 Saint Joseph Street if this property is developed. He said he also worries about whether the current water and sewer infrastructure can support this development, especially with Proximity nearby. Mr. Bruffy said more sustainable use of this land, such as a nature trail, should be considered.

Heather Bullock of Towriffic Towing at 4904 Carolina Beach Road asked Council to consider extending the mileage limit on the proposed towing ordinance that is scheduled to go before Council on December 10. She said the latest proposal continues to support the current monopoly and does not align the Police Department rotation ordinance with the private towing ordinance.

Kate Pascaros of 812 Blanche Avenue said she is happy to see that the Town's fund balance has gone up so dramatically. She also spoke about the parking changes and how they affect residents that don't live within walking distance to the beach and said she hopes the Town can come up with a solution that makes both the USACE and residents happy.

Matt Dunn of 907 Ocean Boulevard recommended that Council start having conversations about parking for 2025. He said the Town of Kure Beach is asking for public input on its website.

Kristen Dunn of 907 Ocean Boulevard said the Town has a spending problem. She asked that Council put the following discussion items on the November workshop: Pivot Parking contract and how much the Town has paid them, bringing parking enforcement back in house, turning 1708 Canal Drive back into public restrooms, residents not being able to park near the beach, and how the proposed Embassy Suites will affect parking. Ms. Dunn also said the only way residents find out about the business of the Town is through social media.

Gail Major of 1100 Canal Drive said we need to figure out where our problems come from and what happens to the children. She also said that residents should be allowed to raise their hands to speak during Council meetings. Ms. Major said little concerns, such as parking, don't have to turn into big concerns.

Alex Torres of 310 Spencer Farlow Drive spoke about parking and said Council did the least possible to notify the public about the special meeting. He said parking passes should be sold to everyone at the same cost and asked that the Town not rely so much on parking for its main source of revenue. Mr. Torres said social media is effective as a communication tool because he only heard about this issue through that channel. He asked Council to explore the possibility of the Town taking over parking and said public input is important because people get upset when they feel like they don't have a voice.

Shawn Hardesty of 700 Carolina Beach Avenue North said his main concern about the new parking plan is how it will affect businesses. He said he’s glad to hear discussions are ongoing, and he thinks an open forum for public input would be helpful for everyone involved.

PUBLIC HEARINGS

- 6. Text Amendment to Amend Article 7, Sec. 7.3 Definitions to Add a Building Footprint Definition
Applicant: North Pier Holdings, LLC

Mayor Barbee said by agreement of all parties, this item will be continued to a future meeting. Ms. Fox said a motion is necessary.

ACTION: Motion to continue item 6, which is a text amendment having to do with building footprints, to the December 10 Council meeting

Motion made by Mayor Barbee

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

Motion passed unanimously

- 7. Approval of Financing Terms, Resolution of Necessary Finding, and Reimbursement Resolution for a New Boardwalk Restroom

Ms. Hall requested bid proposals from 7 lenders for financing the demolition and construction of a new ADA-compliant public restroom located at 9 Boardwalk Avenue for \$1,998,147 with a 15-year term. The following proposals were received:

Lenders	Interest Rate	Financing Term
Truist Bank	3.97%	15 years
Atlantic Union	4.968%	15 years

The debt service payment will be appropriated in the FY 25/26 budget.

Ms. Hall recommended the proposal from Truist Bank. To accept the terms, Council must approve 3 resolutions. The Town plans to go to the Local Government Commission (LGC) for approval of the financing terms on December 3. Ms. Hall said if all goes as planned, construction should begin in January and will be an 8-month process.

ACTION: Motion to open the public hearing

Motion made by Mayor Barbee

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

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

Motion passed unanimously

ACTION: Motion to approve Resolution #24-2317 accepting the terms of the proposal from Truist Bank

Motion made by Mayor Barbee

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

Motion passed unanimously

ACTION: Motion to approve Resolution #24-2318 authorizing the Finance Director to file an application with the Local Government Commission on this

Motion made by Mayor Barbee

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

Motion passed unanimously

ACTION: Motion to approve Resolution #24-2319 to allow reimbursement of the expenses from the loan proceeds

Motion made by Mayor Barbee

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

Motion passed unanimously

ITEMS OF BUSINESS

8. Discussion to Consider Amending Wrecker/Towing Regulations

The following is an overview of proposed changes to towing regulations:

Organized the ordinance based on:

1. Regulations that apply to all towing/wrecker operators
2. Regulations that apply to private/trespass towing procedures
3. Regulations for operators providing towing for public property/impoundment purposes

Proposed

- Combined Article VII – Wrecker/towing services and impoundment and Sec. 18-78 Vehicle towing and storage – Police Department eligible list
- Changed age of individual operating a towing/wrecker from 18 to 21 years of age
- Clarified policy for the Police Department eligibility list
- Changed from towing any automobile or truck regardless of size or weight to capable of towing the type of automobile or truck requested to be towed
- Changed from having facilities to protect from the elements vehicles damaged by exposure to take the appropriate precautions to protect damaged vehicles from the exposure of weather

elements and have sufficient fenced storage space with security lighting to protect vehicles from break-ins, theft, and damage

- Changed from having a garage located within the Town to within New Hanover County located 3 miles from Town limits
- Added to rates and fees schedule a \$200 towing/wrecker application fee

This agenda item is for discussion only so Council may direct staff to bring back amendments to be considered at the December 10 meeting.

Mr. Hardison presented the details.

Council Member Benson asked why the distance of 3 miles from Town limits was chosen. Mr. Hardison said the Town needs to extend eligibility beyond Town limits for flexibility but keep the range close enough so the Police Department has easy access to vehicles for investigation purposes.

Ms. Fox said the proposed changes went through the Technical Review Committee (TRC) to get feedback from all departments. She said during a busy summer day, if there were an accident in the middle of the Town a wrecker would need to get there quickly.

Mayor Barbee asked when the ordinance was last reviewed. Mr. Hardison said the original ordinance was enacted in 1977 and amended in 1986. Mayor Barbee said keeping the requirement within Town limits is probably not feasible because property uses have changed so much in recent years, and there used to be more service stations with wreckers here. He said he's supportive of moving eligibility off the island, but he's not sure how far.

Council Member Healy asked how many towing companies are currently eligible. Mr. Hardison said there is one that provides services for the Town on public property, such as when the Police Department requests that a car on public property be towed. Mayor Barbee said this does not apply to towing contracts with private businesses.

Ms. Fox said previously the Town had more than one towing company on the list, but as the highest and best use of land within the Town limits has changed since the 70s and 80s, there is merit to bringing back the ordinance for feedback.

Mayor Barbee asked Lt. Sonny Russell of the Police Department to speak about the proposed changes. He discussed how this section of the code affects his department and said the purpose of the amendment is to clarify the unclear language that currently exists. Lt. Russell said it's important to have towing companies that are consistent, trustworthy, and able to respond quickly.

Mayor Pro Tem LeCompte said she would like to see it extended to 4 or 5 miles outside the Town limits but doesn't want to go farther because anything past Monkey Junction will take too long to reach the Town.

Mr. Hardison said 5 miles goes beyond the Monkey Junction intersection and Walmart.

Mayor Barbee said traffic along that stretch can be tough during the summer.

Council Member Hoffer said he thinks 5 miles makes sense because there are not a lot of places to operate a towing company in the Town or south of Monkey Junction. He said he does not like the idea of changing the operator age from 18 to 21 years old because it's arbitrary.

Mayor Barbee said he would feel better if a 21-year-old was towing his car. He said he wants to hear from Police Chief Vic Ward about what he thinks the distance should be.

COUNCIL COMMENTS

Council Member LeCompte asked staff to put an item on the November workshop agenda to discuss putting a Rainbow Bridge near the south side of Lake Park by 2nd Street.

Council Member Healy said he feels Council does a great job of getting public input.

Council Member Benson asked staff to provide some information about bringing back parking enforcement in house. He also asked about revisiting the idea of having an automatic gate or something similar to a drive-through toll booth installed at Freeman Park.

Council Member Hoffer requested that the Town's Code Enforcement Officer start removing illegal signs from the right-of-way, as well as political signs after the 10-day grace period. He also asked Council to start putting together a Freeman Park Committee with defined positions, such as environmental professionals.

Mayor Barbee said there are several sidewalk lamps out around the Boardwalk and asked if staff would address these and look at improving lighting. He praised the contractor that did the 6th Street utility repairs, adding that it was the best work he had ever seen. Mayor Barbee's final comment was about social media and how he feels it does not work. He said it gives too much of a voice to the few because not everyone uses it, and those who do may not be verified residents.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 7:45 PM.

CAROLINA BEACH

Town Council Workshop

Tuesday, November 26, 2024 - 9:00 AM

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



MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 9:00 AM.

PRESENT

Mayor Lynn Barbee
Mayor Pro Tem Deb LeCompte
Council Member Jay Healy
Council Member Mike Hoffer

ABSENT

Council Member Joe Benson

ALSO PRESENT

Town Manager Bruce Oakley
Assistant Town Manager Ed Parvin
Finance Director Debbie Hall
Town Clerk Kim Ward

DISCUSSION ITEMS

1. Employee Recognition

Fire Chief Alan Griffin recognized Captain Lane Britt for 15 years as a full-time firefighter and 18 years total.

Mayor Barbee recognized Ms. Ward for 20 years of service with the Town.

2. Beautification Committee Presentation

Beautification Committee Chairman Cindy Dunn gave an update on upcoming projects and goals. She said the 9-member group focuses on hands-on Council-approved beautification projects that will enhance the Town’s community charm and bike- and pedestrian-friendly environment.

Goals for 2025

- Recommend Council continue to encourage the update of the annual Tree City USA designation
- Keep the Public Beach Access Sponsorship Program moving forward
- Continue to maintain the Wildflower Garden area on Bridge Barrier Road
- Continue working with various 501(c)(3) organizations and other groups such as N.C. Wildlife Federation, Friends of CB Parks & Greenways, Alliance for Cape Fear Trees, CB Trash Walkers, and other Town committees and local groups pertinent to the mission

- Continue to encourage Council to include funds for beautification in the annual budget process, mostly for watering
- Encourage Council to approve moving forward with various components of the Master Beautification Plan for the Lake Park Corridor (presented to Council November 22, 2022)
 - Continue efforts to beautify the right-of-way area along the west side of Dow Road from the Bridge Barrier Road intersection to Elton Avenue or Glenn Avenue
 - Move forward with choosing a design and location for a formal “Welcome to Carolina Beach” sign, ensuring that it’s in place for the Centennial
 - Continue pursuit of installing benches and placement of trees in appropriate locations along the Lake Park Corridor

Projects for 2025

- 4th Street entrance to Lake Park
- Front entrance to Town Hall Council Chambers
- Centennial Park

Ms. Dunn said the committee would like guidance from Council on projects they’d like to see take place.

Council Member Hoffer praised Ms. Dunn for her efforts. Ms. Dunn thanked other members of the committee.

Council Member Healy asked Ms. Dunn to share examples of the welcome sign with the Public Works Department. He asked if the committee is still working with CB Trash Walkers to get trees for the Town. Ms. Dunn said the group collected so much trash that they maxed out the contributions they were able to receive. She said the trash poundage is still being weighed and used for stormwater regulations. Mayor Pro Tem LeCompte said the Realtors Give Back events in the spring and summer are doing plantings.

Council Member Hoffer asked that committee members look at Centennial Park plans to weigh in before the Town hires a landscape designer. He also asked that the Bike/Ped Committee be scheduled to make a presentation at the next workshop in January.

3. Public Hearing for the Financing of a New Boardwalk Restroom

Ms. Hall requested bid proposals from 7 lenders for financing the demolition and construction of a new ADA-compliant public restroom located at 9 Boardwalk Avenue for \$1,998,147 with a 15-year term. The following proposals were received:

Lenders	Interest Rate	Financing Term
Truist Bank	3.97%	15 years
Atlantic Union	4.968%	15 years

The debt service payment will be appropriated in the FY 25/26 budget. The Town will request reimbursement for the debt payment from room occupancy taxes.

Although staff requested that a public hearing notice be published 10 days prior to the regularly scheduled Council meeting on November 12, it was not published in the newspaper. As a result, the Local Government Commission (LGC) directed the Town to advertise a public hearing for today's meeting to comply with Article 1 of Chapter 162A of the General Statutes. No action is required by Council because the following resolutions were approved on November 12:

- Resolution #24-2317 to accept the terms of the proposal from Truist Bank
- Resolution #24-2318 authorizing the Finance Director to file an LGC application
- Resolution #24-2319 to allow reimbursement of expenses from loan proceeds

ACTION: Motion to open the public hearing for financing the new Boardwalk restrooms

Motion made by Mayor Barbee

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

Motion passed 4-0

Ms. Hall presented the details.

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 LeCompte, Council Member Healy, Council Member Hoffer

Motion passed 4-0

4. Discussion on Traffic-Calming Devices

Council Member Benson previously requested a discussion about the process of requesting traffic-calming devices for areas that have trouble with speeding motorists.

Community Development Director Jeremy Hardison said the presentation is similar to what was discussed in August, and staff is ready to implement it. He said the Town gets citizen requests for stop signs and speed limit changes but doesn't have a clear process and approval review for them, so staff would like to create a policy and include this in the packet for Council to review and adopt at the next meeting. He said the procedure would include the following:

1. Application
 - Community acceptance – 60% of households on proposed street must sign petition
 - Devices will not be installed on any primary emergency or truck route
2. Review by Technical Review Committee (TRC) to determine the issue
3. Council (options/cost/budget)
4. Installation of the traffic-calming device

Mr. Hardison said requests for removal will follow the same process.

Mayor Barbee asked if the policy will address how projects are funded. Mr. Hardison said depending on what it is, it would be funded on a case-by-case basis.

Council Member Hoffer said having a process and policy makes sense. He asked if staff had considered whether just one block or an entire street would be asked to sign the petition, and Mayor Barbee asked if adjacent streets would be included. Mr. Hardison said the idea was that the petition would be circulated to residents on the street being considered for a device.

Mayor Barbee said it's a great idea to have a policy.

Council Member Healy said he likes the idea that each request would go to TRC.

Council Member Hoffer asked if private streets can put in speed bumps without Town approval. Mr. Hardison said yes.

5. Discussion on Installing a Rainbow Bridge at the Lake

Mayor Pro Tem LeCompte requested to discuss installing a pet memorial Rainbow Bridge at Lake Park similar to the one that was in Lake Lure before it was destroyed by Hurricane Helene. She said most homes in the Town have at least one pet, and this would be a great tribute to animals. Mayor Pro Tem LeCompte said Folly Beach, SC, recently added a similar project. She proposed using the bridge closest to Lake Drive near the south side and said this would be a community project with the only requirements from the Town being to paint the bridge and place a sign on each end with the Rainbow Bridge poem.

Mayor Barbee asked how long the memorial collars would stay on the bridge and questioned what happens if space runs out. Mayor Pro Tem LeCompte said collars would remain on the bridge indefinitely, and if space runs out the Town could consider building an extension like they did in Lake Lure.

Mayor Barbee also brought up safety concerns about hanging things from the rails and asked that staff be sure ADA compliance matters are addressed.

Council Member Hoffer said the bridge is narrow and questioned if that would be an issue.

Mr. Oakley said staff will work with Mayor Pro Tem LeCompte to get the ball rolling on this project.

Council Member Healy said he thinks the project would be a cool addition to the Town.

Mr. Parvin told Council the Town heard from the N.C. Department of Transportation (DOT) about the speed limit on Ocean Boulevard, and they said studies will take about 12 weeks.

COUNCIL COMMENTS

Mayor Pro Tem LeCompte asked staff to look at the process of annexing Freeman Park so it can be within Town limits. Mr. Oakley said there is still one section to figure out, but he will get with Town Attorney Noel Fox to get the process started.

Mayor Pro Tem LeCompte reminded everyone that Lighting at the Lake is Friday at 6:30 PM. She also asked staff to consider establishing a memorial garden behind the Federal Point History Center.

Council Member Healy asked about the tribute to the Freeman family. Mr. Oakley said the Town is waiting to receive final approval for the land conservation.

Mayor Barbee asked about the process for ending the State of Emergency that was established in the Town for Potential Tropical Cycle 8 (PTC8) in September. Mr. Oakley said the County just rescinded theirs last Friday, so Mayor Barbee can do so for the Town now. Mayor Barbee declared the State of Emergency for PTC8 over and said he would sign papers to make the termination official.

Council Member Hoffer said he received his electrical inspector certification. He gave an update on Bike/Ped Committee projects and said Sgt. Derrick McNeil of the Police Department had several recommendations, including additional lighting at crosswalks. Council Member Hoffer said the committee also voted to recommend an official speed limit of 12 mph on the Greenway.

Council Member Hoffer said Council did not have enough information to discuss parking at this time but requested that the topic be on the December regular meeting agenda for a first discussion and on the January regular meeting agenda for a possible vote. Mr. Parvin said under the Town's current ordinance, golf cart and resident passes will start being sold on January 1. Mr. Oakley said this can be amended if necessary, or Council can call a special meeting to finalize the vote before then. Mayor Barbee said he doesn't want Council to make a rash decision to meet a date. Mr. Oakley said staff will plan to present as much detailed information as possible in December.

