

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, March 08, 2022 – 6:00 PM

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



AGENDA

CALL TO ORDER WITH INVOCATION GIVEN BY PASTOR SHAWN BLACKWELDER WITH ST PAUL'S UNITED METHODIST CHURCH, FOLLOWED BY THE PLEDGE OF ALLEGIANCE

ADOPT THE AGENDA

CONSENT AGENDA

1. Set Public Hearing for April 12, 2022 to receive public input on the 2022/2023 budget
2. Set a public hearing for April 12, 2022 for a Text Amendment – to amend:

Chapter 40 Sec 40-70 & 72, add multi-family uses to the Neighborhood Business (NB) zoning district with reduced setbacks.

Chapter 40 Sec 40-74, increase the density in Neighborhood Business (NB) zoning district.

Chapter 40 Sec 40-72, allow parking areas serving the use to be located in a different zoning district. Applicant: Hamby Beach Properties, LLC
3. Set a public hearing for April 12th, 2022 for a Text Amendment to amend Chapter 40, Sec. 40-394. Zoning and Site Plan Approvals to provide proposed water usage data for multi-family projects.
4. Set a public hearing for April 12th, 2022 for a Text Amendment to amend Chapter 40, Sec. 40-487. Planning and Zoning Commission to amend the meeting time from 6:30pm to 6:00pm.
5. Budget Amendments/Transfers
6. Approval of Minutes from January 25 and February 8

SPECIAL PRESENTATIONS

7. Presentation by the Friends of CB Parks and Greenways
8. Events Update by Tim Murphy
9. 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 - POSTPONED TO 4/12/2022

- [10.](#) Public Hearing on Non-Profit Funding Requests

ITEMS OF BUSINESS

- [11.](#) 2022 Lifeguard Season Discussion
- [12.](#) Adopt a certificate of Municipal Declaration to decrease the speed limit on N. Lake Park Blvd.
Applicant: Town of Carolina Beach
- [13.](#) Marina Budget, Reimbursement Resolution, and Entering into a Contract for Construction
- [14.](#) Parking Discussion

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 3/8/2022

SUBJECT: Set Public Hearing for April 12, 2022 to receive public input on the 2022/2023 budget

BACKGROUND:

Council will receive input from the public on the FY22/23 budget at the April 12, 2022 Council meeting.

ACTION REQUESTED:

Approve setting the public hearing date for April 12, 2022

RECOMMENDED MOTION:

Motion to approve setting the public hearing date for April 12, 2022.



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planning Director **DEPARTMENT:** Planning

MEETING: Town Council – March 8, 2022

SUBJECT: Set a public hearing for April 12, 2022 for a Text Amendment – to amend:

- 1) Chapter 40 Sec 40-70 & 72, add multi-family uses to the Neighborhood Business (NB) zoning district with reduced setbacks.
- 2) Chapter 40 Sec 40-74, increase the density in Neighborhood Business (NB) zoning district.
- 3) Chapter 40 Sec 40-72, allow parking areas serving the use to be located in a different zoning district. Applicant: Hamby Beach Properties, LLC

BACKGROUND:

ACTION REQUESTED

Set public hearing for April 12, 2022

RECOMMENDED MOTION:

Approve consent agenda



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning

MEETING: Town Council – 8 MARCH 2022

SUBJECT: Set a public hearing for April 12th, 2022 for a Text Amendment to amend Chapter 40, Sec. 40-394. Zoning and Site Plan Approvals to provide proposed water usage data for multi-family projects.

BACKGROUND:

Set a public hearing for April 12, 2022.

ACTION REQUESTED:

Review meeting dates and times.

RECOMMENDED MOTION:

Approve under consent agenda.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning and
Development

MEETING: Town Council – 8 MARCH 2022

SUBJECT: Set a public hearing for April 12th, 2022 for a Text Amendment to amend Chapter 40, Sec. 40-487. Planning and Zoning Commission to amend the meeting time from 6:30pm to 6:00pm.

BACKGROUND:

Set a public hearing for April 12, 2022.

ACTION REQUESTED:

Review meeting dates and times.

RECOMMENDED MOTION:

Approve under consent agenda.



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 3/8/2022

SUBJECT: Budget Amendments/Transfers

BACKGROUND:

I have received several budget amendments and/or transfer requests. As you know, transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the amendments and/or transfers. I have also attached a copy of the supporting documentation for the appropriations.

Appropriations:

Appropriate \$687,953 expense to 10-580-074 Environmental Capital Projects Over \$10,000 and record Truist loan proceeds for HVAC system.

Appropriate \$5,000 donation received to account 10-420-018 Parks & Rec M&O Grounds for two new swings at the Lake Park.

Appropriate \$200 donation from citizens to account 10-510-014 Police Travel & Training to furnish meals/snacks for offices.

Appropriate \$12,150 Recycling Receptacle Grant to account 10-580-018 Environmental M&O Grounds to cover cost of receptacles for Beach Strand.

Transfers:

Transfer \$52,377.60 from account 27-003-090 Marina Phase III Contingency to account 27-003-046 Marina Phase III Professional Services to cover cost of additional engineering of Marina Project.

Transfer \$7,150 from account 10-630-056 Beach Maintenance to account 10-630-074 Beach Maintenance Capital Project Over \$10,000 to cover cost associated with the Freeman Park Loan.

Transfer \$80,000 from account 30-812-045 Water Contract Services to account 30-812-020 Water Infrastructure to cover increase cost of materials for water meters and MTU's.

ACTION REQUESTED:

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

Lynn Barbee
Mayor

Joe Benson
Council Member

Deb LeCompte
Council Member



Jay H. Item 5.
Mayor Pro Tem

Mike Hoffer
Council Member

Bruce Oakley
Town Manager

Town of Carolina Beach
1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
Tel: (910) 458-2999
Fax: (910) 458-2997

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

From: Eric Jelinski, Parks and Recreation Director

Date: 2/24/22

Re: Budget Transfer

I am requesting the below budget transfer for the FY 21/22 Parks and Recreation Department budget. If you have any questions regarding the below transfers, please let me know.

Account	Amount	Transfer to Account	Reason
General Fund	\$5,000	10-620-018	We received donations for two new swings at Lake Park. The funds were deposited into the General Fund and we are requesting to reallocate to the Parks and Rec. budget to purchase the swings.



CAROLINA BEACH POLICE DEPARTMENT



Chief Vic Ward

To: Debbie Hall, Finance Director

From: Vic Ward, Chief of Police *VW*

Date: 02/01/2022

Re: Budget Transfer Request

The Police Department is requesting the transfer of \$200.00 from line item 10-335-000 Miscellaneous Revenue to line item 10-510-014 Travel & Training. Two donations of \$100 each were made from citizens with specific instructions to use the funds for meals/snacks for officers. The end-of-season, pre-season, and pre-parade departmental meetings are budgeted under 10-510-014 and include a meal. The donated funds will be appropriated toward the purchase of food items for those meetings. Backup documentation is attached.

