

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, May 11, 2021 – 6:30 PM

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



AGENDA

CALL TO ORDER

ADOPT THE AGENDA

CONSENT AGENDA

- [1.](#) Budget Amendments/Transfers
- [2.](#) Approve Kure Beach & Fort Fisher Aquarium Sewer Rates
- [3.](#) Set Public Hearing for June 8, 2021 to discuss establishing a Municipal Service District
- [4.](#) Set a Public Hearing Date for June 8th to consider amending Chapter 40, Article VII, to review fence regulations.
- [5.](#) Set a Public Hearing Date for June 8th to consider amending Chapters 12, 36, & 40, to make required 160D updates.
- [6.](#) Approval of Meeting Minutes from 4/13/2021 and 5/4/2021

SPECIAL PRESENTATIONS

- [7.](#) Special Presentation by Johnathan Strickland regarding Pack It In, Pack It Out
- [8.](#) Presentation by the Cape Fear Sail & Power Squadron – Safe Boating Week
- [9.](#) Events Update by Tim Murphy
- [10.](#) Manager's Update

PUBLIC COMMENT

Public Comment allows the public an opportunity to address the Town Council. There is a three minute limit on public comments.

PUBLIC HEARINGS

- [11.](#) Public Hearing to Receive Public Input on the FY21/22 Budget

- [12.](#) Text Amendment: Consider amending Chapter 40, Article III, Article VII, & Article XVIII to review setbacks for through lots for fences, swimming pools and accessory structures.
- [13.](#) Text Amendment: Consider amending Chapter 40, Article III & Article XVIII, to address rooming houses.

Applicant: Town of Carolina Beach

ITEMS OF BUSINESS

NON-AGENDA ITEMS

CLOSED SESSION

- [14.](#) Closed Session to Discuss an Attorney/Client Matter

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 5/11/21

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 \$5,000 received from Radar Sports to account 10-420-016 Parks & Rec M&O Equipment to help purchase safety netting at Mike Chappell Park to improve youth sports safety.

Appropriate \$2,917.86 received from Island Wildlife to account 10-620-018 Parks & Rec M&O Grounds to cover half of the cost to add irrigation to the native planting area on the south side of Lake Park.

Transfers:

Transfer \$22,000 from account 10-420-090 Executive Contingency and \$1,625 from account 10-420-014 Executive Travel & Training to account 10-410-046 Legislative Professional Service to cover estimated expenses for the remainder of the fiscal year.

Transfer \$676 from account 10-420-014 Executive Travel & Training; \$400 from account 10-420-045; and \$298 from account 10-420-033 Executive Supplies to account 10-420-023 Executive M&O Software to cover IT support for the remainder of the fiscal year.

Transfer \$2,500 from account 10-410-014 Legislative Travel & Training to account 10-410-016 Legislative M&R Equipment to cover the cost of replacement chairs in the council chambers.

Transfer \$30,000 from account 30-812-019 Water M&O Streets to account 30-812-020 Water M&O Infrastructure to cover material due to the increase of building.

Transfer \$30,000 from account 30-811-019 Wastewater M&O Streets to account 30-811-020 Wastewater M&O Infrastructure to cover material due to the increase of building.

Transfer \$13,000 from account 30-900-032 Stormwater M&O Infrastructure to account 30-900-015 Stormwater M&O Buildings to cover the cost of pump station maintenance.

Transfer \$40,000 from account 30-900-020 Stormwater M&O Infrastructure and \$40,000 from account 30-900-046 Stormwater Professional Services to account 30-900-045 Stormwater Contract Services to cover the costs of an unfunded high priority project on Raleigh and Monroe Avenues.

ACTION REQUESTED:

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

LeAnn Pierce
Mayor

Steve Shuttleworth
Council Member

Lynn Barbee
Council Member



Jay Item 1.
Mayor

JoDan Garza
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: 4/20/2021

Re: Budget Transfers

I am requesting the below budget transfers for the FY 20/21 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	10-620-016	The Parks and Recreation Department received a donation of \$5,000 from Radar Sports to help purchase safety netting at Mike Chappell Park for safety with youth sports. The safety netting is integral for safely playing youth sports and not having balls fly into other fields, common areas, or the street.