With the presenter for the last discussion item still not present, Mayor Barbee called a 10-minute recess.

DISCUSSION ITEMS (continued)

6. Update from MOTSU on the Upcoming Prescribed Burn

Military Ocean Terminal Sunny Point (MOTSU) Natural Resources Manager Kevin Crawford gave an update on habitat management and specifically an upcoming prescribed burn on MOTSU property. He said the buffer zone is now referred to as the explosive safety clearance zone. Mr. Crawford reported that they will be burning approximately 60 acres on MOTSU property along Dow Road between now and January and are waiting for some rain before they start.

Mayor Barbee asked Mr. Crawford to communicate with the Town to help get information out to the public ahead of time. He also inquired about whether the previous mulching operation on the property impacted stormwater retention there during PTC8. Mr. Crawford said the sheer volume of rainfall was the biggest contributor, although the mulching operation could have had a minimal effect. He said they need to do better on coordinating maintenance of ditches and culverts.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 10:40 AM.



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council Meeting 12/10/2024

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:

No action needed.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 12/10/2024

SUBJECT: Update from Federal Point Historic Preservation Society President Gene Costa

BACKGROUND:

Gene Costa, President of the Federal Point Historic Preservation Society will give an update on projects they are working on.

ACTION:

No action needed.



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council 12/10/2024

SUBJECT: Manager's Update

BACKGROUND:

Town Manager Bruce Oakley will give an update on current and future projects.

Prior to scheduling a public hearing on the rezoning application, the applicant shall conduct one (1) public input meeting and file a report of the results with the Zoning Administrator. In approving a petition for the reclassification of property to a conditional zoning district, the Planning and Zoning Commission may recommend that the applicant add reasonable and appropriate conditions to the approval of the petition. Any such conditions should relate to the relationship of the proposed use to the impact on the following:

1. Town services
2. Surrounding property
3. Proposed support facilities such as parking areas and driveways
4. Pedestrian and vehicular circulation systems
5. Screening and buffer areas
6. Timing of development
7. Street and right-of-way improvements
8. Infrastructure improvements (i.e. water)
9. Provision of open space
10. Other matters that the participants in the public input meeting, staff, Planning & Zoning Commission, and Town Council find appropriate or the petitioner may propose.

If the applicant does not agree with the Planning & Zoning Commission or staff's recommendations of additional conditions, the Town Council shall have the authority to accept none, any, or all of the conditions forwarded from the review process.

No permit shall be issued for any development activity within a conditional zoning district except in accordance with the approved petition and applicable site plan, subdivision plat, and/or permit for the district.

PROPOSAL:

The property at 105 Dow Rd is a 2.52-acre lot surrounded by 4 roads: S Dow Rd., Charlotte Ave., 8th St. S, and Hamlet Ave. The lot is located in the R-3 Zoning District, which mainly consists of single-family houses. The lot has 4 existing structures: 1-story chapel (built 1975), single family residence (built 1977), 1-story worship sanctuary (built 1999), and 2 story family life center (built 2005). The 2-story family life center expansion to the chapel was approved through a Conditional Use Permit (CUP) in 2005. In 2020, Seaside Chapel was approved, through a Conditional Use Permit, to use the family life center to operate a daycare and add a playground.

The conditional zoning proposal consists of the renovation of the 2-story life center into a K – 5 school with the original 9 classrooms being combined into a total of 5. The fellowship hall will be converted to a gym. The existing elevator, stairs, bathrooms, and kitchen will remain. No expansions to the building are proposed. When the family life center was approved, a total of 86 parking spaces were required. Changes in the Town ordinance have reduced the parking requirements for churches. A total of 58 parking spaces are required for the proposed school (1 per classroom + 5 for visitors = 11 spaces), church (1 per square 300 feet of indoor gross floor

area = 44 spaces), and single-family house (2 per dwelling unit + 0.5 per bedroom over 2 = 3 spaces). Seaside chapel proposes installing a total of 72 spaces.

The Wilmington Metropolitan Planning Organization (WMPO) was asked and subsequently determined a traffic study was not warranted for the proposed school. To mitigate school pickup traffic, the parking lot was designed to queue cars through the parking lot. The 8th St. entrance to the parking lot will be blocked during school drop off and pickup to funnel traffic into and out of the parking lot through the Hamlet Ave. entrance. The parking lot will consist of pervious gravel that meets state requirements. The proposed queuing plan shows a total of 34 cars held onsite within the drive aisles of the property (See Site Plan)

CONDITIONAL ZONING PROCESS

As part of the application process a community meeting is required. The applicant held the required meeting on January 21st, 2024. The applicant has provided summary comments from the meeting.

LAND USE PLAN

The project is in general conformity with the 2020 Land Use Plan by promoting family-friendly character and by meeting the Low-Density Residential area description. The parcel is located in the low-density residential district which consists of primarily large-lot, single family detached residential neighborhoods. Existing, by-right, entitled, higher intensity uses will continue to be supported in LDR areas.

STAFF PROPOSED CONDITIONS

1. Restoration of the previously required landscape buffer in front of the 8th street fenced in playground as described in the 2020 Conditional Grant Order for 105 Dow Rd.
2. At least 8% of the gross paved area of a parking facility shall be landscaped and located in the interior. For purposes of this section, interior shall mean the area within the parking facility curb or pavement and extensions that create a common geometric shape such as a square, rectangle, or triangle.
3. Refuse collection agency to be used must be included on final site plans. The refuse collection site must be enclosed on three (3) sides by a minimum six (6) foot opaque fence.
4. Pervious gravel drive aisles will meet NCDEQ Pervious Pavement design criteria.
5. Any proposed signage will have to meet all standards zoning requirements in the future.
6. Fire recommends a Knox box to be installed on building.

PLANNING & ZONING COMMISSION

The Planning and Zoning Commission voted 4/2 to approve the K-5th Grade school at 105 Dow Rd. with the suggested staff conditions and an additional condition by the Planning & Zoning Commission that requires once per year the town receives, from the applicant, certification of a properly functioning pervious driveway.

ACTION REQUESTED:

Consider recommending approval or denial of a conditional zoning to approve a school located at 105 S Dow Rd.

Staff recommend approval of the project with the proposed conditions.

Planning and Zoning Commission recommended approval of the project with staff proposed conditions and their proposed condition.

MOTION:

Approval – whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the Conditional Use District to allow for a school located at 105 Dow Road is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area are mitigated by the approved conditions.

Denial – based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.

1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
permits@carolinabeach.org
Phone (910) 458-2999



Permit # _____

TOWN OF CAROLINA BEACH Conditional Zoning Application

The Conditional Zoning process for the Town of Carolina Beach may be found in the ordinance (Sec. 40-527).

Prior to the application submission, the applicant must conduct a Public Input Meeting. The following are the public meeting requirements:

- The applicant must mail notice of said meeting to all property owners within 500 feet of the perimeter of the project bounds no less than 10 days prior to the meeting.
- The notice must include time, date, location, and project description.
- The applicant must maintain and submit to with their application a:
 - o A copy of the letter announcing the meeting
 - o A list of property owners contacted
 - o An attendance roster from the meeting
 - o A summary of the issues discussed
 - o The results and any changes related to the proposal based on meeting discussions

Each application submitted to staff must be legible, contain the public scoping meeting required information, and provide all other required materials to be accepted as a completed application. Supplemental application materials may include, but not be limited to, site plans, building designs, engineered drawings, stormwater designs, landscaping plans, project narratives, Federal and/or State permits/permissions, and Traffic Impact Analyses. **It is strongly suggested that the applicant set up a meeting with Planning Staff prior to the submission deadline, to ensure the application is complete.**

The Planning Department, Technical Review Committee, Planning and Zoning Commission and/or Town Council reserve the right to require additional information if needed to assure that the use in its proposed location will meet be developed in accordance with the Code of Ordinances of the Town of Carolina Beach.

Application fees. The owner or owners, or their duly authorized agent, of the property included in the application for Conditional Zoning shall submit a complete application and supplemental information to the Planning Department. **A fee in accordance with the Town’s adopted schedule of fees, payable to the Town of Carolina Beach, must accompany each application.** For the purposes of determining the fee, the Zoning Administrator shall categorize each such Conditional Zoning Permit Application as either “major” or “minor”, depending upon the complexity of review. Generally, Planned Residential (over 7 units), Mixed Uses, Business Developments, and similarly complex projects shall be categorized as “major”, while projects such as Planned Residential (5-6 units), bed and breakfast inns, small day care services, etc. shall be categorized as “minor”.

Major Conditional Zoning Permit	=	\$ 1,000.00
Minor Conditional Zoning Permit	=	\$ 500.00

This permit will be scheduled for the next possible Technical Review Committee, provided the public scoping meeting has taken place and the application is otherwise complete.



2024 Submission Deadlines & Meeting Dates

Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Jan 2	Jan 16	Feb 1	Feb 15	Feb 27	Mar 12
Feb 6	Feb 20	Feb 29	Mar 14	Mar 26	Apr 9
Mar 4	Mar 18	Mar 28	Apr 11	Apr 30	May 14
Apr 1	Apr 15	Apr 25	May 9	May 28	June 11
May 6	May 20	May 30	June 13	June 25	July 9
June 3	June 17	June 27	Jul 11	July 30	Aug 13
July 1	July 15	July 25	Aug 8	Aug 27	Sept 10
Aug 5	Aug 19	Aug 29	Sept 12	Sept 24	Oct 8
Aug 30	Sept 16	Sept 26	Oct 10	Oct 29	Nov 12
Sept 30	Oct 14	Oct 31	Nov 14	Nov 26	Dec 10
Nov 4	Nov 18	Nov 27	Dec 12	Jan 2025	Jan 2025
Dec 2	Dec 16	Jan 2025	Jan 2025	Feb 2025	Feb 2025
Jan 2025	Jan 2025	Feb 2025	Feb 2025	March 2025	March 2025
Board		# Copies Full Size		# Copies Electronic	
TRC		2		1	
P&Z		2		1	
Town Council		2		1	

PURPOSE

Conditional zoning allows flexibility with regard to the zoning regulations. Subject to high standards of planning and design, certain uses may be allowed in certain districts or on properties provided they can be developed to minimize any adverse effects they might have on surrounding properties. Conditional Zoning allows for public and governing board input to help any proposed project meet its goals while also contributing to the positive development of Carolina Beach.

Please complete all sections of the application.

A. Property Information

Address(es): 105 Dow Rd Carolina Beach NC 28428

PIN(s): _____

Project Name Seaside Christian Academy

Size of lot(s): 2.52 Acres

B. Application for Conditional Zoning

Application is hereby made for a Conditional Zoning for use of the property described above as a (please provide a brief description of the use):

Christian School K-12th, Plan would be in 2 phases. UPDATED ON SEPARATE PAGE

Phase 1 - use the current building (K-5th only)

Phase 2 - build a second two story building (K-12th)

C. Applicant Contact Information

Seaside Chapel

Company/corporate Name (if applicable):

Dana Vess

Applicant's Name

100 S 8th St

Mailing Address

Carolina Beach NC 28428

City, State, and Zip Code

828.429.8407

Telephone

danavess1@yahoo.com

Email

D. Owner Contact Information (if different)

Seaside Chapel

Owner's Name

PO Box 451

Mailing Address

Carolina Beach NC 28428

City, State, and Zip Code

828.429.8407

Telephone

danavess1@yahoo.com

Email

**Check the box beside each item verifying that the item has been submitted with this application****I. Site Plan Criteria**

For new construction all boxes in this section shall be marked yes by the applicant to be considered a complete application.

Yes No N/A

- The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant.
- An appropriate scaled plan
- Title block or brief description of project including all proposed uses
- Date
- North Arrow
- Property and zoning boundaries
- The square footage of the site
- Lot coverage (buildings, decks, steps)
- Location of all existing and proposed *structures* and the setbacks from property lines of all affected structures to remain on-site
- Design of driveways and parking
- Adjacent right-of-ways labeled with the street name and right of way width
- Location of all existing and/or proposed easements

Additional information or data as determined necessary by town staff and/or other reviewing agencies including but not limited to the following may be required:

Yes No N/A

- Location and design of refuse facilities
 - Approximate locations and sizes of all existing and proposed *utilities*
 - Existing and/or proposed fire hydrants (showing distances)
 - Adjacent properties with owners' information and approximate location of structures
 - Distances between all *buildings*
 - Number of *stories* and height of all *structures*
 - Locations of all entrances and exits to all *structures*
 - Calculate the *gross floor area* with each room labeled (i.e. kitchen, bedroom, bathroom)
 - Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use
 - Location of flood zones and finished floor elevations
 - CAMA Areas of Environmental Concern (AEC) and CAMA setbacks
 - Delineation of *natural features* and wetlands with existing and proposed topography with a maximum of two-foot contour intervals
 - Proposed landscaping including percentages of *open space*
 - Stormwater management systems
 - Cross-sectional details of all streets, roads, ditches, and *parking lot* improvements
 - *Building* construction and occupancy type(s) per the building code
 - Location of fire department connection(s) for standpipes
 - Turning radii, turnarounds, access grades, height of overhead obstructions
 - Dimensions and locations of all *signs*
 - A vicinity map drawn with north indicated
 - Submit the total daily water flow usage and sewer design flow by a design professional
- I have provided two hard-copies and one scaled electronic version of each required drawing
 - I am prepared to pay the application fee today

SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

1. Detailed project narrative describing the proposed site and request.
2. Agent form if the applicant is not the property owner.
3. Request for site specific vesting plan shall be submitted in accordance with Chapter 40 Article XIII

OWNER'S SIGNATURE: In filing this application for a conditional zoning, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief.

2/1/24 / /

Signature

Date

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned owner, Seaside Chapel, does hereby appoint Dana Vess to act on my behalf for the purpose of petitioning the Town of Carolina Beach for: a) an amendment to the text regulations; b) a change to the zoning map; and/or c) street closing, as applicable to the property described in the attached petition. The owner does hereby covenant and agree with the Town of Carolina Beach that said person has the authority to do the following acts for and on behalf of the owner: (1) To submit a proper petition and the required supplemental materials: (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and (3) In the case of conditional zoning, to accept conditions or recommendations made for the conditional zoning on the owner's property. (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition. This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 2/1/24

Appointee's Name, Address & Telephone:

Dana Vess
100 S 8th St
Carolina Beach NC 28428
828.429.8407

Signature of Owner: _____

Application Addendum: 6/25/24

Summary of Request:

At this time, Seaside Chapel is requesting rezoning for Seaside Christian Academy as Phase I only. This will utilize the existing building as it stands. The additions would be a dumpster, traffic pattern for pickup/drop off and signage. Any additions recommended by TRC will be addressed.

Dumpster:

We considered the concerns of the community when we selected the location for the dumpster to affect less homes with the noise when being emptied.

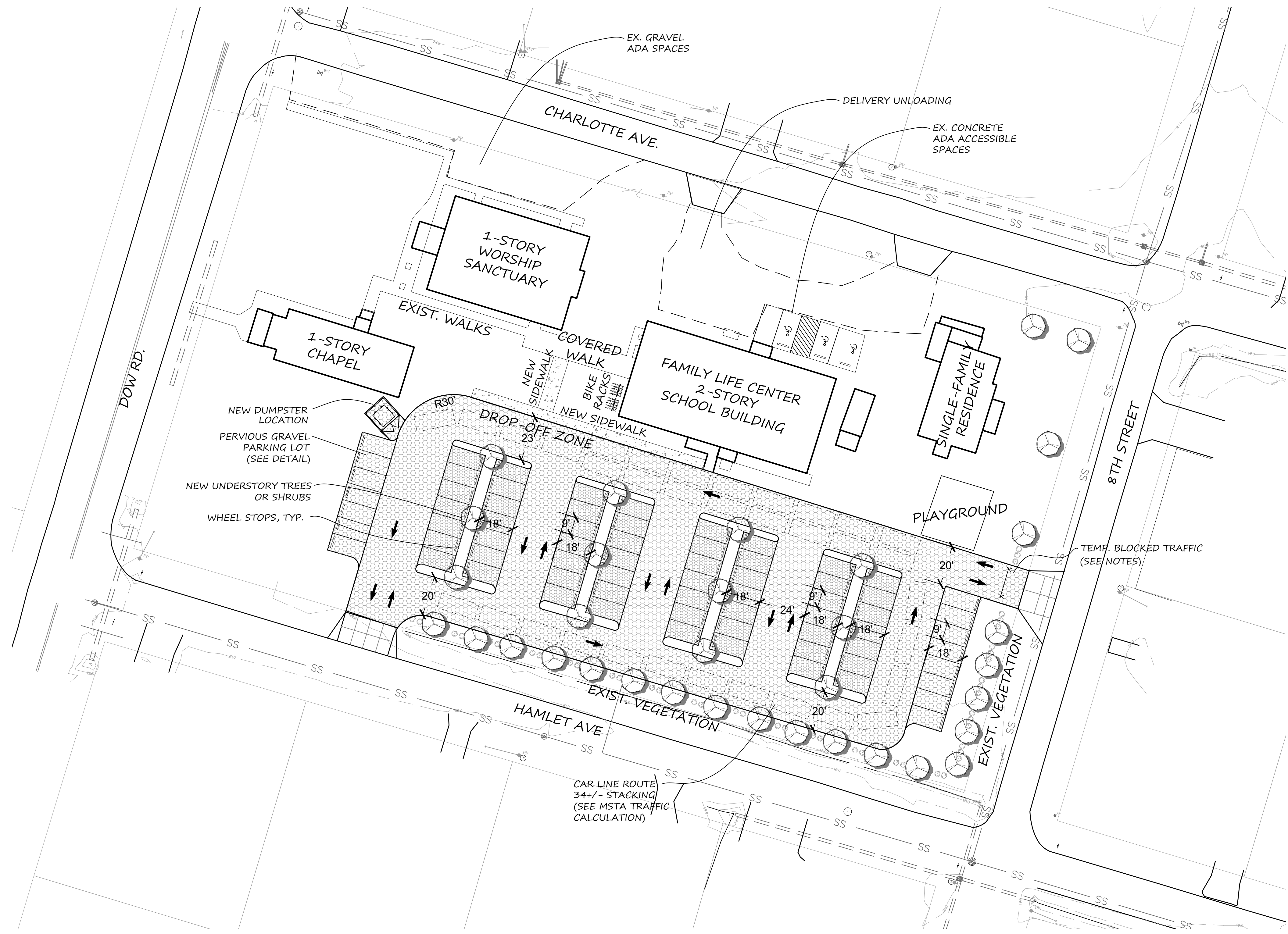
Traffic:

We also considered traffic concerns from the community and the town officials. With Phase I we would house at max capacity 90 students. The traffic flow will enter via right turn only from Hamlet Rd at the far West end of the property. We will run 2 lanes for cars around the perimeter of the property, merging just before the student drop off/pickup location. (see diagram). We will have staff that will assist with car line during both morning and afternoon during peak times.