\$200.00

From 10-335-000 Miscellaneous Revenue

To 10-510-014 Travel & Training

Thank you.

C.V. Ward

Payment Transaction Query Detail

Town of Carolina Beach

Date: 2/1/2022

Operator: DEX

Transaction Date: 1/7/2022

Customer Name: JEANETTE NELSON

Tendered: Check

Account Number: N/A

Payment Source: Miscellaneous Payments

Transaction Amount: \$100.00

Receipt Number: 385840

Change: \$0.00

Entry Operator: 48

Description PD DONATION

Revenues	Quantity	Total
MISCELLANEOUS	1	\$100.00

Payment Transaction Query Detail

Town of Carolina Beach

Date: 2/1/2022

Operator: DEX

Transaction Date: 1/7/2022

Customer Name: BETH COCHRAN

Tendered: Cash & Check

Account Number: N/A

Payment Source: Miscellaneous Payments

Transaction Amount: \$100.00

Receipt Number: 385841

Change: \$0.00

Entry Operator: 48

Description PD DONATION CHK#4356

Revenues	Quantity	Total
MISCELLANEOUS	1	\$100.00

From: Debbie Hall
Sent: Friday, February 25, 2022 3:01 PM
To: Brian Stanberry
Cc: Bruce Oakley
Subject: Recycling Grant

Brian,

Per your request, I've added an agenda item on the Budget Amendments/Transfer to appropriate the \$12,150 Recycling Receptacle Grant to account 10-580-018 Environmental M&O Grounds to cover the cost of receptacles for the Beach Strand.

Regards,

Debbie Hall, Finance Director
Town of Carolina Beach
1121 N Lake Park Blvd
Carolina Beach NC 28428
(910) 458-5495
(910) 458-2997 Fax
debbie.hall@carolinabeach.org

Notice: Email correspondence to and from this address is subject to NC Public Records Law and is considered public information.

From: Sheila Nicholson
Sent: Wednesday, February 23, 2022 4:54 PM
To: Debbie Hall
Cc: Bruce Oakley
Subject: Budget transfer request for Marina Project

Debbie
Please transfer \$52,377.60 funds from the 27-003-090 (Contingency) to 27-003-046 (Professional Services) to cover cost of additional invoices on Marina Project.

If you have any questions, just let me know.

Thank you,

Sheila P. Nicholson

Executive Assistant to the Town Manager
Town of Carolina Beach
sheila.nicholson@carolinabeach.org
(910)458-2995

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



Memo

Town of Carolina Beach

To: Bruce Oakley
From: Debbie Hall
CC:
Date: 2/25/2022
Re: Budget Transfer

Comments: We need to transfer \$7,150 from account 10-630-056 Beach Maintenance to account 10-630-074 Beach Maintenance Capital Project Over \$10,000 to cover cost associated with the Freeman Park Loan.

Lynn Barbee
Mayor

Joe Benson
Council Member

Deb LeCompte
Council Member



Jay H Item 5.
Mayor Pro Tem

Mike Hoffer
Council Member

Bruce Oakley
Town Manager

Town of Carolina Beach
1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
Tel: (910) 458-2999
Fax: (910) 458-2997

BUDGET TRANSFER REQUEST

To: Debbie Hall, Finance Director

From: Mark Meyer, Public Utilities Director

Re: Budget transfer

Date: February 28, 2022

Budget transfer amount: \$ 80,000.00

From: 30-812-045 (Contract Services) \$ 80,000.00

To: 30-812-020 (Infrastructure)

Explanation: To cover increase of materials water meters and MTU's for increase of building and Suez project.

Mark Meyer


Director of Public Utilities, Town of Carolina Beach 3/28/22



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council – 3/8/2022

SUBJECT: Approval of Minutes from January 25 and February 8

BACKGROUND:

Attached are the meeting minutes from January 25 and February 8, 2022

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Workshop

Tuesday, January 25, 2022 - 3:30 PM

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



MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 3:30 PM.

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

Council Member Deb LeCompte

ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

DISCUSSION ITEMS

1. Employee Recognition

Planning Director Jeremy Hardison introduced new Planner Haley Moccia.

2. Committee Presentations

Council-appointed committees gave presentations for 2022. Mayor Barbee gave some history about the operation of committees. He said the presentations are the result of an effort to help the groups become more efficient and transparent.

Assistant Town Manager Ed Parvin said making sure committees were heading in the right direction has been a significant challenge. He said the code governing them was outdated, so the goal is to get everybody back on track and facilitate flexibility and better communication.

Lynn Conto of the Police Advisory Committee reported the group's proposed mission, proposed vision statement, goals for 2022, future goals, and 2022 meeting calendar. She said the committee is a volunteer group that brings together the community and Police personnel to exchange ideas, promote public safety, and assist in educating our community for a better understanding of the respective responsibilities of our Police and citizens.

Council Member Hoffer said he has no constructive criticism for the Police Advisory Committee because what and who it is seems to be straightforward.

Council Member LeCompte said there was some concern about people thinking the Police Advisory Committee is policy-driven rather than an advocacy/liaison group. She said the committee does not tell the Police Chief how to run the Police Department but instead helps to facilitate the department's face to the community.

Mayor Barbee noted the amount of interest in serving on the Police Advisory Committee. Council Member LeCompte said if there are only 8 members currently, the committee may want to add a standing member so there is an odd number. She said she will take this to the February meeting and ask the members how they feel about it and bring the issue back to Council.

Cindy Dunn of the Beautification Committee reported the group's history, mission, vision, and 2022 goals. She said the committee serves to enhance the quality of life in our community through the planning and management of the Town's municipal valuable landscape and public open space assets. Ms. Dunn said the committee's goals involve community appearance, development of a master beautification plan, and creation of an awards program for businesses.

Mayor Pro Tem Healy said the Beautification Committee started as ad hoc but later became a standing committee. He said the members are hands-on, often using rakes, shovels, and elbow grease to complete projects.

Mayor Barbee said he thinks the mission and vision for each committee should be reviewed by Town Attorney Noel Fox so she can give feedback.

Ricky Niec of the Bike/Pedestrian Committee reported the group's mission statement and goals for 2022. He said the committee, which began in June 2018, is requesting that Council change it from ad hoc to standing.

Town Manager Bruce Oakley explained that an ad hoc committee is purpose-driven with a single task, such as creating a master plan, but since then the committee has gone beyond that goal to tackle various ongoing efforts.

ACTION: Motion to convert the current ad hoc Bike/Pedestrian Committee and all their members to a standing committee

Motion made by Council Member Hoffer

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

Motion passed unanimously

Mr. Niec said the remaining 2022 goals involve working with the Town and other entities to complete projects. Mayor Barbee said committees don't work with Town staff but instead make recommendations to Council. Mr. Niec said he will change the wording of the goals to reflect this.