LeAnn Pierce
Mayor

Steve Shuttleworth
Council Member

Lynn Barbee
Council Member



Jay Item 1.
Mayor Pro Tem

JoDan Garza
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: 4/29/2021

Re: Budget Transfers

I am requesting the below budget transfers for the FY 20/21 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	\$2,917.86	10-620-018	These fund are reimbursement for ½ the cost of adding irrigation to the native planting area on the south side of Lake Park. The Town paid for the upfront cost and Island Wildlife reimbursed the Town for ½ the cost.

Debbie Hall

From: Sheila Nicholson
Sent: Thursday, April 29, 2021 10:23 AM
To: Debbie Hall
Cc: Bruce Oakley
Subject: Budget Transfer Request to cover shortage in 10-410-046

In planning for the remainder of the 20/21 budget year for account 10-410-046 (legal services), a transfer of funds will be needed to cover \$23,625 in estimated expenses.

Please transfer:

- \$22,000 from 10-420-090 to 10-410-046, and
- \$1,625 from 10-420-014 to 10-410-046

If you have questions or need more details, please 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.

Debbie Hall

From: Sheila Nicholson
Sent: Thursday, April 29, 2021 12:03 PM
To: Debbie Hall
Cc: Bruce Oakley
Subject: Transfer request for 10-420-023

To cover the remainder of costs for IT support April-June 2021, please make the following transfers totaling \$1,374:

- Transfer \$ 676 from 10-420-014 to 10-420-023
- Transfer \$ 400 from 10-420-045 to 10-420-023
- Transfer \$ 298 from 10-420-033 to 10-420-023

If you have any questions or need more details, please 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

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Debbie Hall

From: Kim Ward
Sent: Monday, May 3, 2021 11:54 AM
To: Debbie Hall
Subject: Budget Transfer Request

Debbie,

I would like to request a budget transfer to cover the cost of the replacement chairs in the council chambers.

The request is to transfer \$2,500

TO: 10-410-016 Legislative – M&R Equipment

FROM: 10-410-014 Legislative – Travel and Training

Thank you,

Kim Ward

Town Clerk

Town of Carolina Beach

1121 N Lake Park Blvd

Carolina Beach, NC 28428

Phone 910-458-2992



LeAnn Pierce
Mayor

Steve Shuttleworth
Council Member

Lynn Barbee
Council Member



Jay Healy
Mayor Pro Tem

JoDan Garza
Council Member

Bruce Oakley
Town Manager

TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

BUDGET TRANSFER REQUEST

To: Debbie Hall, Finance Director

From: Mark Meyer, Public Utilities Director

Re: Budget transfer

Date: April 20, 2021

Budget transfer amount: \$ 30,000.00

From: 30-812-019 (Water – Streets) \$ 30,000.00

To: 30-812-020 (Water Infrastructure)

Explanation: To cover increase of materials we are using for increase of building.

Mark Meyer

Director of Public Utilities, Town of Carolina Beach

LeAnn Pierce
Mayor

Steve Shuttleworth
Council Member

Lynn Barbee
Council Member



Jay Healy
Mayor Pro Tem

JoDan Garza
Council Member

Bruce Oakley
Town Manager

TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

BUDGET TRANSFER REQUEST

To: Debbie Hall, Finance Director

From: Mark Meyer, Public Utilities Director

Re: Budget transfer

Date: April 20, 2021

Budget transfer amount: \$ 30,000.00

From: 30-811-019 (Wastewater – Streets) \$ 30,000.00

To: 30-811-020 (Wastewater Infrastructure)

Explanation: To cover increase of materials we are using for increase of building.

Mark Meyer

Director of Public Utilities, Town of Carolina Beach

Debbie Hall

From: Brian Stanberry
Sent: Thursday, April 29, 2021 8:27 AM
To: Debbie Hall
Cc: Ed Parvin; Alisa Perry
Subject: Budget Transfer Request

Debbie,

We would like to request the following budget transfers at this time:

- **\$13,000** from the **30-900-032** account to the **30-900-015** account to cover an overage related to Stormwater pumpstation maintenance
- **\$40,000** from the **30-900-020** and **\$40,000** from the **30-900-046** account , both going into the **30-900-045** account to cover the costs of an unfunded high priority project on Raleigh and Monroe Avenues.