As we have discussed, we do expect walkers, bike riders, golf carts and students who stay for our after-school camps and employee children as well as multiple child families. All these factors will reduce the number of cars in the car line.

Signage:

We have discussed possible options for new signage to represent the school but have not decided on a design. We will present this at a later date if possible.



PROPERTY INFORMATION:
 OWNER: SEASIDE CHAPEL INDEPENDENT CHURCH
 ADDRESS: 105 SOUTH DOW ROAD
 CAROLINA BEACH, NC 28428
 PARCEL ID: R09005-012-001-000
 ZONING: R-3 RESIDENTIAL [RELIGIOUS]
 AREA: 2.52 AC
PARKING DATA:
 REQUIRED: 1 SPACE: 300 sf WORSHIP SPACE
 13,126 sf / 300 = 44 SPACES
 SCHOOL: 1 SPACES: GRADE + 5 VISITOR SPACES
 1 x 5 GRADES = 6+5 = 11 SPACES
 PARSONAGE: 1: BEDROOM = 3 SPACES
 PROVIDED: 72 GRAVEL PARKING SPACES

NCDOT MUNICIPAL AND SCHOOL TRANSPORTATION ASSISTANCE (MSTA) WITH NC DPI (DEPT. OF PUBLIC INSTRUCTION): For 90 Students in Grades K-5

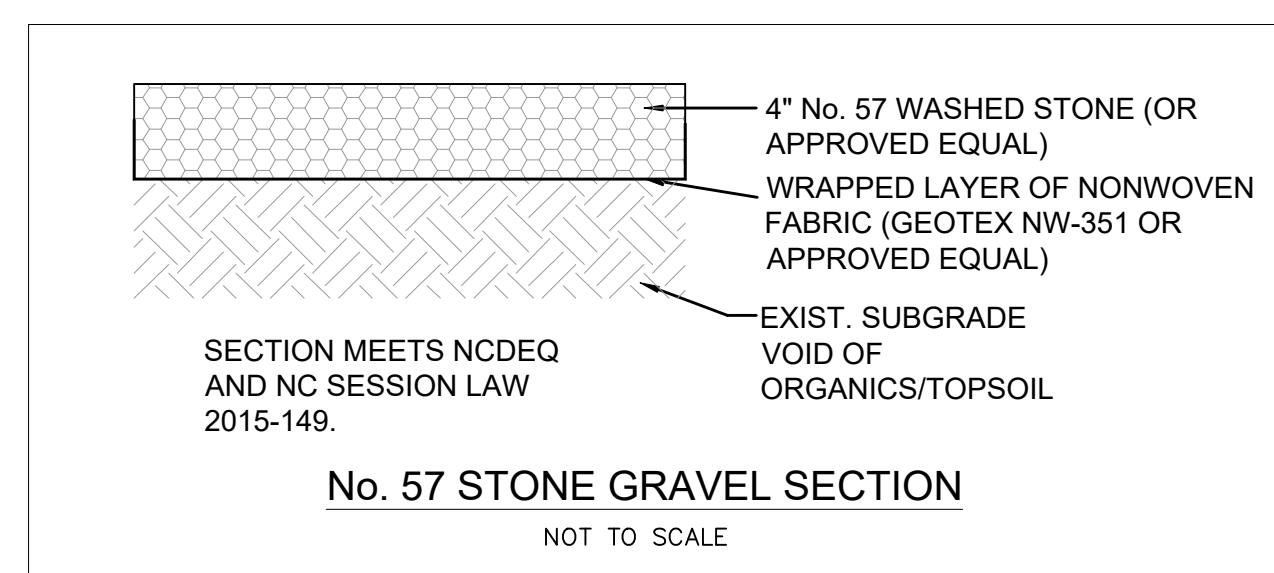
PRIVATE SCHOOL STACKING LENGTH REQUIRED:
 1. AVG. QUEUE LENGTH = 310-FT
 2. HIGH DEMAND LENGTH = 405-FT

SEASIDE SCHOOL STACKING LENGTH PROVIDED:
 1. QUEUE LENGTH = 590-LF
 2. 590 LF / 20' SPACE = 29 TOTAL VEHICLES
 3. 8'x20' BOX SHOWS 34 TOTAL VEHICLES WITH DOUBLE STACKING ALONG THE SCHOOL

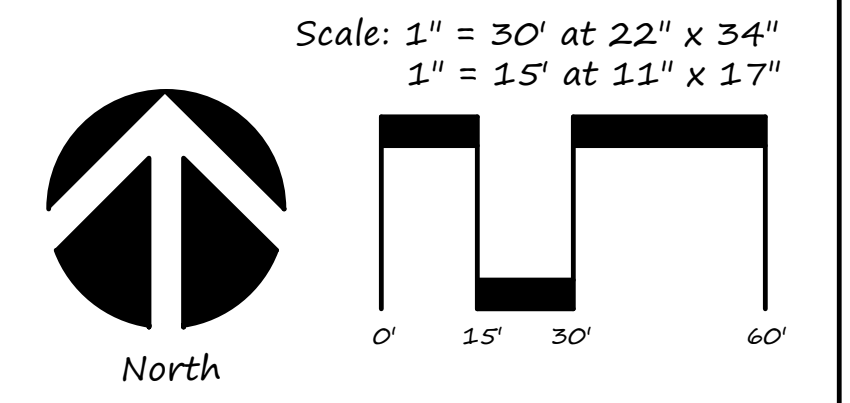
NOTE: 8TH ST. DRIVEWAY BLOCKED OFF TEMPORARILY BY SCHOOL STAFF DURING DROP-OFF AND PICK-UP

IMPERVIOUS CALCULATOR:

EXISTING BUILDINGS TOTAL:	13,126 SF
INCLUDES:	
SANCTUARY	3725 SF
FAMILY LIFE CENTER	7500 SF
STORAGE BUILDING-ADMIN.	1901 SF
EX. CONCRETE SIDEWALKS:	4,900 SF
PROPOSED PERVIOUS GRAVEL PARKING LOT	35,900sf
PROPOSED CONCR. SIDEWALKS:	850 sf



SEASIDE CHRISTIAN ACADEMY AND SEASIDE CHAPEL SITE PLAN
SCHOOL GRADES K-5
 Carolina Beach, NC

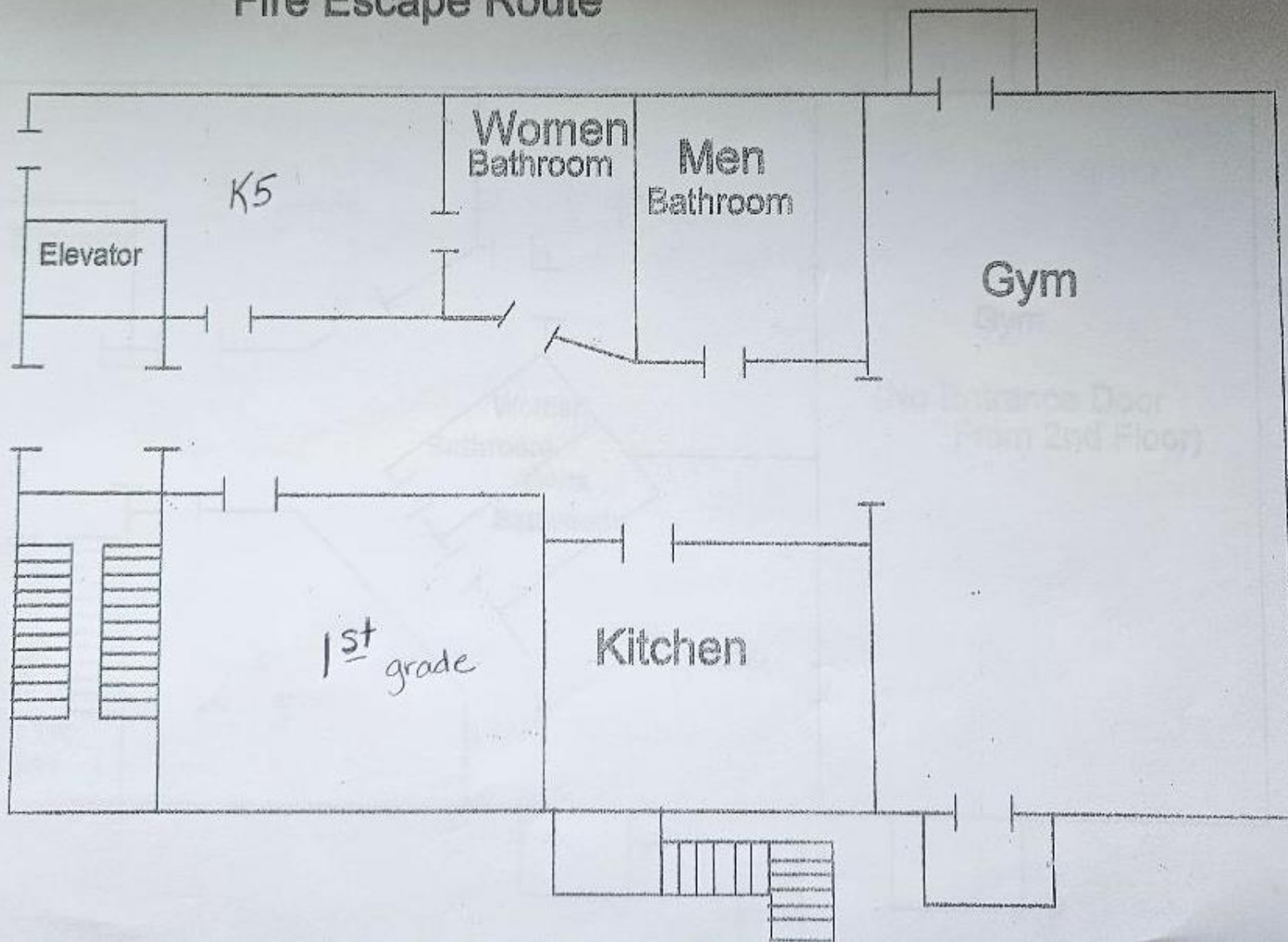


DOGWOOD LD., PLLC
 NC L.I.C. P-2785
 J. Branch Smith, PE
 205 Sierra Dr.
 Wilmington, NC 28409
 (910) 264-1071

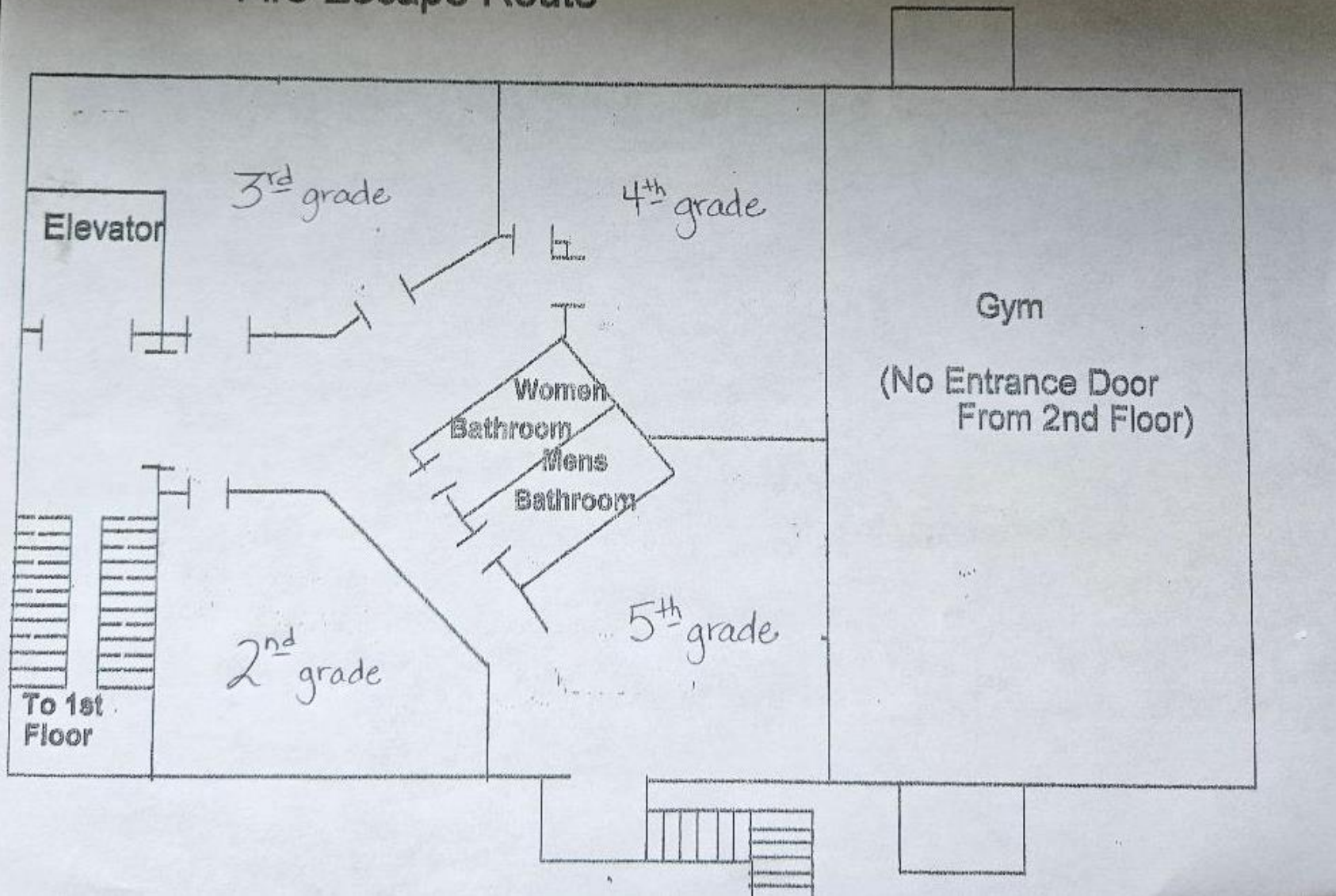


NOTE: This site plan is a graphic representation for due diligence purposes. Existing land features and property boundary lines shall be surveyed and verified. Plan layout is subject to municipal changes to land codes and ordinances.
 Proverbs 16:3 Commit your works to the Lord and your plans will succeed.

Seaside Chapel's First Floor Fire Escape Route



Seaside Chapel's Second Floor Fire Escape Route



EIGHTH AVENUE

DOW ROAD

CHARLOTTE AVENUE

PARKING LOT	
PROPOSED BUILDING AREA	7500
MAXIMUM CAPACITY	192
1/200 SF = 38, 1/4 CAP. = 45	86 TOT. SP.
PARKING LOT AS SHOWN MEETS LANDSCAPING ORDINANCE REQUIREMENTS (BUFFER AND 8 PERCENT VEGETATION)	

7500 sq ft

1901 sq ft

3725 sq ft

Parsonage
3 bedrms
= 3 spaces

PROPOSED TWO-STORY
CONCRETE BLOCK STRUCTURE
W/ BRICK VENEER

192 MAXIMUM CAPACITY

EXISTING
ONE-STORY BRICK
ACTIVITIES BUILDING

EXISTING
ONE-STORY BRICK
CHAPEL

1 STORY BRICK
& FRAME

PROPOSED TWO-STORY
CONCRETE BLOCK STRUCTURE
W/ BRICK VENEER

TOS ELEV. 235'

CATCH BASIN

COVERED WALKWAY
FIN. ELEV. 101.33'

EXIST. TRASH
CONTAINER ENCLOSURE

EXISTING
GRAVEL PARKING

Porch

Deck
H.C. RAMP

16" CYPRESS

8" CEDAR

8" OAK

28" OAK

18" OAK

24" OAK

16" OAK

16" OAK

16" OAK

8" OAK

21

22

23

50'-9 5/8"

100'-10"

59'-4"

51'-4"

24'-4"

445.00'

24

23

N 20' 45" 00" E

N 69' 15" 00" W

S 20' 45" 00" W

EDGE OF PAVEMENT

EDGE OF PAVEMENT

(50' PUBLIC R/W)

1/6/24

Item 8.