Mr. Niec said some committee items are unbudgeted and asked if the committee should bring these requests through Council Member Hoffer, the committee liaison. Mayor Barbee said yes.

Council Member LeCompte gave a quick report on the Centennial Committee, which followed a more detailed presentation by Maureen Lewis at Council's January meeting. The mission of the committee is to honor the past and present of Carolina Beach and inspire its continued growth and prosperity into the next century. Council Member LeCompte also reviewed the committee's 2022 goals.

Mayor Barbee said it was a mistake to not record the Centennial Committee meetings because he learned so much from them. Council Member LeCompte said Elaine Henson of the Federal Point Historic Preservation Society is part of the committee and starts each meeting with a 15- to 20-minute presentation on the history of Carolina Beach.

Council Member LeCompte said any money requested by the Centennial Committee would be in the 2024-2025 budget season.

Duke Hagestrom of the Parks and Recreation Committee reported the group's mission, vision, and membership. He said the committee creates community through people, parks, and programs. Mr. Hagestrom said because the committee works so closely with one Town department, budget questions are straightforward. He also reviewed 2021 accomplishments, the focus for 2022, the master plan, and projects that look to the future.

Council Member Benson said the Town may hear from Military Ocean Terminal Sunny Point (MOTSU) soon about where they stand on a land transfer. Mr. Parvin said on or around January 28, MOTSU plans to give the Town direction on whether MOTSU will move forward with opportunities for that type of activity to occur, so the Town is hoping for good news. He said even if MOTSU says yes, it will still be years before easements are put in place.

Council Member LeCompte said quality of life starts with Parks and Recreation offerings, which are a huge asset to this island. Mr. Hagestrom credited passionate volunteers for their efforts.

Mayor Pro Tem Healy said the Parks and Recreation master plan relies on the lake dredge, so it will be great to see those two pieces come together and work out.

Paul Levy of the Operations Advisory Committee reported the group's vision, mission, goals, and measures. He said the committee supports balancing our unique coastal attributes and a healthy ecosystem through forward thinking and sustainable services that connect families, businesses, and visitors.

Mayor Barbee said most of the communication Council receives from the public involves Operations issues, and usually a simple answer is sufficient to alleviate concerns. He asked Mr. Levy if committee members see themselves as being a liaison to offer education to the community. Mr. Levy said a Town Public Information Officer (PIO), which the committee is advocating for as one of its goals, would be helpful to communicate Operations needs, goals, progress, and rationale to the community. Mayor

Barbee said Council Members have discussed creating a Town PIO position, but advocating for it and finding it in the budget are two different things, so this should be a healthy discussion during budget proceedings. He said the Town should develop champions outside of Council and staff. Mr. Levy said the Town needs more organized information.

Also among the goals for the Operations Advisory Committee is advocating for the development of a multi-modal transportation plan (MMTP). Mr. Levy said the committee is in favor of an MMTP because it ties into the group's vision and mission. He said the committee's concern is that demand will overwhelm the Town under current transportation and parking models, so an MMTP can be a roadmap to help solve issues.

Butch LeCompte, also of the Operations Advisory Committee, gave more details about the proposed MMTP, including a review of common issues shared by successful communities that experience rapid growth and popularity. He said the proposed MMTP, dubbed Carolina Beach in Motion, focuses on reducing congestion, increasing safety everywhere, and encouraging all types of mobility. Mr. LeCompte shared research the committee did on how other coastal municipalities across the country dealt with growth from 2010 to 2020. He said the committee is asking Council to approve moving forward with an MMTP.

Council Member Benson said the Town would typically pay a lot for the information compiled and presented by the committee, so he thanked the members for their volunteer work.

Mayor Barbee said he hopes any of the committee items with budgetary impact will come up in Council budget sessions later in the week. He said the goal of these sessions is prioritization and focus.

Mayor Barbee asked Mr. Oakley to reach out to the Town Manager in Nags Head.

Council Member LeCompte said an MMTP was mentioned multiple times in the Land Use Plan, so it's part of the vision brought forward when the plan was adopted in 2020.

Mr. LeCompte asked if Council would make a motion to approve an MMTP. Council Members indicated they were not yet ready to move forward with this, so there was no motion.

3. Adopt a Resolution Supporting Financial Obligations Associated with the Marina Bulkhead

Mr. Parvin said the marina bulkhead project is out to bid now, and while Council received Golden Leaf Foundation grant funding of over \$2 million for the project, the total cost estimate is over \$3 million, leaving a shortfall of over \$1 million. He said Council needs to pass a resolution that the Town commits to funding the full project, whether it comes from loans, room occupancy tax funds, the budget, or other means.

Mr. Oakley said the Town can do some value engineering to get the cost down, but it won't change significantly.

Mayor Barbee asked Mr. Oakley where he thinks the Town will get the shortfall. Mr. Oakley said American Rescue Plan funds are a possibility for completing the project. Mayor Barbee said he doesn't want this to result in increased property taxes.

ACTION: Motion to approve Ordinance 22-1168, an ordinance supporting financial obligations associated with the marina bulkhead

Motion made by Mayor Barbee

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

Motion passed unanimously

ACTION: Motion to approve Resolution 22-2251, a resolution supporting financial obligations associated with the marina bulkhead

Motion made by Mayor Barbee

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

Motion passed unanimously

4. Appoint Alternate Representative to the Wilmington MPO

Mayor Barbee, who is the Council representative to the Wilmington Urban Area Metropolitan Planning Organization (WMPO), said he recently found out Council may appoint an alternate representative who can vote in his place if he's unavailable.

ACTION: Motion to nominate Council Member LeCompte as the alternate

Motion made by Council Member Benson

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

Motion passed unanimously

5. Discuss Agenda Items for February Council Meeting

Council discussed items for the February meeting agenda. Mayor Barbee said the purpose is to give staff direction and more time to be prepared.

Mayor Barbee said with the season starting in March, he would like to see Operations do a readiness review of maintenance items around the Boardwalk.

Mayor Barbee and Council Member LeCompte also brought up some parking inventory issues, and Mayor Barbee said if taking care of these requires changes to rules then this should be done soon.

Council Member LeCompte said the porta-potties at beach accesses look awful. Mr. Oakley said he doesn't know the history of these. Mayor Barbee suggested he talk to staff about why they are there and said if staff wants to get rid of them, then come back to Council for approval if it's needed.

Council Member LeCompte asked if the Tennessee Avenue handicapped beach access is waiting for beach nourishment. Mr. Oakley said yes.

Mayor Barbee said if there is still work to be done on beach access damage from the spring tide event, that should be added to the readiness plan.

Council Member LeCompte asked if there is a date for beach nourishment. Mr. Parvin said there is not a specific date yet, but it should be late February/early March.

Mayor Barbee said the last time beach nourishment was done, there was some public education. Council Member Benson gave some details about what happened in the past and said it would be useful to do something similar again.

Council Member Benson said he would like to hear an update about Public Works Director Brian Stanberry scoping out project costs for mitigating tidal intrusion flooding on Canal Drive street ends.