Thank you for your assistance and let me know if there are any questions.

Brian Stanberry

Director of Public Works
Town of Carolina Beach
910-458-8291 office
910-443-1837 mobile
brian.stanberry@carolinabeach.org



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AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 5/11/2021

SUBJECT: Approve Kure Beach & Fort Fisher Aquarium Sewer Rates

BACKGROUND:

The Carolina and Kure Beach Sewer Authority met on April 19, 2021 and accepted the proposed sewer rates.

The new monthly rates to be adopted by Council for Kure Beach are:

\$10,121.14 – Fixed Rate

\$ 1,813.98 – Capital Recovery Rate

\$ 1.5865 – Variable Rate

The new monthly rate to be adopted by Council for the NC Aquarium at Fort Fisher is:

\$ 440.65 – Fixed Rate

ACTION REQUESTED:

Approve Kure Beach and NC Aquarium at Fort Fisher sewer rates which are retroactive to July 1, 2020.

KURE BEACH RATE COMPARISON

Rate Type	Current Rate	New Rate	Monthly Increase/Decrease
Fixed Rate	12,908.95	10,121.14	(2,787.81)
Capital Recovery Debt	1,654.49	1,813.98	159.49
Variable Rate	11,184.35	10,274.78	(909.57) *
Per 1000 gallon rate	1.2834	1.5865	0.3031

Rate Type	New Rate	New Rate	Annual Increase/Decrease
Fixed Rate	154,907.39	121,453.70	(33,453.69)
Capital Recovery Debt	19,853.90	21,767.73	1,913.83
Variable Rate	134,212.17	123,297.30	(10,914.87) **
Total Estimated Annual Increase/Decrease			(42,454.73)

*Monthly Average Based on last fiscal year's flows

**Annual Change Based on last fiscal year's flows

WASTE WATER TREATMENT RATE DETERMINATION for KURE BEACH
FY 2020-2021 Rate Structure

FLOW PERIOD 7/1/19 TO 6/30/20

ADMINISTRATION TOTALS	TREAT %	APPLIED COSTS	FIXED COSTS	VARIABLE COSTS	TOTAL	DEPRECIATED CAPITAL	FIXED %
SALARIES	15%	\$ 239,614.35	\$ 35,942.15	\$ -	\$ 35,942.15		100%
FICA	15%	\$ 18,330.50	\$ 2,749.57	\$ -	\$ 2,749.57		100%
GROUP INSURANCE	15%	\$ 24,457.24	\$ 3,668.59	\$ -	\$ 3,668.59		100%
RETIREMENT	15%	\$ 17,971.08	\$ 2,695.66	\$ -	\$ 2,695.66		100%
TRAVEL/TRAINING	15%	\$ 718.08	\$ 107.71	\$ -	\$ 107.71		100%
M&R EQUIP	5%	\$ -	\$ -	\$ -	\$ -		50%
M&R Software	5%	\$ -	\$ -	\$ -	\$ -		50%
PROFESSIONAL SERVICES	5%	\$ 12,599.99	\$ 315.00	\$ 315.00	\$ 630.00		50%
INSURANCE, BONDS	18.13%	\$ -	\$ -	\$ -	\$ -		100%
CAP PROJECTS EQUIP	5%	\$ -	\$ -	\$ -	\$ -		50%
Notes Pymt for new Town Hall 5.17% 20YR ('03) Final Pymt 7/2019	37.25%	\$ 114,901.14	\$ 42,800.67	\$ -	\$ 42,800.67	\$ 1,411,505	100%
ADMINISTRATION TOTALS		\$ 428,592.37	\$ 88,279.36	\$ 315.00	\$ 88,594.36		
LESS CAPITAL RECOVERY AMOUNTS							
CAPITAL RECOVERY DEBT (w/beginning year)							
Notes Pymt- WWTP UPGRADE REVENUE BONDS 25 YR ('16)	100%	\$ 89,728.80	\$ 89,728.80	\$ -	\$ 89,728.80	\$ 1,303,676	100%
Total Capital Recovery Debt		\$ -	\$ 89,728.80	\$ -	\$ -		