Seaside Chapel
105 Dow Rd. • Carolina Beach, NC • 28428

Good afternoon,

Seaside Chapel would like to formally invite you to join our community meeting to discuss the desire of opening a Christian School, Seaside Christian Academy. We will be hosting this community meeting as an informative meeting and insuring a questions and answer time. We would be honored if you would join us.

The meeting will be held Sunday, Jan 21st at 4pm in the Sanctuary of Seaside Chapel, located at 105 Dow Rd. Carolina Beach, NC. Snacks and Beverages will be served from 3:30pm-4:00pm in our two-story Family Life Center, to allow time for a meet and greet with other attending neighbors. We will move to the sanctuary at 4pm to discuss our vision for Seaside Christian Academy and the impact it will have in our community.

This meeting is being held in accordance with the Town of Carolina Beach's Conditional Zoning application process. Our vision for Seaside Christian Academy is to initially open using our current facility and to offer classes K-5th, with the possibility in the future, to build a secondary building to increase grade levels up to 12th grade. The presentation will include the future plans of the secondary building should it be needed. This would be a new two-story structure on our property with a similar design as our current family life center.

We hope that you will join us for our community meeting.

Thank you,
Seaside Chapel

Pastor Jerry Vess
828.429.4224
Jerryv1976@yahoo.com

Dana Vess
828.429.8407
Danavess1@yahoo.com

Rezoning Community Meeting for Seaside Christian Academy

Conducted on 1/21/24 at 4pm in the Sanctuary of Seaside Chapel 105 Dow Rd Carolina Beach NC

Hosted a Meet and Greet between neighbors with snacks from 3:30pm-4pm, began registration

Presenters: Jerry Vess and Dana Vess

- Opening/Welcome
- Personal Introductions of Presenters
- Verified everyone had registered prior to presenting
- Went over general process of Carolina Beach Rezoning procedure. Typically, a 4 month process
 - Community Meeting
 - Technical Review Committee
 - Planning and Zoning Committee
 - Town Council
- Explained this school is to provide a needed ministry for the community and surrounding areas
- Discuss the plan for Seaside Christian Academy would be in 2 phases.
 - Phase 1 – using our current facilities, opening the school with K-5th grades with a cap of 15 students.
 - Phase 2 – build an additional building and extend grades through 12th, having K-12th in one Building.
- Discussed Phase 1, if possible, we would open Seaside Christian Academy in Fall of 2024 and Phase 2 would be as needed in the future as demand calls. It could be a 2 yr, 5yr, 10 yr or possibly have no need for Phase 2. We would be open to however the Lord leads. It was recommended by Town of Carolina Beach to present the future possibility during the rezoning process.
- Opened the Floor for Q&A of anything discussed so far

Q: Mark Vincent – The 15 students you mentioned, would that be per classroom or per grade?

A: Jerry Vess – Both, we will have 15 students per classroom and current plan for K-5th would be one class per grade so 15 students per grade as well.

Q: Amanda Hassle – Is at least 5 yrs. for projection of when 6th grade will be starting?

A: Jerry Vess – 5 yrs. would be a realistic projection

A: Dana Vess – It could possibly be sooner or longer time frame depending on the Lord. 5 yrs. is simply a projection based on starting the school with staff and students to the 15 per class/grade, having the demand and need for more and then the funding to start the building of a school, which will take time as well.

Q: Amanda Hassle – Will this be open to just this district or can public over the bridge join?

A: Jerry Vess – Anyone, but our target demographic is on the island. We have a wonderful Elementary School, Carolina Beach Elem, is a great school however its bursting at the seams and there building more housing on the island, over near Publix, across from Food Lion, and construction all over the island, so there is and will be a demand for schools. Again, our

demographic would be our community, here on the island and we are geared more to those wanting Christian based and small classrooms.

Began Slide Show –Jerry Vess, Presenter

1. Slide One - This slide is view from Charlotte Street, looking at the entrance, it will be where the parsonage is right now
2. Slide Two - View corner of Charlotte/ 8th St. Discussed relocation of playground
3. Slide Three - View from 8th St. The doors on this side would be exit only doors, emergency doors, we would place shrub for curb appeal.
4. Slide Four – View from Hamlet, will have to relocate the playground to between the buildings, which you will have a better view in a later slide.
5. Slide Five – Another view from Hamlet, this shows the breezeway. It will connect to our current FLC building and will extend all the way down to connect to the breezeway between our sanctuary and FLC
6. Sixth Slide – this slide show the traffic flow pattern and our parking area. This slide is what we call “the field” (gestures to the yard, demonstrating its location) the backside of the current two story building we were in earlier. Tentatively we plan to have parents enter from the southbound side of 8th, turning right into the parking lot and picking children up at the far end of the FLC, under the breezeway we have now, near our side door to the sanctuary. We of course will work with the town in making the decision of the best way, we may have the option to go through the parking lot, so we can have more cars on our property at one time. We feel this will not be a long process. We will have staff to help directing traffic entering and exiting the property. We would not allow for anyone to turn left into the property (from the Northbound side of 8th) that way at no time will 8th street be blocked.
7. Seventh Slide – Ariel view over the whole school. We plan to have parking remain grass for now

- Opened the Floor for Q&A

Q: Michael Hendy – So you are saying when parents drop off, they come in from 8th Street and exit out Dow?

A: Dana Vess – So the plan, if approved by town, as they will give us in-sight I am sure, would-be parents pull onto the property and we would use the parking area to help with additional space, we would use both lanes making it a one way for the estimated 20 minutes it will take to dismiss our kids. So, parent pull in from 8th St and form two lanes, in one direction, going in a “U” shape in the parking area. Two lanes would continue until we got closer to the pickup spot where they would merge into one single lane before they get to pickup (illustrated the explanation using slide six) again we would use staff to assist in guiding traffic as well as cones for the merging.

A: Jerry Vess – we will work not to affect flow of traffic on 8th as much as possible, again we will work closely with the Town of Carolina Beach throughout the planning process.

Q: Mike Hendy – I am sure their will retention ponds needed too. I am concern about how the traffic. Maybe coming in and out off Dow Rd. As I am sure you are aware, people run the stop sign at the corner of Charlotte and 8th all the time. That is a safety concern too.

A: Jerry Vess – that may be a possibility, we will discuss with the town. I am sure they can give guidance on this.

A: Dana Vess – This is why we have the community meeting. We want to hear your concerns so we can look at our vision and address them the best we can. Unfortunately, tonight we don't have all the answers. We have proposed plans. These plans can be adjusted if needed based on both your concerns and requirements of the town. We want this to be a positive addition to the community. Again, this plan is tentative, the kinks will be worked out with the Technical Review Board.

Q: Micheal Hendy- I love the idea and support the school I am just concerned about the traffic

A: Dana Vess – Thank you for your support and we will get it all worked out.

Q: Holly Martin – Its okay. I don't feel like it will be an issue, its only about 20 min each time (arrival and dismissal). I live off Atlanta and my driveway gets blocked; you just know it will be about 20 min. Its not a big deal at all.

A: Dana Vess – Just for reference Carolina Beach Elementary has just under 500 students, we are talking about a max of 90 students right now. So roughly only about 20% of what Carolina Beach Elementary has and they dismiss in 20 minutes. Keep in mind too, we have a lot of bike riders and golf cart parents here too. Of our current afterschool program 1/3 of them ride their bikes or use golf carts when its nice.

Q: Amanda Hassle – If traffic is a problem, you can do staggered time for grades to help with the flow.

A: Dana Vess – we will take that into consideration

Q: Mark Vincent – (addressing Jerry Vess), Can you use your pointer and go over the traffic flow again

A: Jerry Vess – (demonstrates using pointer), Plan is to come down 8th, turn right into the parking lot, use two lanes, merge into one lane, pickup here (points to middle of current breezeway) and exit out onto Hamlet.

A: Dana Vess - We would not allow for people to turn left off 8th St. so that traffic is not stopped on 8th St northbound.

A: Jerry Vess – we will try to keep traffic as much on the property as we can

- Asked if there were any additional questions? No one asked any additional questions.

Continued with the Slideshow Presentation - Jerry Vess, Presenter

8. Eighth Slide – Ariel view of parking lot and buildings. Notice the roof of the new building, the large white rectangle int this picture. It is a flat roof; it will be where the HVAC systems will be. However, if you look back at slide the previous slides you don't see a flat roof, (scans back through slides 1-7)
9. Ninth Slide – Ariel view again, same design just a different view of it
10. Tenth Slide – This is the floor plan of the new building. The Phase 2 building. It will be a two-story building, classrooms on both floors. The auditorium will be two story ceiling. It has elevator and will be built per code. Once built we would move all grades to the new building. It would accommodate K-12th grades. (Dana Vess – There are larger prints of this slide on the stage you are welcome to view after the meeting)
11. Eleventh Slide – Technical view of the square footage

- This is, again, all based on demand and finances. This will be a big step of faith for Seaside. That is why we projected a future date of 2-5 yrs. We have to see the need in the community.
- Opened Floor to Q&A

Q: Holly Martin – do you have an estimate of price and budget?

A: Dana Vess – based on 15 student classrooms, we are looking at about \$850-\$900 a month. We as a school will be looking at grants and corporate funding as well as fundraisers and scholarships. We want it to be as economically affordable as possible. Keeping smaller classrooms presents a challenge however it is part of our vision.

Q: Holly Martin – how does that compare to others, say Myrtle Grove.

A: Dana Vess – I don't know everything about all the Christian Schools in the area, but we are comparable in price to Myrtle Grove, a little less at our current estimate. I am not basing our tuition on what anyone else is charging. Sure, I want to be comparable, but we are looking at this as a ministry, we are not looking at it as a profitable business, so our numbers are coming from what we estimate our expenses are going to be divided by the number of students. Of course, there is a little wiggle room for unexpected expenses as well as if we don't have 15 in a particular classroom 100% of the year.

Q: Holly Martin – I am excited about this

A: Jerry Vess – We hope to grow quickly, we ask that you all help us continue to pray through all this. Our original intent is to start K-5th.

Q: Amanda Hassle: - Personally, if I had to do it again, I would do K-5th in public then do a private school

A: No answer given, was more of a mere statement

Q: Amanda Hassle - What will the name of the school be?

A: Jerry Vess – Seaside Christian Academy, Home of the Warriors

Q: Jim Norwood – Are you going to do another presentation for community?

A: Jerry Vess – We can, we are only required to present at this one

A: Dana Vess – We can keep everyone informed of progress. I can start a FB page for the school following our first meeting with the Technical Review Committee. Also, if there are a lot of changes from this tentative plan, we will be more than happy to host another informative meeting.

Q: Jim Norwood – My family is involved in education, my daughter teaches at Carolina Beach Elementary, and yes, it is a great school. My children and my grandchildren attend a private Christian school. My question, do you have a business plan?

A: Jerry Vess – We have developed a board with specific expertise, we have been meeting and working on the details. We have a budget developed; we are still tweaking it a bit but the bones are there. We know our overall expenses and how we will cover the cost for the day-to-day function of the school, staff, and additional expense.

Q: Jim Norwood – DO you have funding other than the church

A: Jerry Vess – We will apply for qualifying grants but prefer not to receive government funding that limits what we can teach.

A: Dana Vess – to add to Jerry, when we extend to 6th-12th grade and build the building that is when we will really start needing funding. Phase 1 will use out existing building for K-5th. We have to make a few adjustments to make it work for us, the church has the funds for that along with people who have pledge or will be donating to the start-up. We have almost finished paying off the FLC building and then the church will be debt free. Before its time to move to Phase 2 we will be debt free. The church will use the property as collateral for the loan for the new building along with donors, corporate partners, grants, and fundraising. We will be building partnerships from day one.

Q: Jim Norwood – Phase 1 is K-6th

A: Jerry Vess – Phase 1 is K-5th

Q: Jim Norwood – what is the occupancy for that building (referring to FLC)?

A: Jerry Vess – I am unsure at this time, sorry. I can get the information for you though.

Q: Jim Norwood – If you get Town’s approval, will it start in Aug? My first concern is with Phase 1, the traffic.

A: Jerry Vess – We will ask the town for guidance

A: Dana Vess – Although we put a great deal of thought into this project, nothing is set in stone. As we said earlier, if there are a lot of changes to this plan, we will be happy to host another informative meeting.

Q: Jim Norwood – Next concern is Phase 2, with high school and keeping things calm

A: Jerry Vess – We will expect that parents be highly involved in school participation. From my experience when parents are involved and partnered with the school you tend to have less issues. Also, we will be a private school. Attending will be a privilege. You can be removed from enrollment.

Q: Hope Combs – I am in the beginning stages of a music school. We would love to be in partnership with the school.

A: Dana Vess – Thank you, we can meet and discuss that further.

Q: Amanda Hassle – I wish you the best of luck

A: No response given

Q: Mark Vincent – After the school is established have you thought about sports teams? That may be an issue with noise.

A: Jerry Vess – that would be further down the road, however, games would not be held on the campus. We wouldn’t have the facility for any games.

Q: Keith McEntire – Planning and Zoning are all open to public, feel free to attend.

- We will keep you all informed during the process. My contact information is available. You should have both mine and Dana’s emails and phones number in the letter sent but if you need it, please get it before you leave. Thank you for attending. Have a great evening.
- Meeting closed at 5:13pm

Ordinance 24-1244

Town of Carolina Beach
Town Council



CONDITIONAL ZONING DISTRICT

An Ordinance Amending the Official Zoning Map of the Town to Rezone property containing 2.52 acres of land located at 105 Dow Rd, in the R-3 Zoning District to Conditional Zoning (CZ) for a K-5th Grade School.

LEGISLATIVE INTENT/PURPOSE:

WHEREAS NCGS §§ 160D-102, 160D-108(d), 160D-603, and 160D-702 authorizes local governments to change or modify zoning boundaries within their jurisdiction; and

WHEREAS the amendment set out below is made in accordance with NCGS § 160D-601 and Article XVII, of the Carolina Beach Land Development Code.

THEREFORE, IT BE ORDAINED:

SECTION 1: The Official Zoning Maps of the Town of Carolina Beach are hereby amended by removing hereinafter described tract of land from the present R-3 and putting it in the Planned Unit Development Conditional District (CD) classification, said tract being more particularly described as follows:

Legal Description for Conditional Rezoning of 105 Dow Rd.

105 DOW Rd.

LTS 1-18 BLK 136 CAR BCH

PARID: R09005-012-001-000

As more specifically described on Deed Recorded in Book 5079, Page 2523-2525 of the New Hanover County Register of Deeds.

SECTION 2: The following rules, regulations, and conditions shall apply to the property described in this ordinance

Ordinance 24-1244

Town of Carolina Beach
Town Council

1. The use and development of the subject property shall be in substantial accordance with the plans submitted and approved by which were prepared by James Branch Smith dated 11/21/2024.
2. The use and development of the subject property shall comply with all regulations and requirements imposed by the Land Development Code, the Town of Carolina Beach Technical Standards and Specifications Manual and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below.
3. Approval of this conditional district rezoning does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to the release of the project for construction.
4. If, for any reason, any conditional approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the stie plan for the district shall be null and void and of no effect and proceedings shall be instituted to rezone the property to its previous zoning classification.
5. The use and the development of the subject property shall be in substantial accordance with the site plan as submitted and approved.
6. The proposed use shall be limited to a K-5th grade school.
- ~~7. The building is in the AE 10 flood zone. Renovations to the building exceeding 49 percent of the value of the building shall meet FEMA requirements.~~
- ~~8. Sloped railing shall be used on the second story bar area.~~
- ~~9. The building is located within the Primary Fire District. All materials used for construction shall be noncombustible.~~
- ~~10. The alleyway on the property shall be free of obstructions and debris.~~
11. A stormwater plan shall be submitted and approved prior to the issuance of a building permit.
12. An as-built survey and certification shall be provided that all improvements, including but not limited to zoning, paving, drainage, stormwater, landscaping shall be constructed and maintained according to the site plan approved prior to Certificate of Occupancy.
13. Approval of this site-specific vesting plan establishes a vested right under G.S. 160D-108. Unless terminated at an earlier date, the vested right shall be valid until 12/10/2026.
14. Restoration of the previously required landscape buffer surrounding the 8th street fenced in playground as described in the 2020 Conditional Grant Order for 105 Dow Rd.
15. At least 8% of the gross paved area of a parking facility shall be landscaped and located in the interior.
16. The refuse collection site must be enclosed on three (3) sides by a minimum six (6) foot opaque fence.
17. Pervious gravel drive aisles will meet NCDEQ Permeable Pavement design criteria.
18. Once per year the town receives certification of a properly functioning pervious driveway.
19. Any proposed signage will have to meet all standards zoning requirements in the future.
20. A Knox box to be installed on building.