Council Member Benson said he'd also like a report on the lake dredge and whether the Town has to go back out to bid or if the project scope can be trimmed and sent back to the original bidder.

Mayor Barbee said he'd like a general update on the lake dredge.

Mayor Barbee said it's a good idea for people to learn as much as possible about beach nourishment because it's so complicated. Mr. Parvin said in the past there was a tool that showed specifically when and where work would be done, so advertising that tool would be beneficial.

Council Member Hoffer said he'd like an update on a safe crossing at South Lake Park Boulevard and Spartanburg Avenue. He said he wants to talk to N.C. Department Transportation (DOT) representatives about it and explore requests.

Mayor Barbee said he would like to hear any updates on DOT projects.

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Mayor Barbee

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

Motion passed unanimously

The meeting adjourned at 6:10 PM.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, February 8, 2022 - 6:00 PM

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



MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 6:00 PM, followed by the invocation by Council Member LeCompte and Pledge of Allegiance.

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

Council Member Deb LeCompte

ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

Town Attorney Noel Fox

ADOPT THE AGENDA

Mayor Barbee wanted to make sure everyone knew a closed session was added to the agenda.

ACTION: Motion to adopt the agenda

Motion made by Mayor Barbee

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

Council Member LeCompte

Motion passed unanimously

CONSENT AGENDA

1. Set a public hearing for March 8, 2022 for a Text Amendment – to amend:
Chapter 40 Sec 40-70 & 72, add multi-family uses to the Neighborhood Business (NB) zoning district with reduced setbacks.
Chapter 40 Sec 40-74, increase the density in Neighborhood Business (NB) zoning district.
Chapter 40 Sec 40-72, allow parking areas serving the use to be located in a different zoning district. Applicant: Hamby Beach Properties, LLC
2. Budget Amendments/Transfers
3. Adopt the 2021 Records Retention Schedules for Local Government Agencies
4. Approval of Minutes from January 11, 19, 27, and 28, 2022

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Barbee

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

Motion passed unanimously

SPECIAL PRESENTATIONS

5. Events Update by Tim Murphy

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

- Steve Haydu St. Patrick's Lo Tide Run – March 12
- Boardwalk Blast Fireworks and Music – starts May 27 and continues every Thursday through Labor Day with the exception of holiday shows on July 1 and September 2
- Movies at the Lake – Sundays May 29-September 4
- Family Nights – Tuesdays June 14-August 16
- Boardwalk Bingo – Island Women will run this on Wednesdays; start and end dates to be determined
- Coffee with a Cop – February 9 at Crush and Grind

Dwight Findlay of Superb Soccer, Superb Athletics, and Superb Futbol Club and Ryan Gillespie of Peak Athletics gave a special presentation about the proposed Superb Beach Soccer Tournament May 6-8.

Council Member LeCompte said if the tournament moves forward with one of the options, representatives should meet with Kevin Murphy of Ocean Cure about whether the wheelchair-accessible mats will be out yet and if so, how that will scope out with the courts. Mr. Gillespie said they will do that and talk to business owners that do rentals in the area to ensure there are no negative impacts. He said they are open to any necessary adjustments to ensure a positive experience.

Mayor Barbee said the beach should be a lot wider after the nourishment project, which will be done well before the proposed dates.

Council Member Hoffer said he supports the tournament, and his only suggestion is to spread out fields a little.

Mayor Pro Tem Healy said the closer the tournament is to downtown businesses, the better.

Mayor Barbee said he likes one of the options better than others because it's not in front of residential.

Council Member LeCompte said tournament representatives may want to talk to beach vendors to see how this would impact them.

Mr. Murphy said the Events Committee recommends approval, and the biggest conversation in the meeting was moving the tournament further south where the beach is bigger, and it would be less impactful because there are a lot of events in May and June on that strand.

ACTION: Motion to approve the Beach Soccer Tournament

Motion made by Mayor Barbee

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

Motion passed unanimously

Mayor Pro Tem Healy asked about the Turkey Trot, which may no longer be able to operate in Wrightsville Beach, according to recent news reports. Mr. Murphy said the Wrightsville Beach Board of Aldermen is voting on Thursday whether to continue to allow the event, so Council should wait to see what happens before deciding whether to pursue the event for the Town.

Mayor Pro Tem Healy asked about the fireworks dates. Mr. Murphy said historically the Fourth of July fireworks have been on July 3, which would be a Sunday this year, but they are currently scheduled for July 1, a Friday. He said Council may change this. Mr. Murphy said for large fireworks displays the beach must be cleared starting at 1:00 PM, so the idea was that this would be easier to do on a Friday than a Sunday. He said it would also be cheaper from a staff perspective to have the fireworks on Friday rather than Sunday. The consensus of Council was to leave the date as July 1.

6. Manager's Update

Town Manager Bruce Oakley gave an update on various projects and events:

- Seasonal preparations: Staff is already working on replenishing landscaping areas, cleaning beach accesses, pressure washing sidewalks and the Boardwalk, and maintaining the wooden Boardwalk. Temporary employees will be starting soon.
- Freeman Park passes: The Town will stop selling these on March 1, and only daily passes will be available after that. This is new this year, so there will be continuous reminders for the public.
- Lake Park improvements: Bids for the lake dredge came in way over budget, so staff is working with engineers to rescope the project and come up with alternatives.
- Marina: Staff will open bids Tuesday. This will be a 24-month project, so it may be cumbersome at times. Council Member Benson asked about Carolina Beach Avenue North repaving. Mr. Oakley said the first step is working with the state to get funds, but he doesn't know the timing, although the intent is to try not to do it in peak season.
- Mike Chappell Park restroom: The restroom has been ordered, and delivery and installation are scheduled for late summer.
- Hamlet Ocean Rescue/restroom: This project is well under way and on target, with completion before Easter likely. The parking lot will be resurfaced and resealed.
- Beach nourishment: Work should begin within the next 2 weeks, and when the digital placement tracker is ready there will be a link on the Town website so people can plan beach activities accordingly. There will also be a public education meeting scheduled.

- February 22 workshop: There will be presentations from Wave Transit, the Beautification Committee about Tree City USA, and the Pleasure Island Chamber about the proposed visitors center.

Council Member LeCompte asked if the beach rangers will be back and whether they will be able to write tickets this year. Mr. Oakley said yes, they will be back, and staff is working through the process to make sure they have handheld devices that coordinate with the Police. He said he is not sure if they are sworn officers, so he'll need to check with the Fire Chief.

Mr. Oakley said there is a masquerade ball coming up for lifeguards, and the event has requested a Freeman Park pass to put up for auction. He said this would require Council action.

ACTION: Motion to give the Fire Department a Freeman Park pass

Motion made by Council Member LeCompte

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

Motion passed unanimously

PUBLIC COMMENT

Melanie Boswell of 107 Island Palms Drive asked Council to reconsider year-round paid parking. She requested that the item be put on the March agenda for public discussion and another vote. Mrs. Boswell said year-round paid parking will negatively impact small businesses, and there are other ways to increase revenue that won't be at the expense of small business owners.