WASTE WATER TREATMENT RATE DETERMINATION for KURE BEACH
FY 2020-2021 Rate Structure

FLOW PERIOD 7/1/19 TO 6/30/20

TREATMENT OPERATIONS	FIXED COSTS	VARIBALE COSTS	TOTAL	FIXED %	VAR %
SALARIES	244,753.52	-	244,753.52	100.00%	0%
OVERTIME	744.22	-	744.22	100.00%	0%
FICA TAXES	18,017.88	-	18,017.88	100.00%	0%
GROUP INS	37,955.50	-	37,955.50	100.00%	0%
RETIREMENT	36,600.31	-	36,600.31	100.00%	0%
401K Match	6,040.74	-	6,040.74	100.00%	0%
UNIFORMS	1,646.91	-	1,646.91	100.00%	0%
WORKMANS COMP	8,000.00	-	8,000.00	100.00%	0%
UNEMPLOYMENT	-	-	-	100.00%	0%
PHONES/CELLPHONES/DATA	7,440.59	-	7,440.59	100.00%	0%
ELECTRIC	-	129,252.78	129,252.78	0%	100%
TRAVEL	1,578.00	-	1,578.00	100%	0%
M&R BUILDINGS	6,044.45	-	6,044.45	100%	0%
M&R EQUIPMENT	22,378.46	22,378.46	44,756.91	50%	50%
M&R GROUND	3,541.28	3,541.28	7,082.55	50%	50%
M&R COMPUTERS	346.08	346.08	692.16	50%	50%
MAINTENANCE FLEET/CAPITAL OUTLAY					
a). OPERATIONAL EXPENSE FOR WWTP (813)	4,251.86	4,251.86	8,503.71	50%	50%
b). CAPITAL OUTLAY (PROJECT FUND)	-	-	-	50%	50%
CHEMICALS	-	55,623.44	55,623.44	0%	100%
SUPPLIES	1,687.78	1,687.78	3,375.55	50%	50%
SMALL TOOLS	354.14	354.14	708.28	50%	50%
CONTRACT SERVICES	-	180,254.25	180,254.25	0%	100%
PROFESSIONAL SERVICES	-	29,056.61	29,056.61	0%	100%
PLANT RENOVATION	-	126,271.09	126,271.09	100%	0%
RENTAL OF PROPERTY	11,500.00	-	11,500.00	100%	0%
LIABILITY INSURANCE	20,644.29	-	20,644.29	100%	0%
DUES & SUBSCRIPTIONS	39.97	-	39.97	100%	0%
PERMITS & FEES	19,350.00	-	19,350.00	100%	0%
PPE & SAFETY EQUIPMENT	3,863.75	-	3,863.75	100%	0%
CAPITAL PROJECTS EQUIP	-	-	-	50%	50%
TOTAL OPERATIONS COSTS (Page 2)	456,779.71	553,017.75	1,009,797.46		
TOTAL ADMINSTRATIVE COSTS (Page 1)	88,279.36	315.00	88,594.36		
TOTAL APPLIED COSTS	545,059.07	553,332.75	1,098,391.82		

**WASTE WATER TREATMENT RATE DETERMINATION for KURE BEACH
FY 2020-2021 Rate Structure**

Item 2.

FLOW PERIOD 7/1/19 TO 6/30/20

Rate Calculation and Summary

Monthly Fixed Cost

Actual Sewerage Flows:

Annual Flow from Carolina Beach	271,060,800
Annual Flow from Kure Beach	<u>77,717,000</u>
Total Flow at WWTP	348,777,800
(a) Average Annual Flow by Kure Beach	22.283%

Percentage Allocation of Total Flow:

Total Flow allocated to Kure Beach	727,784	GPD
Total NPDES permitted plant model period	3	MGD
(b) Percentage of flow allocated to Kure Beach	24.259467%	