Ordinance 24-1244

Town of Carolina Beach
Town Council

SECTION 3: The Town Clerk and the Planning Director are hereby authorized and directed under the supervision of the Town Manager to change the Zoning Maps on file in the office of the Town Clerk and the Planning Division, to conform with this ordinance.

SECTION 4: That any person violating the provisions of this ordinance, including the approved site plan, shall be subject to the penalties set forth in ARTICLE XV of the Land Development Code.

SECTION 5: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6: If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7: That this ordinance shall be effective upon its adoption by Town Council, and the Town’s receipt of written acceptance by the Applicant of all conditions adopted by the Town.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 10th day of December, 2024.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk

Ordinance 24-1244

Town of Carolina Beach
Town Council



Conditional Zoning to consider a K-5th grade school at 105 Dow Rd. in the R-3 Zoning District

Applicant: Seaside Chapel

105 Dow Road

Item 8.

Current Uses on the property:

Church, Single Family Residence – Parsonage, Day Care.

Proposed Use:

K-5th Grade School

Zoning District – R-3:

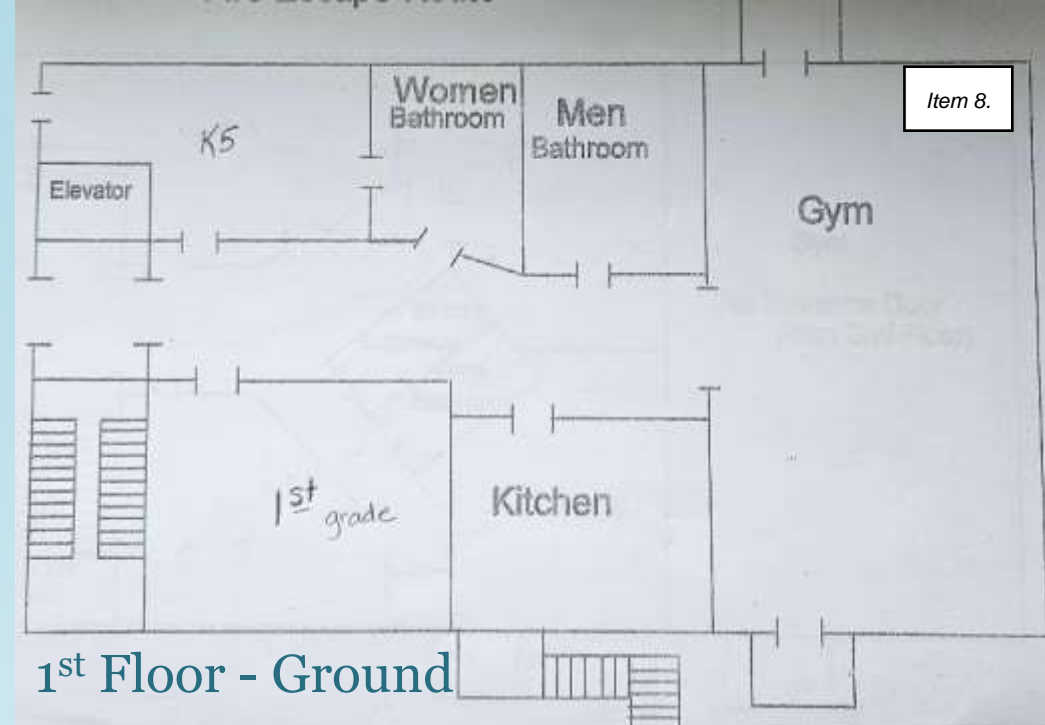
The R-3 district is established to provide for moderate to low density single-family residential use and other compatible uses.



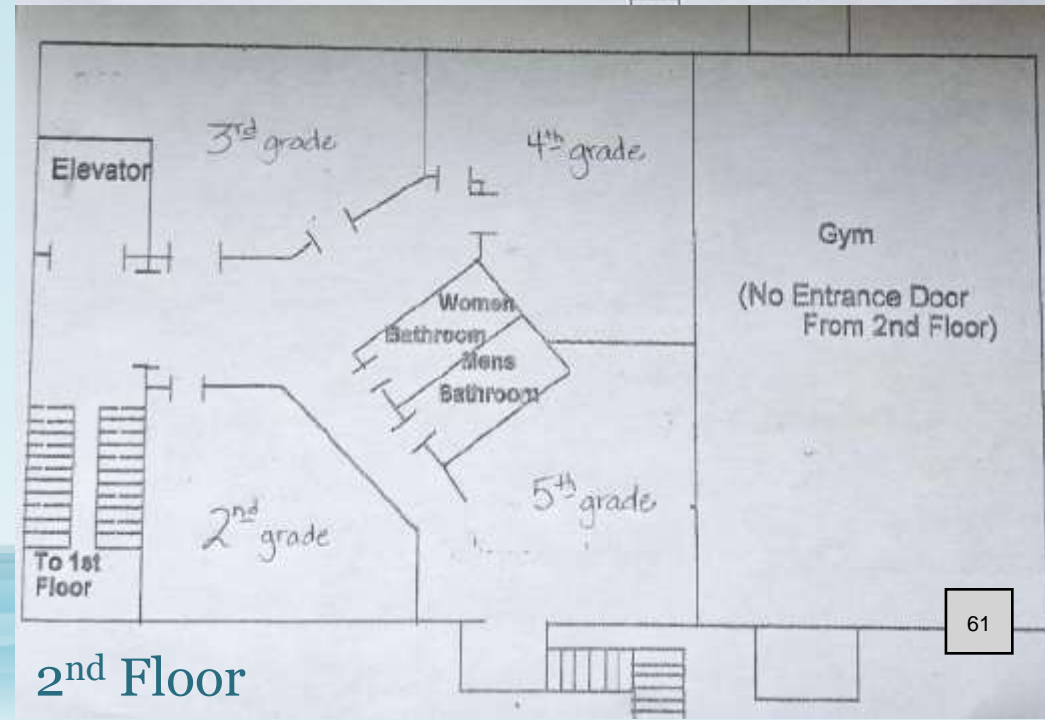
Proposal

Renovate the existing Family Life Center building located at 105 Dow Rd. into a 6-classroom school for K-5th grades. 15 children per grade (90 total). A school requires conditional zoning.

At this time the applicants are only seeking K-5th grade.



1st Floor - Ground



2nd Floor

Surrounding Uses



100 Dow Rd



9 South Dow Road



804 Charlotte Ave.



101 8th St / 716 Hamlet Ave.



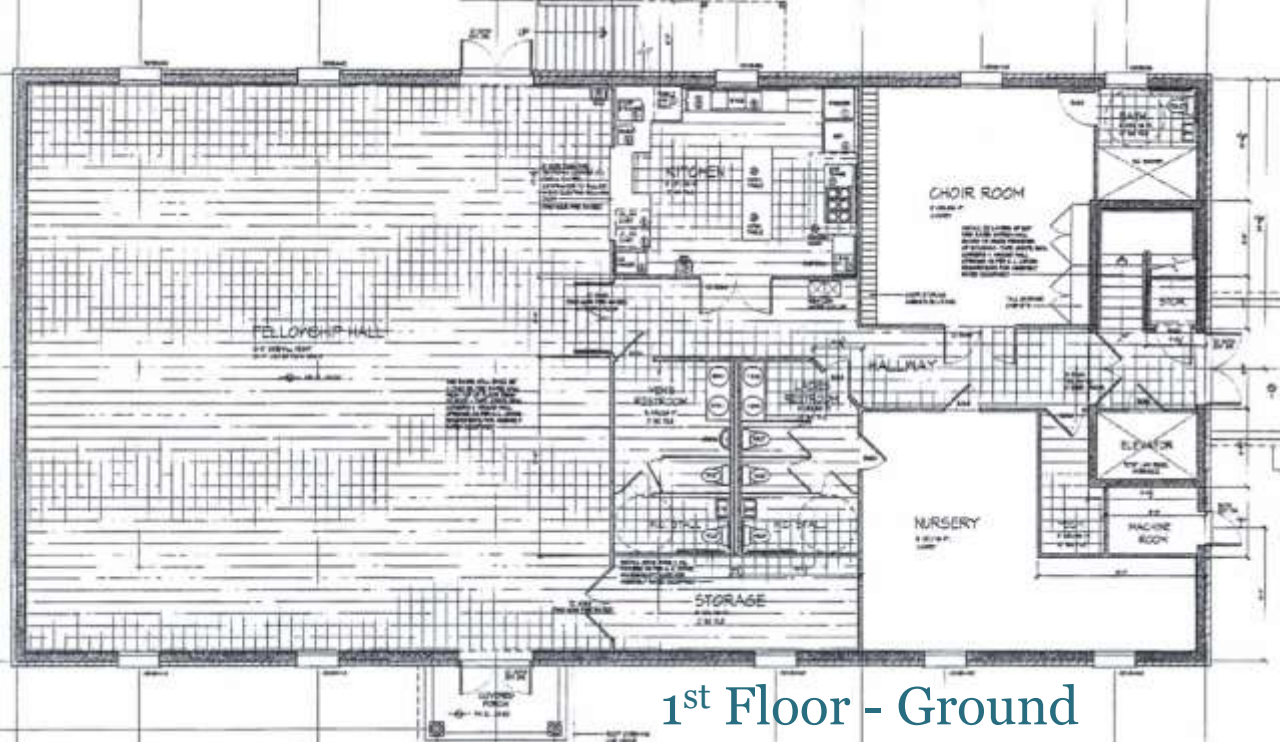
801 – 807 Hamlet Ave

Zoning District Table of Uses

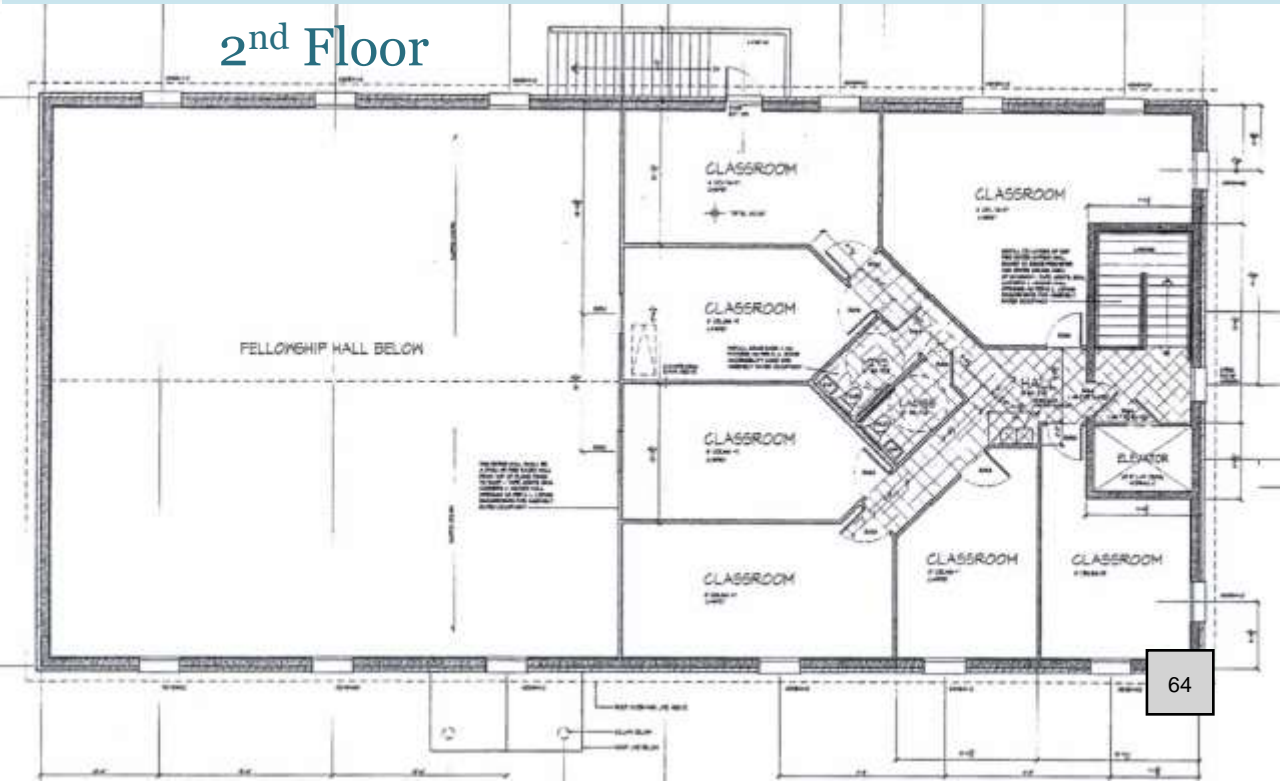
Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard													
Uses of Land	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Schools, public and private	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ		CZ			CZ

Schools are allowed in the R-3 Zoning district with Conditional Zoning Approval.