Chad Davis of 11 Pavilion Avenue South #2, owner of Carolina Surf Brand surf shop on the Boardwalk, said he would like to see Council reconsider year-round paid parking. He said he must rely on public parking for his customers, and he thinks this will be a big blow.

Brittany Grimsley of 12 Moraga Court in Wilmington, who has worked on the island for 7 years, said traffic is already slow for local businesses during the winter even with free parking, so she thinks having year-round paid parking will cause some places to close in the off-season. She said this would hurt the community and asked Council to reopen the vote and give new Council Members a chance to have a say.

Mike Hackett of 1616 South Lake Park Boulevard, who moved here 6 months ago, thanked Council Members for serving the community and said he wanted to lend support to local business owners.

Debi DiNatale of 102 Cape Fear Boulevard #404, who owns 3 properties in Town, including the Carolina Beach Inn, said she supports other business owners regarding year-round paid parking. She said this would be pinching pennies and throwing away dollars.

Tom DiNatale of 102 Cape Fear Boulevard #404 said the amount generated from year-round paid parking is estimated at \$64,000, so the Town can find that elsewhere.

Duke Hagestrom of 920 Riptide Lane said he wants Council to reconsider year-round paid parking. He said the amount received in the off-season is not worth the loss to the businesses that help sustain the community. Mr. Hagestrom said he doesn't want to put a barrier on those who may not be able afford to visit here during peak season.

David Cole of 205 Greenville Avenue, who owns Hurricane Alley's and has lived here for 25 years, said the year-round paid parking vote on November 30 during a Tuesday morning workshop did not give the public or newly elected Council Members a voice because the item was not advertised or on the agenda. He said owning and running a small business on the island is hard in the winter months, and this vote will hurt the entire island. Mr. Cole said 3,000 people have signed a petition against year-round paid parking, which is not worth the proposed income. He said he is demanding better transparency and asking new Council Members to reopen the issue for another vote.

Michelle Alberda of 205 Greenville Avenue, who owns a business and rental properties on the island, said over the past 2 years she has fought against what she considers 2 new taxes: the Municipal Service District (MSD), which did not pass, and year-round paid parking. She said both of these impact businesses that were shut down by the government during the COVID-19 pandemic, both were out of the blue, and both involved the generation of dollar amounts that are small but would have large unintended consequences. Ms. Alberda said it seems all options were not explored before a vote took place, so she encouraged the sitting Council to call for a new vote on year-round parking.

Cathrine Robbins of 301 Ivy Lane, who owns HopLite Irish Pub & Restaurant, asked Council to re-evaluate the year-round paid parking issue and call for a new vote. She said her business is not directly impacted by this, but she thinks the vote happened in an unfair manner. Ms. Robbins said residents and business owners have come up with great alternatives that could provide more revenue in the long term without hurting businesses. She said the issue should be part of current budget discussions so the public can understand and offer solutions.

Amy Webster, owner of Pop's Diner, said she stays open year-round 7 days per week and is worried that year-round paid parking will negatively affect not just her guests but also employees who live off the island. She said this would hurt businesses and make it hard to find employees, so she would like for Council to reconsider.

Noel Stevens of 402 South Fifth Street, who owns Lake Park Steakhouse, said people who live over the bridge but patronize island businesses are upset and feel shut out by year-round paid parking.

Jeff Hogan of 1108 Merchant Lane, who is Chairman of the Town's Marketing Advisory Committee, said year-round paid parking would deter businesses from opening in the winter, which would discourage off-season tourism. He said he thinks Council should reconsider and let the public speak before having another vote.

Kristen Dunn of 905 and 907 Ocean Boulevard said Mike Chappell Park still needs porta-potties even when the new restroom facility is complete. She said she'd like for the Town to hire a service to maintain the porta-potties during the spring season while sports are in session because staff has had a hard time keeping them clean.

PUBLIC HEARINGS

7. Public Hearing to Review Requests from Non-Profit Organizations for General Fund Contributions

The following organizations submitted the required documentation to request funding in 2022-2023 from the General Fund:

- Carolina Beach Inlet Association: \$7,500 for education
- Federal Point Historic Preservation Society: \$9,000 for operating expenses
- Friends of Felines: \$2,000 for spaying and neutering feral cats
- Island of Lights: \$5,000 for events
- Katie B. Hines Senior Center: \$12,000 for operational costs
- Pleasure Island Sea Turtle Project: \$6,000 for monitoring
- Pleasure Island Paws: \$2,000 for spaying and neutering

ACTION: Motion to open the public hearing

Motion made by Mayor Barbee

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

Motion passed unanimously

Nancy Busovne of Pleasure Island Sea Turtle Project said the organization relies on volunteers, with many of them coming from over the bridge, so she thinks parking changes will have a negative impact on them as well as volunteers for all non-profit organizations. Mayor Barbee asked if there is a provision for non-profits that need parking. Mr. Oakley said staff will propose an across-the-board policy for non-profit organizations.

No one else requested to speak.

ACTION: Motion to close the public hearing

Motion made by Mayor Barbee

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

Motion passed unanimously

ITEMS OF BUSINESS

8. Discussion on Accepting the Oceana Stormwater

The water and sewer infrastructure located within the Oceana subdivision was adopted by the Town in 2018. Since that time, the homeowners association (HOA) and Town staff have been working together to make the Town's adoption of the stormwater infrastructure possible. The Oceana HOA hired an independent contractor to camera and assess the system. This report was followed by a list of recommended repairs. The Oceana HOA provided this report to the Town and sought approval for the necessary repairs, along with the proposed methods. Once in agreement, the HOA hired a utility contractor to perform the needed repairs, and these repairs were inspected by Town staff.

Public Works Director Brian Stanberry presented the details, including a brief timeline.

Currently, the stormwater infrastructure in the Oceana HOA is in satisfactory condition, according to Town staff. Based on the due diligence Oceana has put forth in this effort, staff recommends adoption of the Oceana stormwater infrastructure, which will provide future clarity on all utility maintenance in the subdivision.

Council Member LeCompte asked if the Town is opening the door for other HOAs to ask the Town to take over their stormwater infrastructure. Mr. Stanberry said taking over infrastructure in the right-of-way is one thing, but the Town doesn't take over private ponds.

Mayor Pro Tem Healy said the Town had an agreement in writing in 2018 to do this, plus the Town maintains the Oceana stormwater infrastructure anyway, so he thinks this is a no-brainer.

Council Member Hoffer said he would generally be opposed to a measure like this because of taking on liabilities and costs, but in this case he'll accept it because it was already agreed upon years ago and it would not be good governance to decline now.