(c) Fixed Operations Costs from (page 2)	545,059.07
(d) Fixed Capital Recovery Debt Costs from (page 1)	89,728.80

	Annual	Monthly
Fixed Rate for Kure Beach Fixed Operations Costs (c x a)	\$ 121,453.70	\$ 10,121.14
Fixed Rate for Kure Beach Capital Recovery Debt Costs (d x b)	\$ 21,767.73	\$ 1,813.98
Total Fixed Rate for Kure Beach (1)	\$ 143,221.43	\$ 11,935.12

Gallonaqe Rate from Variable Costs

(e) Total Variable Costs from (page 2)	\$ 553,332.75
(f) Total Sewage Flow for the period	348,777,800
(g) Variable Costs per gallon (e ÷ f)	0.0015864907
(h) Total Sewage Flow from Kure Beach	77,717,000

	Annual	Monthly
Total Annual gallonage costs to Kure Beach based on actual flows for period (g x h) (2)	\$ 123,297.30	\$ 10,274.78
Variable Rate per 1000 gallons for Kure Beach	\$ 1.5865	

	Annual	Monthly
Estimated Treatment Costs for Kure Beach (1 + 2)	\$ 266,518.73	\$ 22,209.89

Waste Water Treated					
FLOW PERIOD 7/1/19 TO 6/30/20					
Month	Carolina Beach Flow	Kure Beach Flow	Total Flow	KB's Mthly % of Total Flow	
Jul-19	25,233,400	7,793,600	33,027,000	23.60%	
Aug-19	20,971,900	10,636,100	31,608,000	33.65%	
Sep-19	21,911,800	8,440,200	30,352,000	27.81%	
Oct-19	18,095,400	5,185,600	23,281,000	22.27%	
Nov-19	21,180,400	4,078,600	25,259,000	16.15%	
Dec-19	18,636,700	4,297,300	22,934,000	18.74%	
Jan-20	17,859,500	4,357,700	22,217,200	19.61%	
Feb-20	20,351,500	5,300,000	25,651,500	20.66%	
Mar-20	22,194,900	6,364,200	28,559,100	22.28%	
Apr-20	17,326,500	2,332,500	19,659,000	11.86%	
May-20	25,806,200	5,803,800	31,610,000	18.36%	
Jun-20	41,492,600	13,127,400	54,620,000	24.03%	
	271,060,800	77,717,000	348,777,800	22.28%	

Kure Beach flow gallons in FY19-20

PRIOR YEAR FLOW					
Waste Water Treated					
FLOW PERIOD 7/1/18 TO 6/30/19					
Month	Carolina Beach Flow	Kure Beach Flow	Total Flow	KB's Mthly % of Total Flow	
Jul-18	41,141,800	14,645,200	55,787,000	26.25%	
Aug-18	46,706,400	15,196,600	61,903,000	24.55%	
Sep-18	44,927,400	15,371,600	60,299,000	25.49%	
Oct-18	28,417,100	10,402,900	38,820,000	26.80%	
Nov-18	25,694,200	7,649,800	33,344,000	22.94%	
Dec-18	26,080,500	11,028,500	37,109,000	29.72%	
Jan-19	22,088,300	8,660,700	30,749,000	28.17%	
Feb-19	18,048,800	4,990,200	23,039,000	21.66%	
Mar-19	19,666,100	5,683,900	25,350,000	22.42%	
Apr-19	20,026,100	5,967,900	25,994,000	22.96%	
May-19	21,831,200	1,167,800	22,999,000	5.08%	
Jun-19	24,427,600	3,811,400	28,239,000	13.50%	
	339,055,500	104,576,500	443,632,000	23.57%	

Variance between
FY18/19 and FY19/20

(67,994,700)

(26,859,500)

(94,854,200)