Existing Floor Plan of Family Life Center Building



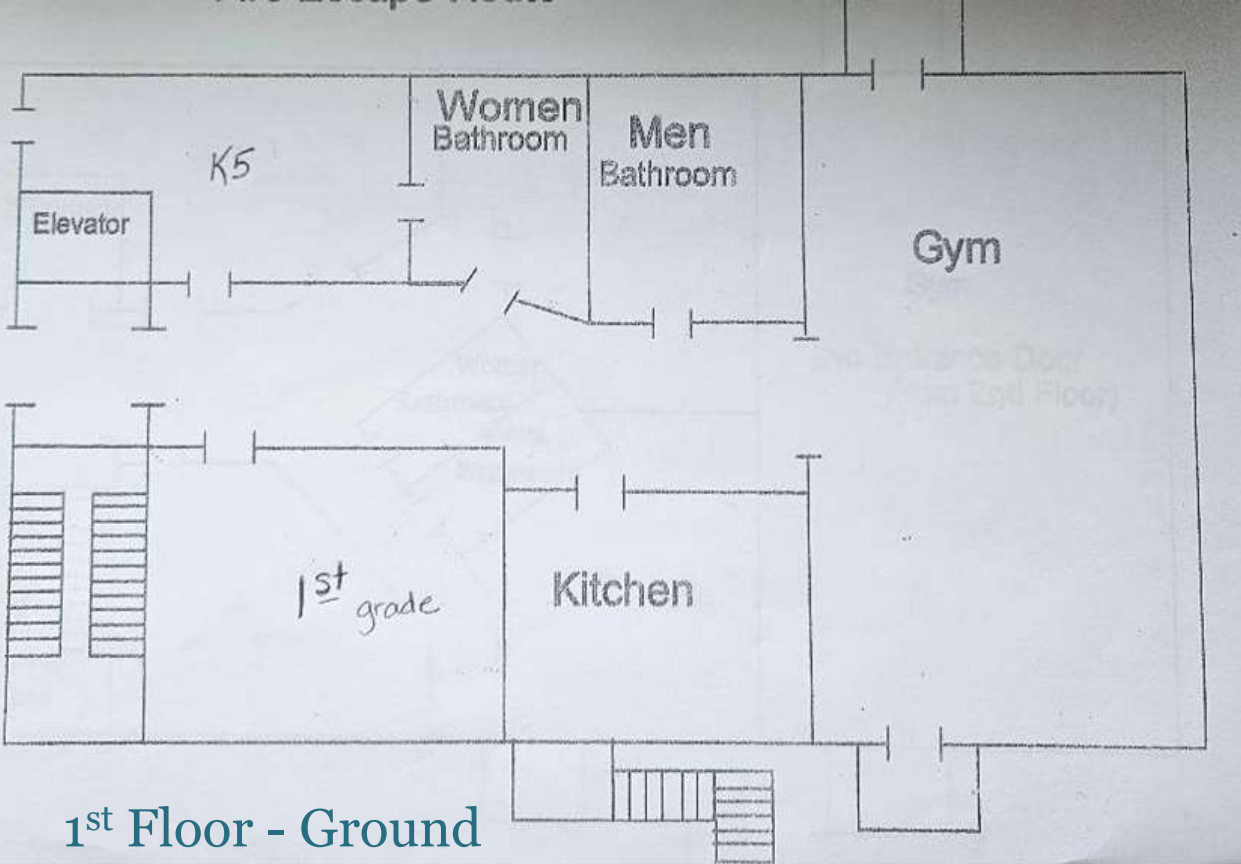
1st Floor - Ground



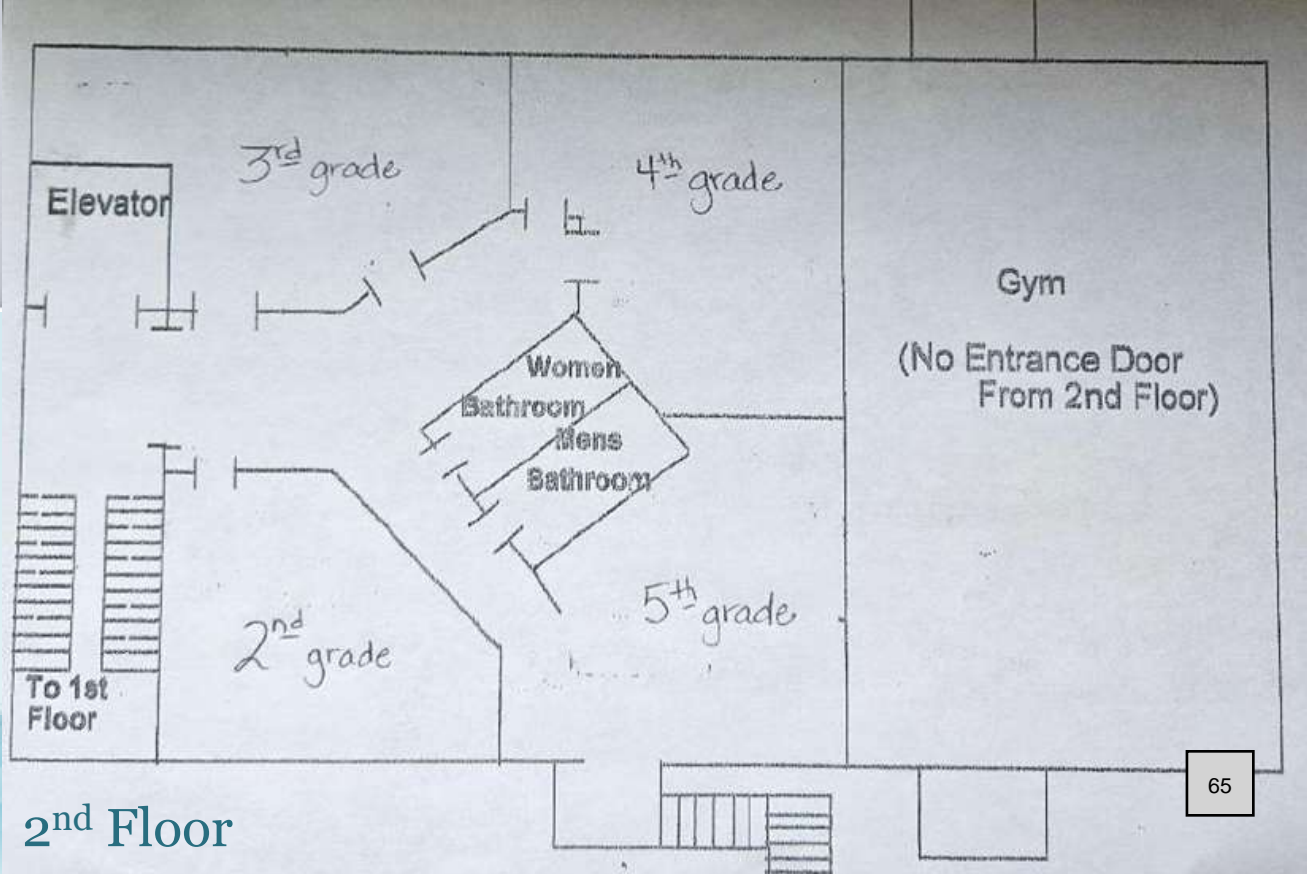
2nd Floor



Proposed Floor Plan of Family Life Center Building

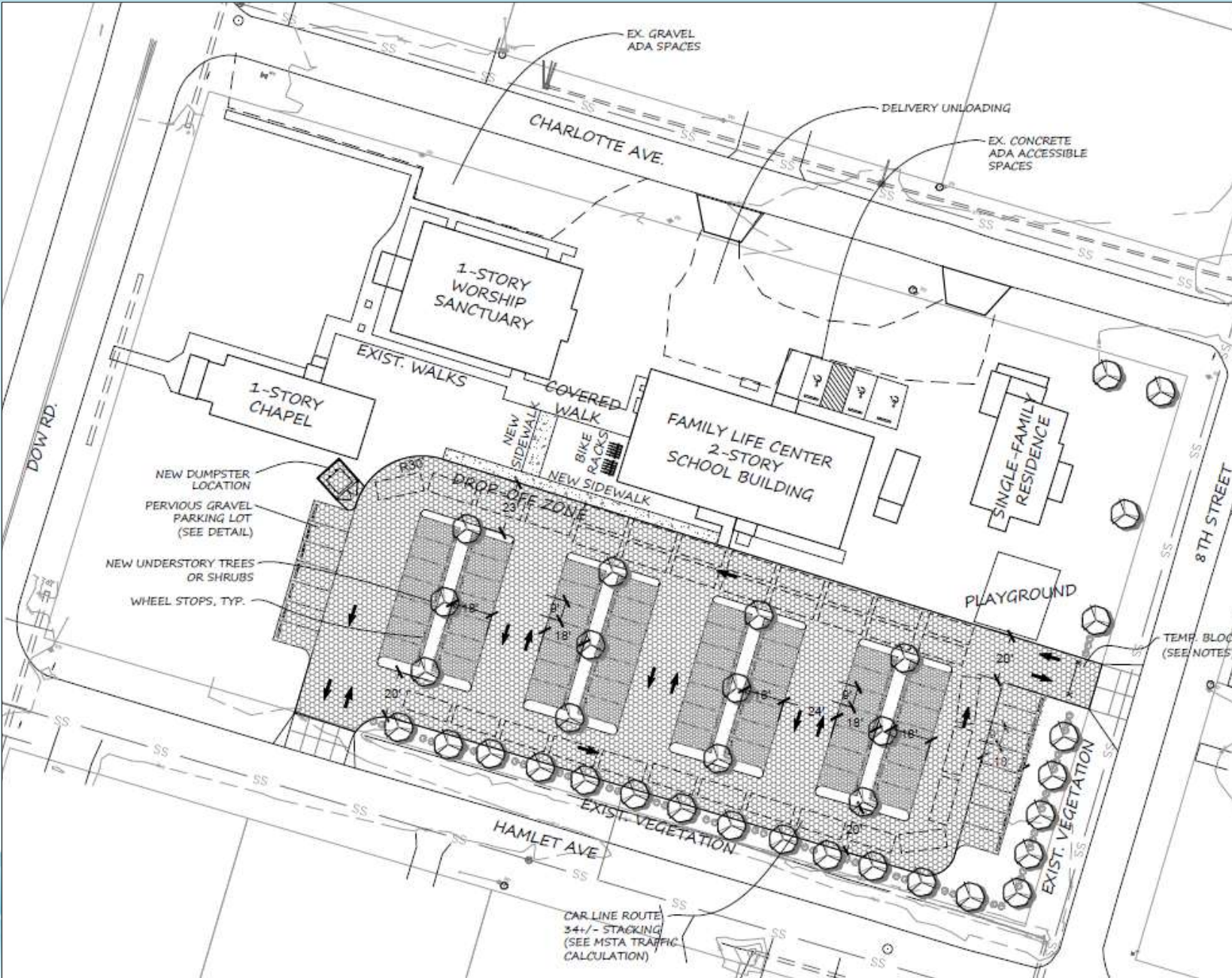


1st Floor - Ground



2nd Floor

Site Plan



PARKING DATA:

REQUIRED: 1 SPACE:300 sf WORSHIP SPACE
 $13,126 \text{ sf} / 300 = 44 \text{ SPACES}$

SCHOOL: 1 SPACES:GRADE + 5 VISITOR SPACES
 $1 \times 5 \text{ GRADES} = 6+5 = 11 \text{ SPACES}$

PARSONAGE: 1:BEDROOM = 3 SPACES

PROVIDED: 72 GRAVEL PARKING SPACES

NCDOT MUNICIPAL AND SCHOOL TRANSPORTATION ASSISTANCE (MSTA) WITH NC DPI (DEPT. OF PUBLIC INSTRUCTION): For 90 Students in Grades K-5

PRIVATE SCHOOL STACKING LENGTH REQUIRED:

1. AVG. QUEUE LENGTH = 330-FT
2. HIGH DEMAND LENGTH = 405-FT

SEASIDE SCHOOL STACKING LENGTH PROVIDED:

1. QUEUE LENGTH = 590-LF
2. $590 \text{ LF} / 20' \text{ SPACE} = 29 \text{ TOTAL VEHICLES}$
3. $8' \times 20' \text{ BOX SHOWS } 34 \text{ TOTAL VEHICLES WITH DOUBLE STACKING ALONG THE SCHOOL}$

NOTE: 8TH ST. DRIVEWAY BLOCKED OFF TEMPORARILY BY SCHOOL STAFF DURING DROP-OFF AND PICK-UP

Conditional Zoning Process

- Public meeting – January 21st, 2024
- 18 people attended
- Concerns:
 - Drop-off & Pickup vehicle queuing – Applicant closed off 8th St. Driveway during pickup and drop-off to help with queuing flow.
 - Increase in Traffic –The Wilmington Metropolitan Planning Organization reviewed plans and determined a traffic study was not warranted. Applicant included NCDOT School Traffic calculations for queuing calculator.

Criteria

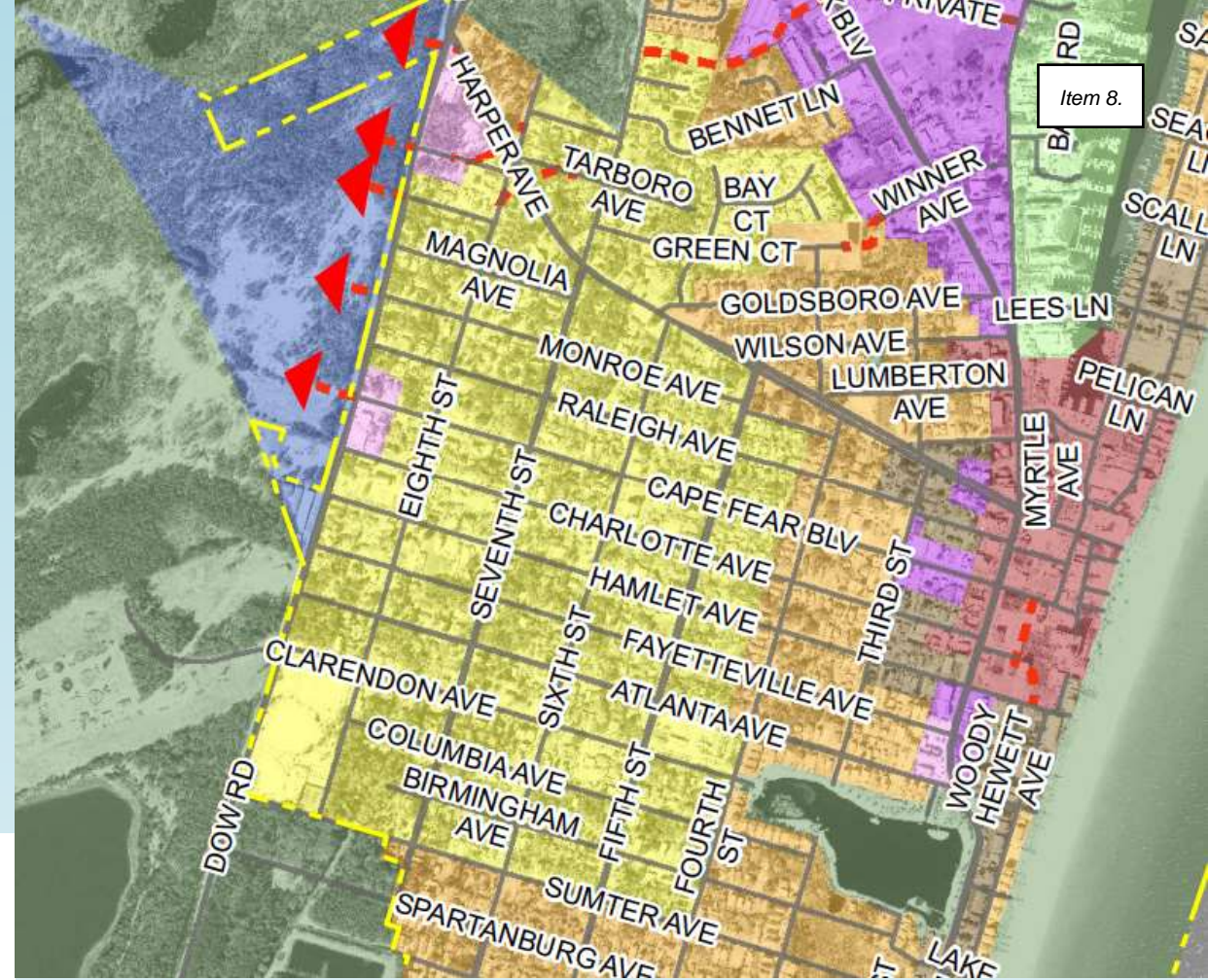
- When evaluating, the Council shall consider:
 - Consistency with general polices and objectives of the CAMA Land Use Plan, any other adopted plans, and the Zoning Ordinance
 - Potential impacts/benefits on surrounding area and adjoining properties
 - Report of results from public input meeting

Land Use Plan Consistency

The project is in general conformity with the 2020 Future Land Use Plan.

- Promotes family-friendly character
- Existing, by-right, entitled, higher intensity uses will continue to be supported in Low Density Residential areas.

Staff recommends approval.



Low Density Residential

Primarily large-lot, single family detached residential such as many of the town's established neighborhoods. Lots are larger than in other areas; usually ~9,000 sq ft and larger. Generally characterized by low traffic, local streets and pedestrian-scale structures. Smaller lots on occasion. Note: Existing, by-right, entitled, higher intensity uses will continue to be supported in LDR areas, including allowances for rebuilding structures.



Staff Proposed Conditions

1. Restoration of the previously required landscape buffer surrounding the 8th street fenced in playground as described in the 2020 Conditional Grant Order for 105 Dow Rd.
2. At least 8% of the gross paved area of a parking facility shall be landscaped and located in the interior.
3. The refuse collection site must be enclosed on three (3) sides by a minimum six (6) foot opaque fence.
4. Pervious gravel drive aisles will meet NCDEQ Permeable Pavement design criteria.
5. Any proposed signage will have to meet all standards zoning requirements in the future.
6. Fire recommends a Knox box to be installed on building.

Town Council may include additional conditions (i.e. landscaping, sidewalks, design guidelines, buffers, infrastructure improvements, pedestrian, street and ROW improvements)

Planning & Zoning Commission

The Commission voted 4/2 to approve the K-5th Grade school at 105 Dow Rd. with the suggested staff conditions and added an additional condition:

- Requires once per year the town receives, from the applicant, certification of a properly functioning pervious driveway.

Motion

Approval: The Town Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the Conditional Zoning District to allow for a school (K-5) at 105 Dow Rd. is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area, are mitigated by the approved conditions.

Denial: Based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding area.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 12/10/2024

SUBJECT: Parking Program Overview by Town Staff

BACKGROUND:

Town staff will present a parking program overview and ways to mitigate recent Army Corps of Engineers restrictions to remain eligible for Coastal Storm Risk Management (beach nourishment).

ACTION:

Discussion



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison Community
Development Director

DEPARTMENT: Community
Development

MEETING: Town Council – December 10, 2024

SUBJECT: Consider amending Chapter 16, Article VII Wrecker/Towing Services and repeal Sec 18-78- Vehicle towing and storage- Police department eligible list, Sec 18-79 and Sec 18-80. Amend the rates and fees schedule to include Towing application fee.

BACKGROUND:

The following is an amendment overview to the proposed towing regulations.

Organized the ordinance based on.

1. Regulations that apply to all towing/wrecker operators
2. Regulations that apply to private/trespass towing procedures
3. Regulations for operators providing towing for public property/impoundment purposes.

Proposed

- Combined Article VII. - Wrecker/towing services and impoundment and Sec. 18-78. - Vehicle towing and storage—Police department eligible list.
- Changed age of Individual operating a towing/wrecker consistent with state law.
- Clarified policy for the police eligibility list.
- Changed from towing any automobile or truck regardless of size or weight **to** capable of towing the type of automobile or truck requested to be towed.
- Changed from to have facilities to protect from the elements vehicles damaged by exposure **to** take the appropriate precautions to protect damaged vehicles from the exposure of weather elements and have sufficient fenced storage space with security lighting to protect vehicles from break-ins, theft, and damage.
- Change from having a garage located within the Town of Carolina Beach **to** within New Hanover County located three miles from the Town of Carolina Beach town limits.
- Added to rates and fee schedule a \$200 towing/wrecker application fee.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend

- Ordinance # 24-1241 Rates and fees schedule.
- Ordinance # 24-1242 Article VII wrecker towing services and impoundment
- Ordinance # 24-1243 Repeal Vehicle towing and storage- Police department eligible list, Sec 18-78- Sec 18-79 and Sec 18-80.

Denial – to amend

- Ordinance # 24-1241 Rates and fees schedule.
- Ordinance # 24-1242 Article VII wrecker towing services and impoundment
- Ordinance # 24-1243 Repeal Vehicle towing and storage- Police department eligible list, Sec 18-78- Sec 18-79 and Sec 18-80.