ACTION: Motion to accept the Oceana stormwater as presented

Motion made by Mayor Barbee

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

Motion passed unanimously

9. Committee Appointment

ACTION: Motion to appoint Kelly Wyckoff to the Centennial Committee

Motion made by Mayor Barbee

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

Motion passed unanimously

CLOSED SESSION

ACTION: Motion to go into closed session to discuss an attorney/client matter in accordance with NCGS 143-318.11(a)(3). Matters being discussed include:

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

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

18 CVS 3153 Town of Carolina Beach vs. DRDK LLC

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

Motion made by Mayor Barbee

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

Motion passed unanimously

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

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Mayor Barbee

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

Council Member LeCompte

Motion passed unanimously

The meeting adjourned at 8:05 PM.



AGENDA ITEM COVERSHEET

PREPARED BY: Eric Jelinski, Parks and Rec Director **DEPARTMENT:** Parks and Rec

MEETING: Town Council 3/8/2022

SUBJECT: Presentation by the Friends of CB Parks and Greenways

BACKGROUND:

Chairperson LeAnn Pierce will introduce the program and their mission. Eric Jelinski will give a brief presentation.

ACTION REQUESTED:

Discussion



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council Meeting 3/8/2022

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:

No Action Requested



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council Meeting 3/8/2022

SUBJECT: Manager's Update

BACKGROUND:

Town Manager Bruce Oakley will give an update on various projects and events.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 3/8/2022

SUBJECT: Public Hearing on Non-Profit Funding Requests

BACKGROUND:

The Pleasure Island Chamber of Commerce will present their request for funding for the 2022/2023 fiscal year.

Carey Jones will also present a request on behalf of the Island Women.

ACTION REQUESTED:

Motion to open the public hearing to hear from non-profit organizations and the public on funding requests for the 2022/2023 fiscal year.

Motion to close the public hearing.

RECOMMENDED MOTION:

No motion requested. This will be discussed further during the budget process.



January 22, 2022

To: Mayor, Mayor Pro-Tem and Town Council of the Town of Carolina Beach
 From: Pleasure Island Chamber of Commerce
 Re: Request for Room Occupancy Tax (ROT) Funds

In an effort to draw tourists to our beautiful Coastal community. The Pleasure Island Chamber of Commerce submits this request to the Town of Carolina Beach for a donation to support the following events and activities:

The 36 Annual Beach Music Festival – June 4, 2022

Last year, even with a high tide during the middle of this event, the Beach Music Festival attracted a sellout crowd of 2000 participants, which was the limit set by the Town. Nauti Dogs on the boardwalk had their biggest day of sales. After speaking to a number of other area restaurants and hotels/motels/individual rentals were at their maximum capacity. We anticipate this year's event to be an even greater success. A side note is that this will be the 36th annual Beach Music Festival held on the beach at Carolina Beach.

Pets in the Park – October 8, 2022

This first year event for the Chamber was a great success. The pet business is estimated to be a \$109 billion business in the US. Carolina Beach is certainly a pet friendly town, thus the need for the Pets in the Park attraction. It brought many people from surrounding areas to Carolina Beach and after watching or participating in the different contest, having their pets blessed and buying merchandise from the vendors, they left to explore the town, enjoy shopping and to eat at local restaurants or at the Carolina Beach Fire Departments BBQ fundraiser that was happening that day. An example is, Pawsitively Perfect a local pet business on the island told us it was one of the best events and she had a big day of sales.

Cape Fear Kite Festival – November 5 & 6, 2022

2021 was the first year the Pleasure Island Chamber of Commerce hosted this three-day event and, due to extremely high winds, it was cancelled. But the kite flyers are a hardy, fun-loving bunch and made lemonade out of lemons by doing demonstrations and other events in the ball room at the Courtyard by Marriott Carolina Beach Oceanfront. We had flyers in from seven states and as far as California. The festivals in the past have between 15,000 and 20,000 people in attendance. The Courtyard alone booked 86 room nights, and other motels and Air bb had good bookings. Additionally, we were told many restaurants had great business as well. We intentionally hold this event during a shoulder season to support our Business community and Carolina Beach. Hopefully this year's event days will have blue skies and favorable wind speeds.

Office and Lobby Renovation

The Chamber office and lobby area is one of the first things visitors see when they enter the Carolina Beach Town Hall. The film industry used the lobby space and left it messy and in disarray. The carpet in the Chamber office is threadbare and extremely dirty and the desks are old and worn as well. It is the Chamber's intent this year to upgrade the office space and the space in the lobby that is in front of the Chamber office to present a cleaner and more inviting space for anyone visiting the Chamber and Carolina Beach Town Hall.

2nd Annual Pleasure Island Chamber Golf Tournament - March 24, 2022

As a reminder this event was postponed in 2021, however we invite you to have a 4 person team and enjoy some time with others on the Island.

Total Request for donation - \$17,500

As you are planning the budget for the Town of Carolina Beach, we ask that you please consider donating \$17,500. We are hopeful that the Town will support the Chamber in these endeavors and will agree that the future projects planned by the Chamber are responsible and beneficial investments to not only our visitors but make our community a better place to retire or raise a family.

With the assistance from the Town, and the help provided by thousands of volunteer hours provided by the Chamber and local businesses and residents, we can continue to make our Town the preferred family coastal vacation destination.

Sincerely,
Directors of the Pleasure Island Chamber of Commerce



AGENDA ITEM COVERSHEET

PREPARED BY: Chief Alan Griffin

DEPARTMENT: Fire

MEETING: Town Council 3/8/2022

SUBJECT: 2022 Lifeguard Season Discussion

BACKGROUND:

Chief Griffin will present on current lifeguard program needs and proposed changes to lifeguard starting dates. Discussion on lifeguard recruitment and retention for FY 2022-23.

ACTION REQUESTED:

Transfer of funds from sale of lifeguard 4-wheelers at auction.

Hire returning guards to start patrolling the beach strand beginning Easter weekend and patrolling weekends through Memorial Day.

RECOMMENDED MOTION:

Motion to approve transfer of funds.



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planning & Development Director **DEPARTMENT:** Planning & Development

MEETING: Town Council – 3/8/2022

SUBJECT: Adopt a certificate of Municipal Declaration to decrease the speed limit on N. Lake Park Blvd. Applicant: Town of Carolina Beach

BACKGROUND:

The Department of Transportation received concerns about traffic crashes and the speed at the traffic island at St. Joseph Street and N. Lake Park Blvd. The Department has completed a review of the request to extend the 25-mph speed limit on US 421/Lake Park Blvd for 600 feet north from St. Joseph Street/Wilson Avenue and has found it warranted. DOT is requesting certificates of Municipal Declaration for the town's adoption of the ordinance changes. Attached is a map of the area to be congaed from 35mph to 25mph.

ACTION:

Repeal the existing 25-mph ordinance, #1077224, and adopt the new ordinance, #1081519, for the new total length of the 25-mph zone on N. Lake Park Blvd that will be 600 feet past St. Joseph Street.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

February 2, 2022

Ms. Kim Ward
Town Clerk
Town of Carolina Beach
1121 North Lake Park Blvd
Carolina Beach, NC 28428

Dear Ms. Ward,

This letter is in regard to speed limit ordinances on US 421 (Lake Park Boulevard) in Carolina Beach. A review of the speed limit between the southerly town limit and just north of Goldsboro Avenue was conducted.