**Kure Beach Rates and Fees
July 2020-2021
Based On Audited Numbers**

Month	Monthly Usage	Rate		Difference		Fixed Operation		Difference		Capital Recovery		Difference		Total Difference for Month
		Rate Paid	Actual Rate	In	Gallon Cost	In	Rates	Cost Paid	Actual Rate	In	Rates	Cost Paid	Actual Rate	
Jul-20	11,280,600	1.2834	1.5865	-0.3031	3,419.15	12,908.95	10,121.14	-2,787.81	1,654.49	1,813.98	1,654.49	1,813.98	159.49	790.83
Aug-20	13,753,400	1.2834	1.5865	-0.3031	4,168.66	12,908.95	10,121.14	-2,787.81	1,654.49	1,813.98	1,654.49	1,813.98	159.49	1,540.34
Sep-20	9,292,200	1.2834	1.5865	-0.3031	2,816.47	12,908.95	10,121.14	-2,787.81	1,654.49	1,813.98	1,654.49	1,813.98	159.49	188.15
Oct-20	6,265,400	1.2834	1.5865	-0.3031	1,899.04	12,908.95	10,121.14	-2,787.81	1,654.49	1,813.98	1,654.49	1,813.98	159.49	-729.27
Nov-20	5,077,500	1.2834	1.5865	-0.3031	1,538.99	12,908.95	10,121.14	-2,787.81	1,654.49	1,813.98	1,654.49	1,813.98	159.49	-1,089.32
Dec-20	4,297,700	1.2834	1.5865	-0.3031	1,302.63	12,908.95	10,121.14	-2,787.81	1,654.48	1,813.98	1,654.48	1,813.98	159.50	-1,325.68
Jan-21	4,543,700	1.2834	1.5865	-0.3031	1,377.20	12,908.95	10,121.14	-2,787.81	1,654.48	1,813.98	1,654.48	1,813.98	159.50	-1,251.12
Feb-21	8,036,900	1.2834	1.5865	-0.3031	2,435.98	12,908.95	10,121.14	-2,787.81	1,654.48	1,813.98	1,654.48	1,813.98	159.50	-192.33
Mar-21	4,881,400	1.2834	1.5865	-0.3031	1,479.55	12,908.95	10,121.14	-2,787.81	1,654.48	1,813.98	1,654.48	1,813.98	159.50	-1,148.76
Apr-21				0	0.00			0.00					0.00	0.00
May-21				0	0.00			0.00					0.00	0.00
Jun-21				0	0.00			0.00					0.00	0.00
Totals	67,428,800				20,437.67			-25,090.29					1,435.45	-3,217.17

Total Due to/from Kure Beach Jul 2020 Through Mar 2021 \$ (3,217.17)

RATE COMPARISON

Rate Type	Current Rate	New Rate	Monthly Increase/Decrease
Fixed Rate	456.17	378.36	(77.81)
Capital Recovery	56.81	62.29	5.48
Totals	512.98	440.65	(72.33)

Rate Type	New Rate	New Rate	Annual Increase/Decrease
Fixed Rate	5,474.01	4,540.34	(933.67)
Capital Recovery	671.73	747.44	75.71
Totals	6,145.74	5,287.78	(857.96)

**WASTE WATER TREATMENT RATE DETERMINATION for NC AQUARIUM at FORT FISHER
FY 2020-2021 Rate Structure**

FLOW PERIOD 7/1/19 TO 6/30/20

ADMINISTRATION TOTALS	TREAT %	APPLIED COSTS	FIXED COSTS	VARIABLE COSTS	TOTAL	DEPRECIATED CAPITAL	FIXED %
SALARIES	15%	\$ 239,614.35	\$ 35,942.15	-	\$ 35,942.15		100%
FICA	15%	\$ 18,330.50	\$ 2,749.57	-	\$ 2,749.57		100%
GROUP INSURANCE	15%	\$ 24,457.24	\$ 3,668.59	-	\$ 3,668.59		100%
RETIREMENT	15%	\$ 17,971.08	\$ 2,695.66	-	\$ 2,695.66		100%
TRAVEL/TRAINING	15%	\$ 718.08	\$ 107.71	-	\$ 107.71		100%
M&R EQUIP	5%	\$ -	\$ -	-	\$ -		50%
M&R Software	5%	\$ -	\$ -	-	\$ -		50%
PROFESSIONAL SERVICES	5%	\$ 12,599.99	\$ 315.00	315.00	\$ 630.00		50%
INSURANCE, BONDS	18.13%	\$ -	\$ -	-	\$ -		100%
CAP PROJECTS EQUIP	5%	\$ -	\$ -	-	\$ -		50%
Notes Pymt for new Town Hall 5.17% 20YR ('03) Final Pymt 7/2019	37.25%	\$ 114,901.14	\$ 42,800.67	-	\$ 42,800.67	\$ 1,411,505	100%
ADMINISTRATION TOTALS		\$ 428,592.37	\$ 88,279.36	\$ 315.00	\$ 88,594.36		
LESS CAPITAL RECOVERY AMOUNTS							
CAPITAL RECOVERY DEBT (w/beginning year)							
Notes Pymt- WWTP UPGRADE REVENUE BONDS 25 YR ('16)	100%	\$ 89,728.80	\$ 89,728.80	-	\$ 89,728.80	\$ 1,303,676	100%