Ordinance 24-1241

Town of Carolina Beach
Town Council



AN ORDINANCE TO

Town of Carolina Beach Annual Budget – Fiscal Year 2024/2025

Amend Budget Ordinance Rates & Fee Schedule

RATES & FEES

POLICE DEPARTMENT

	<u>Fee</u>
<u>Towing/Wrecker Service Application</u>	\$200

Adopted this 10th day of December, 2024.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk



AN ORDINANCE TO
PART II - CODE OF ORDINANCES
Chapter 16 - MOTOR VEHICLES AND TRAFFIC
ARTICLE VII. WRECKER/TOWING SERVICES AND IMPOUNDMENT

ARTICLE VII. WRECKER/TOWING SERVICES AND IMPOUNDMENT AND STORAGE

Sec. 16-239. Findings and intent.

- (a) The Town Council of the town has a significant governmental interest in protecting the health, safety, and welfare of the general public and preserving the public order.
- (b) North Carolina General Statute 160A-174 allows a town by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the Town.
- (c) Some practices related to the non-consensual towing of motor vehicles from private property have resulted in the public and members of the towing industry being exposed to harm.
- (d) The Carolina Beach Town Council desires to minimize and control the harmful and adverse effects that occur during the non-consensual towing of motor vehicles.

(Ord. No. 16-1032, 11-1-2016)

Sec. 16-240. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Highway means the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms "highway" and "street" and their cognates are synonymous.

Private parking only means the parking lot is for private use only and is not open for use by the general public.

Customer parking only means the parking lot is for private use of customers to the identified business only and is not open for use by the general public.

Pay for parking only means the parking lot is operated by a profit making company and is open to the general public and a fee will be charged.

Tow in any of its forms means to remove a vehicle by any means including towing and to store the vehicle.

Winching fee means a charge when a vehicle leaves the street or highway or overturns and requires use of winch and a cable to recover the vehicle to the highway for removal.

Private/Trespass Towing means any person or company that provides private property towing services within the town.

Garage means persons, firms, corporations or businesses.

Eligible list means a list of garages within the town who apply and are approved to tow and store vehicles at the request of the police.

Towing/Wrecker applicant means any garage person, firm or corporation ~~company~~ that can provide wrecker and towing service within the town.

Tower/Driver means the person who towed the vehicle.

Towing fee means the fee charge for towing and storing.

(Code 1986, § 9-140; Ord. No. 07-711, 10-9-2007; Ord. No. 10-826, 4-13-2010; Ord. No. 16-1032, 11-1-2016)

Sec. 16-241. Administrative responsibility.

The Chief of Police or his designee is hereby designated as a responsible agent for maintaining a list of all eligible wrecker/towing services who have applied and been approved to conduct towing services and ensuring that criteria as set out in this chapter is strictly adhered to both initially and following execution of the agreement.

(Code 1986, § 9-141; Ord. No. 07-711, 10-9-2007)

Sec. 16-242. Towing/Wrecker service application/agreement.

It is the policy of the town that any applicant desiring to perform wrecker/towing services within the town limits of the town shall submit a towing/wrecker service application/agreement to the town on an annual basis, no later than January 15 each year. The application form shall be obtained from the town hall and will be evaluated by the Chief of Police or his designee. Failure to comply with this chapter and N.C.G.S. statutes dealing with towing services at any time shall enable the Town Manager or his designee to rescind or nullify this agreement and issue a notice of violation to the property owner and tow company. A non-refundable annual application fee pursuant to the town's annually adopted rate and fee schedule will be charged.

(Code 1986, § 9-142; Ord. No. 07-711, 10-9-2007; Ord. No. 16-1032, 11-1-2016)

Sec. 16-243. Duties and requirements of Towing/wrecker ~~tow~~ services

It will be the responsibility of any applicant to assure continued compliance with all provisions and requirements set forth in the agreement, this article and N.C.G.S. statutes dealing with towing services.

(Code 1986, § 9-143; Ord. No. 07-711, 10-9-2007; Ord. No. 16-1032, 11-1-20)

Sec. 16-24~~5~~⁶. Towing/Wrecker equipment.

- (a) Each wrecker shall be a truck chassis having a minimum gross vehicle weight of 6,500 pounds and boom assembly having a lift capacity of not less than 8,000 pounds as rated by the manufacturer and equipped with dollies on each tow truck.

- (b) A car carrier or rollback is defined as a vehicle designed to tow or carry vehicles damage free. The truck chassis shall have a minimum gross vehicle weight rating (GVWR) of 14,500 pounds. Two lift cylinders, minimum 2½-inch bore; individual power winch pulling capacity of not less than 10,000 pounds; 50 feet of 5/16-inch cable on winch drum; and four tie-down hook safety chains. The carrier bed shall be a minimum of 18 feet in length and a minimum of 84 inches in width inside side rails. A cab protector constructed of aluminum or steel must extend a minimum of ten inches above the height of the bed.
- (c) The following equipment shall be on the wrecker, carrier or rollback:
- (1) Brakes (G.S. 20-124).
 - (2) Glasses (G.S. 20-127, 20-135).
 - (3) Horn (G.S. 20-125).
 - (4) Lights (G.S. 20-129, 20-129.1, 20-130, 20-131).
 - (5) Mirrors (G.S. 20-126, 20-117.1).
 - (6) Mufflers (G.S. 20-128).
 - (7) Reflectors (G.S. 20-129.1).
 - (8) Turn signals (G.S. 20-125.1).
 - (9) Windshield wipers (G.S. 20-127).
 - (10) Tires (G.S. 20-122.1).
- (d) Each wrecker, carrier or rollback must be equipped with the following:
- (1) Ax.
 - (2) Large broom.
 - (3) Fire extinguisher; five-pound multi-purpose dry chemical.
 - (4) Shovel.
 - (5) Flares, eight or traffic cones, 28 inches in height.
 - (6) Two snatch blocks.
 - (7) Two scotch blocks.
 - (8) Dollies (except rollback wreckers).
 - (9) 20 pounds of StayDry or similar type of absorbent material.
 - (10) Cable; one spool having at least 100 feet and measuring three-eighths inches in diameter.
 - (11) Bolt cutters.
 - (12) Safety vest.
- (e) In general, an applicant must assure the town that they will ~~keep their equipment~~ ~~have available equipment capable of towing any automobile or truck from the streets and other public or private places upon request by the police department or private property owner or lessee. All wreckers must be kept~~ in good working condition and meet the minimum safety requirements, not only as specified above and elsewhere, but in all applicable sections of G.S. Ch. 20, motor vehicles. A safety vest will be worn at all times when out at the scene of a collision.

(Code 1986, § 9-146; Ord. No. 07-711, 10-9-2007; Ord. No. 10-826, 4-13-2010; Ord. No. 16-1032, 11-1-2016)

Sec. 16-2467. Inspections.

The applicant will agree to permit periodic inspections by the Chief of Police or his designee to assure that all criteria of this article are met.

(Code 1986, § 9-147; Ord. No. 07-711, 10-9-2007)

Sec. 16-2478. Regulations governing towing/wrecker operations.

- (a) *Driver's license.* Any individual operating a towing/wrecker must have in his possession a valid Class A, B or C driver's license applicable to the truck weight plus the weight of the vehicle being towed based on the requirements set out by Nc statute 20-37.10. ~~and meet the minimum age requirements set by North Carolina general statute~~ ~~must be 18 years of age or older.~~
- (b) *Registration plate.* Each wrecker vehicle must conform to G.S. 20-50 or 20-79 in that each wrecker is required to have a proper registration plate. No dealers' plates may be displayed on wreckers.
- (c) *Applicant's name on both sides of vehicle; cleanup.* All wreckers must have the name of the towing service (applicant) clearly printed on both sides of the wrecker. The wrecker operator or driver will be responsible for clearing debris from the street or highway. This not only means large obstacles but also glass and small fragments. Wreckers must be at the scene within 30 minutes from the time called.
- (d) *Chasing or running wrecks.* Wreckers are specifically prohibited from chasing or running wrecks or soliciting business at accident scenes.
- (e) *[Forms of payment.]* Tow truck operators and towing companies shall accept all major forms of payment to include, but not limited to cash, and major credit or debit cards.
- (f) *[Receipt.]* The towing or storage firm shall provide a receipt for each payment at the time the payment is made. Each receipt shall be legible and shall contain the following information:
 - (1) The name, address and telephone number of the tow company.
 - (2) Sufficient information to allow the employee who towed the vehicle to be identified.
 - (3) A total fee with a breakdown of towing and storage fees.
 - (4) A clear and accurate reason for the towing and the date and time of the towing. Receipts shall not use descriptions that might cause individuals to associate private property towing with municipal action.
- (g) *[Fee schedule.]* The tow operator must provide a fee schedule to the police department. Any changes in fees must be provided to the police.

(Code 1986, § 9-148; Ord. No. 07-711, 10-9-2007; Ord. No. 10-826, 4-13-2010; Ord. No. 16-1032, 11-1-2016)

Sec. 16-2489. Reserved.

Editor's note(s)—Ord. No. 16-1032, adopted Nov. 1, 2016, repealed § 16-249, which pertained to responsibility for charges and derived from Code 1986, § 9-419; Ord. No. 07-711, adopted Oct. 9, 2007; Ord. No. 09-806, adopted Sept. 8, 2009; and Ord. No. 10-826, adopted April 13, 2010.

Sec. 16-249~~50~~. Reserved.

Editor's note(s)—Ord. No. 16-1032, adopted Nov. 1, 2016, repealed § 16-250, which pertained to Duties and responsibilities of police officers—Wrecker and tow services and derived from Code 1986, § 9-150; Ord. No. 07-711, adopted Oct. 9, 2007; and Ord. No. 10-826, adopted April 13, 2010.

Sec. 16-250~~3~~. Private/Trespass ~~tow~~—towing procedures unauthorized vehicles from private lots.

(a) It shall be unlawful to tow or remove or immobilize, by the use of a wheel lock or other method, a vehicle which is parked on private property without the permission of the owner or lessee of that private property unless the following requirements are met by the towing operator. In the event that a towing operator has the permission to periodically trespass tow vehicles from a private lot by contract or other arrangement, the towing operator shall file a written request or contract from the private property owner with the police department for each property in which they have been given the authority to trespass tow vehicles.

(1) When towing a vehicle pursuant to this article, the tow truck operator who is removing the vehicle shall report by telephone [within 30 minutes of removing the vehicle](#) to the New Hanover County 911 Non-Emergency Dispatch the following minimum information:

- a. Description of the vehicle being towed.
- b. The vehicle license number.
- c. The vehicle identification number.
- d. The date, time and location from which the vehicle was towed.
- e. The location to which the vehicle was towed.

[An additional written report containing the same information shall be emailed to Carolina Beach Police Department.](#) This report to the police department shall be [within 3 hours of the vehicle being towed.\(email and form provided to applicant once approved\)](#) ~~made before the tow truck towing the vehicle leaves the private property from which the vehicle is towed.~~

(2) Notice shall be posted on the private property from which the towing or removal is made. Each towing company shall receive a sign permit from the Police Chief or his designee, at which time, the requirements of the sign standards will be discussed with the applicant and a list of properties shall be identified by the towing company in which they will be performing towing activities. A sign permit is required for each property under contract with the towing company for towing services. Such notice shall fulfill the following requirements:

- a. A notice, in the form of a sign structure, shall be not less than two feet by two feet in size, shall be prominently placed on the private property within 5 feet of all entrances allowing vehicular access to the property and within five feet of the street right-of-way line and shall face the public street. If there are no curb or access barriers, signs shall be posted not less than one sign each 50 feet of the frontage to the public street. The maximum size for any sign shall be four square feet.
- b. The sign structure displaying the required notices shall be permanently installed with the bottom of the sign not less than four feet above ground level and not more than six feet above ground level. Pedestrian safety should be taken into consideration when locating freestanding signs.
- c. The sign structure displaying the required information shall be clearly displayed in letters not less than 1½-inch in height on a contrasting background.

- d. The notice will clearly display the following:
1. The name of the property owner or lessee or individual authorizing the tow,
 2. A statement indicating that parking by unauthorized vehicles is prohibited by the use of the phrase "private parking only", "customer parking only" or "pay for parking only",
 3. A statement indicating that towing will be enforced by the use of the phrase "towing enforced",
 4. A statement of when the parking is restricted or the hours that paid parking is available, and
 5. A statement indicating that all towing expenses will be the responsibility of the vehicle owner by the use of the phrase "at vehicle owners expense",
 6. The name of the towing company, telephone number at which a person available to release the vehicle that has been towed, removed, or immobilized may be contacted at any time,
 7. A statement indicating that town parking passes are not honored in the lot by the use of the phrase "town parking passes are not honored here".
- (3) The vehicle being towed shall be adequately secured prior to towing from the private property. The vehicle shall be towed directly to the impound lot of the tow operator. The staging of vehicles in an unsecured location is prohibited.
- (4) Tow truck operators shall release a vehicle to the vehicle owner when approached by the owner on the private lot from which the vehicle is being towed from or if contact is made with the towing company prior to the owner's vehicle leaving the municipal limits of the town, provided that payment can be made at the time of the drop request.
- (5) Any tow service that is engaged in a trespass tow shall, upon the request of the vehicle operator, permit the vehicle operator to have access to the trespass vehicle for the purpose of retrieving personal property therefrom.
- (6) Vehicle storage charges for vehicles towed from private property shall not be charged until the vehicle has been stored at the premises of the towing company for a minimum of 24 hours, at which time, the standard storage fees for other towed vehicles, as typically charged by that company, shall be permissible and shall not exceed 25 percent of the base towing charge per day following the first 24-hour period.
- (b) *Applicability.* The provisions of this article shall apply to private property used for commercial or residential parking purposes in all areas of the town.
- (c) *Exceptions.* Notwithstanding any other provision of this section, no notice shall be required for the towing or removal or immobilization of a vehicle:
- (1) If the vehicle obstructs adequate ingress and egress;
 - (2) If the vehicle has been left on the private property for a period of time greater than 48 hours; or
 - (3) If the vehicle is being removed pursuant to the direction of a law enforcement officer or the Town Manager or designee in accordance with the provisions of this Code or state law.

(Code 1986, § 9-153; Ord. No. 07-689, 6-12-2007; Ord. No. 07-711, 10-9-2007; Ord. No. 09-806, 9-8-2009; Ord. No. 16-1032, 11-1-2016)

Sec. 16-25144. Private Property/trespass towing availability and storage requirements; location and towing.

- (a) The applicant shall provide continuous 24-hour on-duty or on-call service at all times for the purpose of receiving and releasing vehicles. ~~The person on call shall be capable of acknowledging requests to retrieve a towed vehicle within 15 minutes of receiving such request, and of releasing said vehicle. Any towed vehicle shall be released~~ within 45 minutes of receiving the release request.
- ~~(b) The applicant must at his garage, or in its immediate vicinity, provide sufficient fenced storage space with security lights to protect vehicles from break-ins, theft, and damage. for storage of vehicles and indoor storage for motorcycles.~~
- (c) Towing garages ~~firms~~ and wreckers must be located within New Hanover County.
- (c) In no case shall a vehicle be towed outside New Hanover County or its extra-territorial jurisdiction without prior consent of the vehicle owner or operator.
- (d) If any vehicle is removed pursuant to this section and there is a place of storage within 15 miles, the vehicle shall not be transported for storage more than 15 miles from the place of removal. For all other vehicles, the vehicle shall not be transported for storage more than 25 miles from the place of removal. ~~The vehicle shall be secured and lighted in such a manner as to keep the vehicle safe from break-ins or damage while in storage. A fenced storage yard with average surface level lighting of two foot candles shall be deemed compliant with this section.~~

(Code 1986, § 9-144; Ord. No. 07-711, 10-9-2007; Ord. No. 16-1032, 11-1-2016)

Sec. 16-2521. Police impoundments—Towing of vehicles from town right-of-way or public property.

If a vehicle is being removed pursuant to the direction of a law enforcement officer or the Town Manager or his designee in accordance with the provisions of this Code or applies to towing pursuant to G.S. 115C-46(d) or G.S. 143-340(19) then it is deemed a public health or safety threat and authorized as a police impoundment.

(Ord. No. 16-1032, 11-1-2016)

Editor's note(s)—Ord. No. 16-1032, adopted Nov. 1, 2016, repealed the former § 16-251 and enacted a new § 16-251 as set out herein. The former § 16-251 pertained to Duties and responsibilities of police officers—Impoundments and derived from Code 1986, § 9-151 and Ord. No. 07-711, adopted Oct. 9, 2007.