The Department has completed an engineering investigation to determine if the warrants are met to recommend extending the 25-mph speed limit. Based on the road characteristics and surrounding environment, we recommend extending the 25-mph limit for 600 feet north of St. Joseph Street/Wilson Avenue.

Municipal speed limit 25 ordinance #1077224 of 3/30/20 needs to be repealed and a new municipal speed limit 25 ordinance #1081519 needs to be enacted for the street between the southerly Town limit at Alabama Avenue and 340 feet north of Goldsboro Avenue.

The repeal and enactment ordinances will require municipal declaration certificates. Please put this matter on a Town Council meeting agenda for adoption of concurring ordinances or a resolution by the Board. We have included the original Certification of Municipal Declaration forms, on watermarked bond paper. When adopted, please complete the forms, certify and seal them and return them by mail to the attention of Jessi Leonard, PE, Division Traffic Engineer, at the below address. There can be no changes or corrections made on the certificates. Electronic versions of the ordinances have been provided for advance information.

You may contact me or Jessi Leonard if you have any questions or need additional information.

Sincerely,

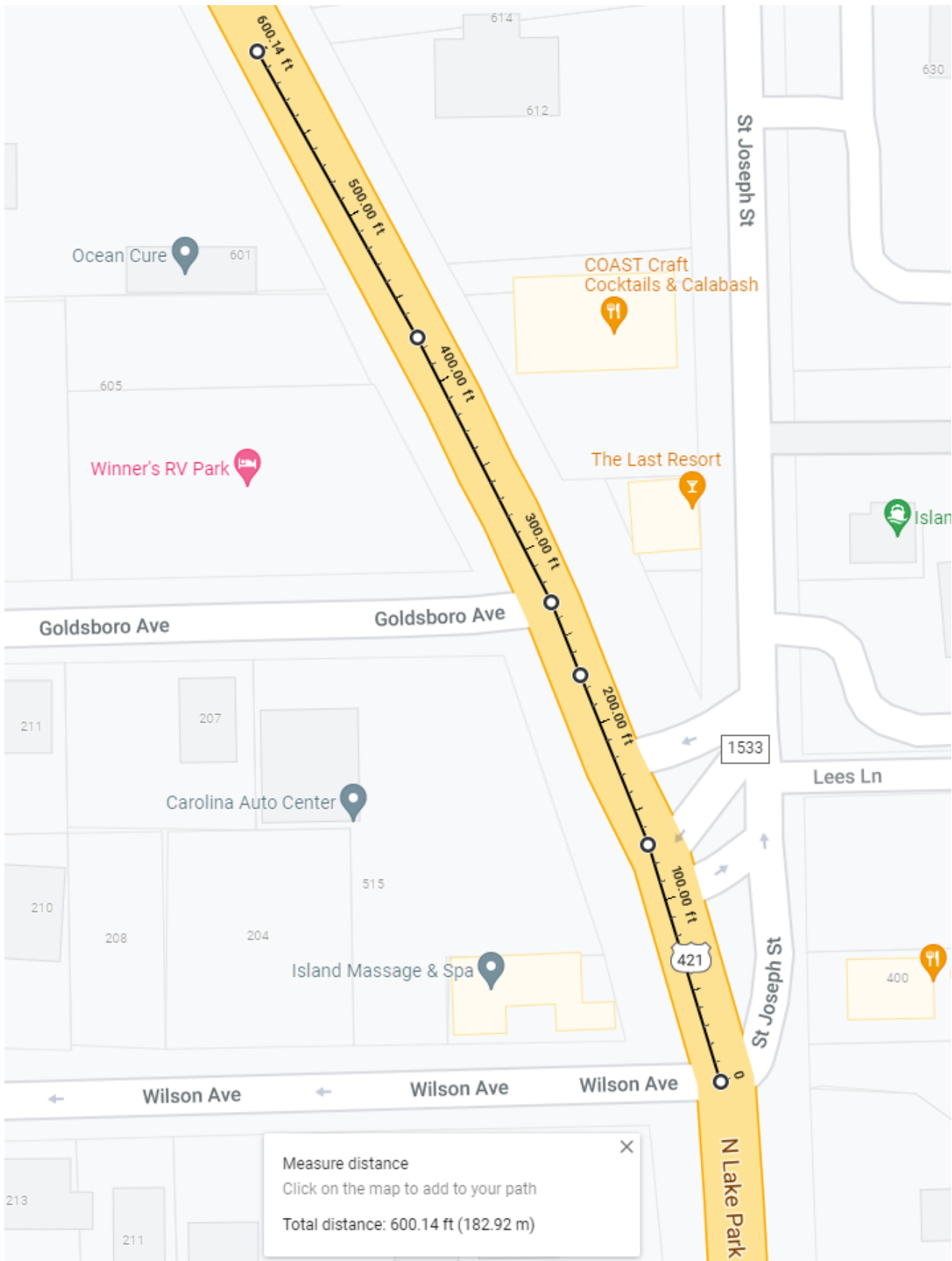
R. H. Hammond
Traffic Engineering Technician III

RHH/JLL
Attachments-letter, Municipal Certification Forms
cc: J. L. Leonard, P.E.
File

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
HIGHWAY DIV. 3 TRAFFIC SERVICES
5504 BARBADOS BLVD
CASTLE HAYNE, NC 28429

Telephone: 910.341.2222
Fax: 910.602.7079
Customer Service: 1-877-368-4968
bobhammond@ncdot.gov
Website: ncdot.gov

Location:
5504 BARBADOS BLVD
CASTLE HAYNE, NC 28429





Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1077224

Division: 3 County: NEW HANOVER

Municipality: CAROLINA BEACH

Type: Municipal Speed Zones

Road: US 421

Car: 25 MPH

Truck: 25 MPH

Description: (Lake Park Boulevard) between Alabama Avenue (non-system) and Saint Joseph Street (non-system).

Municipal Certification

I, Kimberlee Ward, Clerk of Carolina Beach, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 8th day of March, 2022, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: 98 Page: N/A Ordinance Number: 22-1170

In witness whereof, I have hereunto set my hand and the municipal seal this 8th day of MARCH, 2022.

Kimberlee Ward
(signature)



(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1081519

Division: 3 County: NEW HANOVER

Municipality: CAROLINA BEACH

Type: Municipal Speed Zones

Road: US 421

Car: 25 MPH

Truck: 25 MPH

Description: (Lake Park Boulevard) between Alabama Avenue (non-system) and 340 feet north of Goldsboro Avenue (non-system).