~~**Sec. 16-2532. Duties and responsibilities of wrecker garages firms providing towing for impoundment purposes.**~~

~~Any individual or wrecker firm (applicant) providing impoundment services for the town under this chapter will execute a wrecker service application/agreement with the following additional requirements:~~

- ~~(1)—The applicant will agree to work closely and cooperatively with the town police department, and if error is made in the impoundment of a vehicle, to promptly release such vehicle at the order of the police department without financial liability to either the individual vehicle owner or the town.~~
- ~~(2)—If an owner of a stored vehicle requests a hearing by a magistrate, and the magistrate does not find probable cause for the vehicle to be stored, the towing firm must release the vehicle to the owner or person in charge of possession of the stored vehicle without any financial liability to the officer or the town or the owner or legal possessor of the vehicle.~~

~~(3) Any vehicle seized by the police department as evidence in a crime scene shall be towed to the town storage lot. The towing firm shall release any vehicle that is awarded to the police department by the courts without any financial liability to the police department or the town.~~

~~(Code 1986, § 9-152; Ord. No. 07-711, 10-9-2007; Ord. No. 10-826, 4-13-2010; Ord. No. 16-1032, 11-1-2016)~~

Sec. 16-254 Duties and Requirements for Police Department Eligible List Towing Service Companies.

The Chief of Police shall prepare a policy and maintain an eligible list of those persons, firms, or corporations (hereinafter called garages) having businesses in the town who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department.

Sec. 16-255. To Qualify for the Police Department Eligible List the Applicant Shall:

(1) Have a garage located within New Hanover County and located three miles from the Town of Carolina Beach town limits that provides sufficient fenced storage space with security lighting to protect vehicles from break-ins, theft, and damage.

(3) Have available at all times the required equipment in good working condition capable of towing the type of automobile or truck, requested to be towed. If for some reason the tow company called is unable to perform the tow request the next person on the approved eligible list will be called. If there is no one on the eligible list that can perform the towing service requested, it will be up to the acting supervisor by the need of necessity to coordinate with New Hanover County dispatch to facilitate the towing request.

(4) Agree to remove from the scene of a motor vehicle accident in which the vehicle to be towed was involved all glass, metal, or debris caused by the accident.

(5) Agree to work closely and cooperatively with the town police department, and if error is made in the impoundment of a vehicle, to promptly release such vehicle at the order of the police department without financial liability to either the individual vehicle owner or the town.

(6) Take the appropriate precautions to protect damaged vehicles from the exposure of weather elements to prevent further damage.

(7) Agree to promptly tow and store all vehicles to be removed from the public streets or other public places or private property upon request of the police department.

(8) Agree to issue a receipt to the police department for each vehicle towed and stored and keep the vehicle until its release is authorized by the police department.

(9) Agree to collect towing and storage fees, from the owner of the vehicle or by the sale of the vehicle without recourse on the town.

(10) Agree to pay all damages to vehicles entrusted to his custody as the result of his negligence and to maintain, for the protection of the vehicle owners, garage keepers' legal liability insurance of not less than \$5,000.00 while performing any of the services provided for in this section.

(11) If an owner of a stored vehicle requests a hearing by a magistrate, and the magistrate does not find probable cause for the vehicle to be stored, the towing firm must release the vehicle to the owner or person in charge of possession of the stored vehicle without any financial liability to the officer or the town or the owner or legal possessor of the vehicle.

(12) Any vehicle seized by the police department as evidence in a crime scene shall be towed to the town storage lot. The towing firm shall release any vehicle that is awarded to the police department by the courts without any financial liability to the police department or the town.

(Code 1986, § 9-152; Ord. No. 07-711, 10-9-2007; Ord. No. 10-826, 4-13-2010; Ord. No. 16-1032, 11-1-2016)

Ordinance 24-1242

Town of Carolina Beach
Town Council

Sec. 16-~~245~~ 256. Liability; insurance.

The applicant shall assume all liability and shall indemnify and save the town harmless from such liability for damages sustained by vehicles while being towed or stored and for all personal injuries occurring to any of the applicant's employees and other persons and maintain a minimum of \$45,000.00, or other amount as determined by the Chief of Police, liability insurance to cover damage, personal injury, or loss of property while the vehicles are in the applicant firm's custody.

(Code 1986, § 9-145; Ord. No. 07-711, 10-9-2007; Ord. No. 16-1032 , 11-1-2016)

Sec. 16-2574. Penalty.

- (a) Any violation of the provisions of this article or a failure to comply with any of its requirements shall subject the offender to a civil penalty pursuant to the town's annually adopted rate and fee schedule.
- (b) This article may also be enforced by an appropriate equitable action.
- (c) Any violation of the provisions of this article shall be a misdemeanor punishable as provided by G.S. 14-4.
- (d) Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this article.

(Code 1986, § 9-154; Ord. No. 09-806, 9-8-2009; Ord. No. 16-1032, 11-1-2016)

Adopted this 10th day of December, 2024.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk



AN ORDINANCE TO

Repeal Sec 18-78, 18-79 & 18-80

Chapter 18 - OFFENSES

~~Sec. 18-78. Vehicle towing and storage—Police department eligible list.~~

- ~~(a) The Chief of Police shall prepare and maintain an eligible list of those persons, firms, or corporations (hereinafter called garages) having businesses in the town who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department. To qualify for the eligible list the applicant must:~~
- ~~(1) Have available at all times equipment in good condition capable of towing any automobile or truck, regardless of size or weight, from the streets and other public or private places in the town when called to do so;~~
 - ~~(2) At or in the immediate vicinity of his garage, have sufficient storage space and facilities to protect from the elements vehicles damaged by exposure and a sufficient amount of additional storage space to store undamaged vehicles.~~
- ~~(b) The applicant must agree to assume the following obligations:~~
- ~~(1) To promptly tow and store all vehicles to be removed from the public streets or other public places or private property upon request of the police department;~~
 - ~~(2) To issue a receipt to the police department for each vehicle towed and stored and keep the vehicle until its release is authorized by the police department;~~
 - ~~(3) To store damaged automobiles in such manner as to secure their protection against further damage by the elements;~~
 - ~~(4) To collect towing and storage fees, from the owner of the vehicle or by the sale of the vehicle without recourse on the town;~~
 - ~~(5) To pay all damages to vehicles entrusted to his custody as the result of his negligence and to maintain, for the protection of the vehicle owners, garage keepers' legal liability insurance of not less than \$5,000.00 while performing any of the services provided for in this section;~~
 - ~~(6) To remove from the scene of a motor vehicle accident in which the vehicle to be towed was involved all glass, metal, or debris caused by the accident.~~

~~(Code 1977, § 8-3005; Code 1986, § 10-46)~~

~~Sec. 18-79. Same—Payment of charges; release of vehicles.~~

~~All towing, storage, advertising, and other charges incurred in connection with an impounded vehicle shall constitute a lien upon such vehicle, and no stored vehicle shall be released until all such charges have been paid to the Finance Officer of the town or to the owner of the garage where the impounded vehicle is stored.~~

~~(Code 1977, § 8-3006; Code 1986, § 10-47)~~

~~Sec. 18-80. Same—Exclusive contracts with town.~~

~~(a) Notwithstanding the provisions of this article, the town council may, if in its opinion the public interest would be served thereby, enter into an exclusive contract with one or more persons engaged in the towing and storage of motor vehicles, to remove the vehicles described in this article from the public streets and alleys and other public places under the control of the town on such terms and conditions as may be mutually agreed upon.~~

~~(b) The contract so made shall be in writing, shall specify the charges to be made for towing and storage, and shall require the person entering into the contract for the towing and storage of such vehicles to perform the service in a manner satisfactory to the town council and shall provide for the forfeiture of the contract in the event of a violation of any provisions of the contract or of any section of this article which may be incorporated in and made a part of the contract. The contract shall further provide that the town shall not be obligated to the person undertaking the towing and storage of such vehicles for any damages or charges which may be incurred in the performance of the obligation assumed by him but that the charge shall be collected solely from the owner of the vehicle involved.~~

~~(Code 1977, § 8-3010; Code 1986, § 10-48)~~

Adopted this 10th day of December, 2024.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk

Ordinance 24-1243

Town of Carolina Beach
Town Council

Chapter 16

ARTICLE VII. - WRECKER/TOWING SERVICES AND IMPOUNDMENT



Item 10.

Sec. 16-239. - Findings and intent.



- (a) The Town Council of the town has a significant governmental interest in protecting the health, safety, and welfare of the general public and preserving the public order.
- (b) North Carolina General Statute 160A-174 allows a town by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the Town.
- (c) Some practices related to the non-consensual towing of motor vehicles from private property have resulted in the public and members of the towing industry being exposed to harm.
- (d) The Carolina Beach Town Council desires to minimize and control the harmful and adverse effects that occur during the non-consensual towing of motor vehicles.

(Ord. No. [16-1032](#), 11-1-2016)

Chapter 18

Sec. 18-78. - Vehicle towing and storage—Police department eligible list.



- (a) The Chief of Police shall prepare and maintain an eligible list of those persons, firms, or corporations (hereinafter called garages) having businesses in the town who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the town at the request of the police department. To qualify for the eligible list the applicant must:
 - (1) Have available at all times equipment in good condition capable of towing any automobile or truck, regardless of size or weight, from the streets and other public or private places in the town when called to do so;
 - (2) At or in the immediate vicinity of his garage, have sufficient storage space and facilities to protect from the elements vehicles damaged by exposure and a sufficient amount of additional storage space to store undamaged vehicles.
- (b) The applicant must agree to assume the following obligations:
 - (1) To promptly tow and store all vehicles to be removed from the public streets or other public places or private property upon request of the police department;
 - (2) To issue a receipt to the police department for each vehicle towed and stored and keep the vehicle until its release is authorized by the police department;
 - (3) To store damaged automobiles in such manner as to secure their protection against further damage by the elements;
 - (4) To collect towing and storage fees, from the owner of the vehicle or by the sale of the vehicle without recourse on the town;
 - (5) To pay all damages to vehicles entrusted to his custody as the result of his negligence and to maintain, for the protection of the vehicle owners, garage keepers' legal liability insurance of not less than \$5,000.00 while performing any of the services provided for in this section;
 - (6) To remove from the scene of a motor vehicle accident in which the vehicle to be towed was involved all glass, metal, or debris caused by the accident.

(Code 1977, § 8-3005; Code 1986, § 10-46)

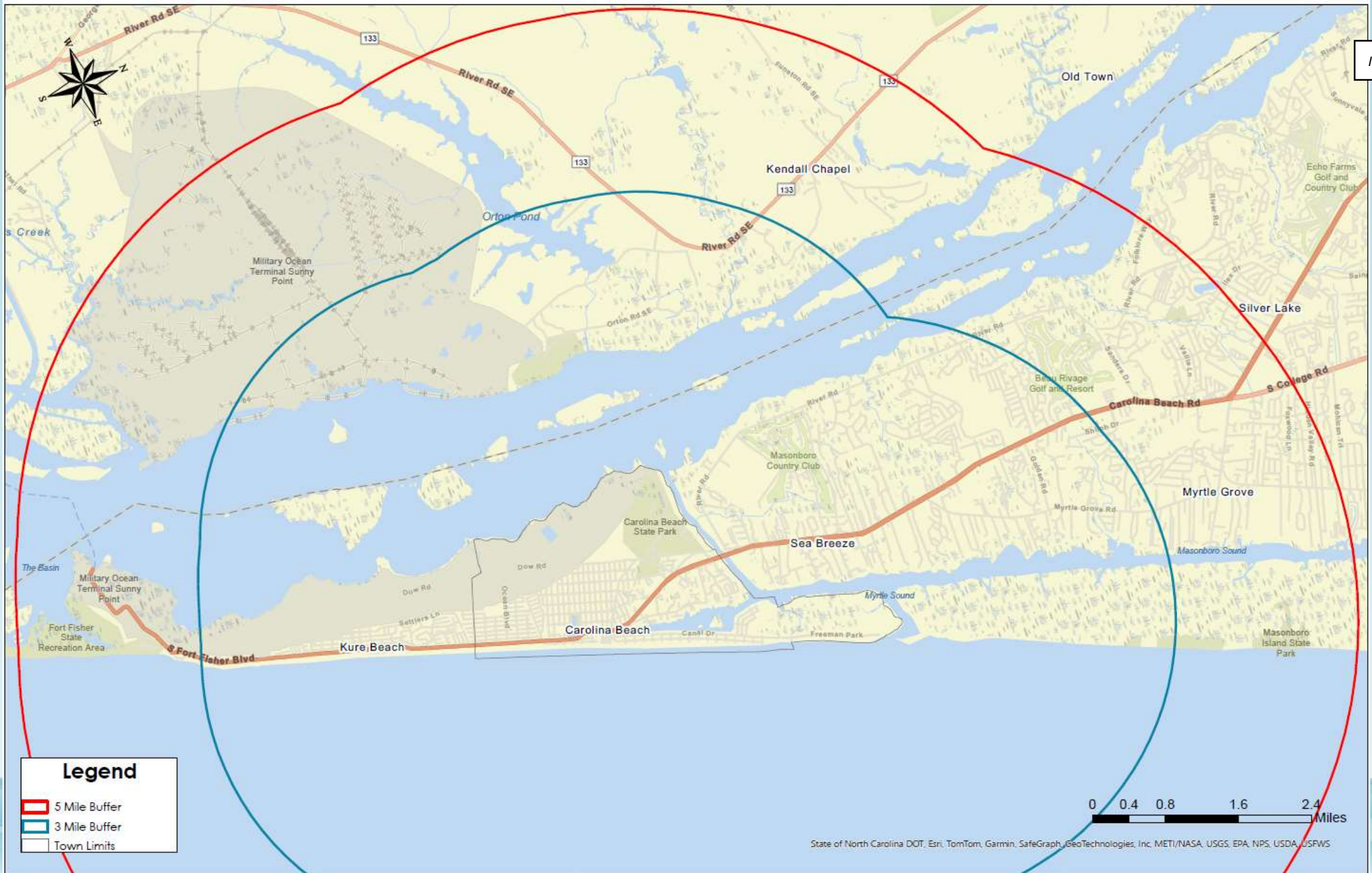
The following is an overview for discussion on changes to the proposed towing regulations.

Organized the ordinance based on.

1. Regulations that apply to all towing/wrecker operators
2. Regulations that apply to private/trespass towing procedures
3. Regulations for operators providing towing for public property/impoundment purposes.

To address

- Combined Article VII. - Wrecker/towing services and impoundment and Sec. 18-78. - Vehicle towing and storage—Police department eligible list.
- Changed age of Individual operating a towing/wrecker consistent with state statute.
- Clarified policy for the police eligibility list.
- Changed from towing any automobile or truck regardless of size or weight **to** capable of towing the type of automobile or truck requested to be towed.
- Changed from to have facilities to protect from the elements vehicles damaged by exposure **to** take the appropriate precautions to protect damaged vehicles from the exposure of weather elements and have sufficient fenced storage space with security lighting to protect vehicles from break-ins, theft, and damage.
- Added to rates and fee schedule a \$200 towing/wrecker application fee and approval process.
- Change from having a garage located for police impoundment within the Town of Carolina Beach **to** within New Hanover County located three miles from the Town of Carolina Beach town limits.



Legend

- 5 Mile Buffer
- 3 Mile Buffer
- Town Limits



ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend

- Ordinance # 24-1241 the rates and fees schedule.
- Ordinance # 24-1242 Article VII wrecker towing services and impoundment
- Ordinance # 24-1243 repeal Vehicle towing and storage- Police department eligible list, Sec 18-78- Sec 18-79 and Sec 18-80.

Denial – to amend

- Ordinance # 24-1241 the rates and fees schedule.
- Ordinance # 24-1242 Article VII wrecker towing services and impoundment
- Ordinance # 24-1243 repeal Vehicle towing and storage- Polic department eligible list, Sec 18-78- Sec 18-79 and Sec 18-80.



AGENDA ITEM COVERSHEET

PREPARED BY: Alan Griffin, Fire Chief

DEPARTMENT: Fire

MEETING: Town Council Meeting 12/10/2024

SUBJECT: Consider Entering into a Contract with Atlantic Coast Fire Trucks for the Replacement of Engine 21

BACKGROUND:

NFPA Recommendations for Fire Apparatus Lifespan:

The National Fire Protection Association (NFPA) recommends that a fire engine should be in front-line service for 10 years. After this period, the engine should transition to reserve status where it serves as a backup or is used less frequently. Retirement from the fleet is recommended after 20 years of service, as modern fire apparatuses are often equipped with advanced technology and features that make them more effective, and older vehicles may face reliability and safety concerns.

Current Status of Engines:

Engine 22 is a 2016 and is currently our first out apparatus. It will be at the end of its front-line status when the new engine arrives.

Engine 21 is a 2003 model, which means it is currently 21 years old as of 2024.

Based on the NFPA's recommendations, Engine 21 is at the end of its service life, and should be considered for replacement.

Current Build-Out Time for a Fire Engine:

It currently takes about 2 years to build a new fire engine. If we were to enter into a contract, the new engine would likely not be available until 2026 (assuming the build process starts now in 2024).

Projected price increases for 2025:

Current EPA changes in motors will create a price increase estimated at \$58,000 if we cannot meet the window of the current motor availability.

Projected price increase of 4.5% for 2025 effective January 01, 2025.

ACTION:

Motion to approve Chief Griffin's request to enter into a contract with Atlantic Coast Fire Trucks for the replacement of Engine 21, as presented. This contract will allow for the procurement of a new fire engine to replace Engine 21, ensuring continued safety and operational efficiency for our department.