Municipal Certification

I, Kimberlee Ward, Clerk of Carolina Beach, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 8TH day of MARCH, 2022, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: 98 Page: N/A Ordinance Number: 22-1171

In witness whereof, I have hereunto set my

hand and the municipal seal this 8TH day
of MARCH, 2022.

Kimberlee Ward
(signature)



Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



AGENDA ITEM COVERSHEET

PREPARED BY: Ed Parvin, Assistant Manager

DEPARTMENT: Executive

MEETING: Town Council 3/8/2022

SUBJECT: Marina Budget, Reimbursement Resolution, and Entering into a Contract for Construction

BACKGROUND:

Hurricane Florence caused severe damage to the south and east bulkheads at the Town marina. The western bulkhead was replaced after Hurricane Matthew and had no issues. After reviewing the damage with FEMA they determined most of the issues were associated with deferred maintenance. Due to this reason, only limited funds were allocated by FEMA to include the following summary.

Northeast Corner Stormwater outfall

FEDERAL SHARE (75.00%)	\$15,069.24
NON-FEDERAL SHARE (25.00%)	\$5,023.07

Damage to the south and east bulkhead

FEDERAL SHARE (75.00%)	\$107,567.16
NON-FEDERAL SHARE (25.00%)	\$35,855.71

TOTAL FROM FEMA/STATE	+\$163,515.18
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To help with costs the Town also obtained a grant from Golden Leaf in the amount of:
+\$2,112,493.60

The Town will receive ARP funds in the amount of:
+\$1,019,672.47

Rolled over from prior project: +\$234,817.63

Current Expenditures: -\$190,554.76

Total available: \$3,339,944.12

The lowest responsive/responsible bid: \$3,615,950.00

Fund Balance: \$276,005.88

ACTION REQUESTED:

Staff respectfully request Town Council take action to:

1. Adopt a reimbursement resolution
2. Approve the budget ordinance
3. Give direction for the Town to enter into a contract with the lowest responsive/responsible bidder (Evans & Sons Contracting Inc)

RECOMMENDED MOTION:

Approval –

APPROVE:

1. **ORDINANCE NO. 22-1169: AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET CREATING ABUDGET APPROPRIATION FOR MARINA BULKHEAD PROJECT**
2. **Resolution No. 22-2254 Reimbursement Resolution for Marina Bulkhead Project Phase III**
3. **Give the Town Manager direction to enter into a contract with Evans & Sons Contracting**

Denial – A statement of why the Town Council wishes to deny the 1, 2, and/or 3 above that includes direction for Town Staff.



Resolution No. 22-2254

Reimbursement Resolution for Marina Bulkhead Project Phase III

Whereas: The Finance Director has described to the Board the desirability of adopting a resolution as provided under federal tax law to facilitate the unit’s using financing proceeds to restore the unit’s funds when the unit makes capital expenditures prior to closing on financing

BE IT THEREFORE RESOLVED by the Town of Carolina Beach, as follows:

1. The Town hereby determines to construct (“Expenditures”) a Marina Bulkhead(“Project”).
2. The purchase of the Project is to be financed. The insurer intends to finance the costs of the purchase and installation of the Project with the proceeds of debt to be issued by the Issuer (The “Borrowing”), the interest on which is to be excluded from gross income for Federal income tax purposes. The currently expected maximum amount of bonds or other obligations to be issued or contracted for this project is \$600,000.
3. Funds have been advanced or may be advanced from the General Fund for the purchase of the Project and these costs are intended to be reimbursed from the financing proceeds.
4. The adoption of this resolution is intended as a declaration of this unit’s official intent to reimburse Project expenditures from financing proceeds.

Date: _____

Mayor: _____

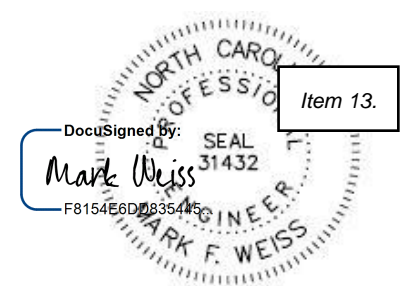
Albert L Barbee, Mayor

Attest: _____

Kimberlee Ward, Town Clerk



BID TABULATION



Town of Carolina Beach - Marina Revitalization and Repair
 Carolina Beach, NC
 Bids Received on February 15, 2022

Certification: I certify this to be a true and correct tabulation of the bids presented at the bid opening.

2/16/2022

DocuSigned by:
Mark Weiss
 F8154E6DD835445...

Mark F. Weiss

Ardurra Group North Carolina

BIDDER	Add. #1 Rec'd	Add. #2 Rec'd	License	Bid Surety	Unit Prices	Base Bid Amount	Alt No 1	Alt No 2	Total Bid
Civil Works Contracting	Yes	Yes	Yes	Yes	Yes	\$5,713,902.95	\$649,788.80	\$176,069.69	\$6,539,761.44
Evans & Sons Contracting Inc.	Yes	Yes	Yes	Yes	Yes	\$3,615,950.00	\$567,260.00	\$49,450.00	\$4,232,660.00

* Evans & Sons Contracting Inc. are the apparent low responsive bidder. *

**ORDINANCE NO. 22-1169
AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET CREATING A
BUDGET APPROPRIATION FOR MARINA BULKHEAD PROJECT**

The Town Council of the Town of Carolina Beach, North Carolina, doth ordain:

SECTION ONE:

That the Fiscal Year 2021-2022 Budget for the Town of Carolina Beach is hereby amended to include the expenditures associated with Marina Bulkhead Project by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amendment</u>	<u>New Budget</u>
27-003-074	Capital Outlay Over \$10,000	\$2,482,488.39	+ \$1,324,016.37	\$3,806,504.76
TOTAL		<u>\$2,482,488.39</u>	<u>\$ 1,324,016.37</u>	<u>\$3,806,504.76</u>

SECTION TWO:

That the Fiscal Year 2021-22 Budget for the Town of Carolina Beach is hereby amended to include the revenue associated with Marina Bulkhead Project by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amendment</u>	<u>New Budget</u>
27-352-000	Transfer from General Fund	\$ 234,817.63	+\$ 276,005.88	\$ 510,823.51
27-350-003	FEMA Grant- Florence	\$ 135,177.16	+ \$ 28,338.02	\$ 163,515.18
27-353-000	Golden Leaf Grant	\$ 2,112,493.60		\$ 2,112,493.60
27-354-000	ARP FY22/23 Grant	\$.00	+ \$1,019,672.47	\$ 1,019,672.47
TOTAL:		<u>\$2,482,488.39</u>	<u>\$ 1,324,016.37</u>	<u>\$3,806,504.76</u>

SECTION THREE:

A copy of this Ordinance shall be furnished to the Finance Officer for direction in disbursement of Town funds and for public inspection.

Duly adopted this 8th day of March 2022

Albert L Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Joe Benson, Council Member

DEPARTMENT: Legislative

MEETING: Town Council 3/8/2022

SUBJECT: Parking Discussion

BACKGROUND:

Follow-up discussion on parking