WASTE WATER TREATMENT RATE DETERMINATION for KURE BEACH
FY 2020-2021 Rate Structure

FLOW PERIOD 7/1/19 TO 6/30/20

TREATMENT OPERATIONS	FIXED COSTS	VARIBALE COSTS	TOTAL	FIXED %	VAR %
SALARIES	244,753.52	-	244,753.52	100.00%	0%
OVERTIME	744.22	-	744.22	100.00%	0%
FICA TAXES	18,017.88	-	18,017.88	100.00%	0%
GROUP INS	37,955.50	-	37,955.50	100.00%	0%
RETIREMENT	36,600.31	-	36,600.31	100.00%	0%
401K Match	6,040.74	-	6,040.74	100.00%	0%
UNIFORMS	1,646.91	-	1,646.91	100.00%	0%
WORKMANS COMP	8,000.00	-	8,000.00	100.00%	0%
UNEMPLOYMENT	-	-	-	100.00%	0%
PHONES/CELLPHONES/DATA	7,440.59	-	7,440.59	100.00%	0%
ELECTRIC	-	129,252.78	129,252.78	0%	100%
TRAVEL	1,578.00	-	1,578.00	100%	0%
M&R BUILDINGS	6,044.45	-	6,044.45	100%	0%
M&R EQUIPMENT	22,378.46	22,378.46	44,756.91	50%	50%
M&R GROUND	3,541.28	3,541.28	7,082.55	50%	50%
M&R COMPUTERS	346.08	346.08	692.16	50%	50%
MAINTENANCE FLEET/CAPITAL OUTLAY					
a). OPERATIONAL EXPENSE FOR WWTP (813)	4,251.86	4,251.86	8,503.71	50%	50%
b). CAPITAL OUTLAY (PROJECT FUND)	-	-	-	50%	50%
CHEMICALS	-	55,623.44	55,623.44	0%	100%
SUPPLIES	1,687.78	1,687.78	3,375.55	50%	50%
SMALL TOOLS	354.14	354.14	708.28	50%	50%
CONTRACT SERVICES	-	180,254.25	180,254.25	0%	100%
PROFESSIONAL SERVICES	-	29,056.61	29,056.61	0%	100%
PLANT RENOVATION	-	126,271.09	126,271.09	100%	0%
RENTAL OF PROPERTY	11,500.00	-	11,500.00	100%	0%
LIABILITY INSURANCE	20,644.29	-	20,644.29	100%	0%
DUES & SUBSCRIPTIONS	39.97	-	39.97	100%	0%
PERMITS & FEES	19,350.00	-	19,350.00	100%	0%
PPE & SAFETY EQUIPMENT	3,863.75	-	3,863.75	100%	0%
CAPITAL PROJECTS EQUIP	-	-	-	50%	50%
TOTAL OPERATIONS COSTS (Page 2)	456,779.71	553,017.75	1,009,797.46		
TOTAL ADMINSTRATIVE COSTS (Page 1)	88,279.36	315.00	88,594.36		
TOTAL APPLIED COSTS	545,059.07	553,332.75	1,098,391.82		

**WASTE WATER TREATMENT RATE DETERMINATION for NC AQUARIUM at FORT FISHER
FY 2019-2020 Rate Structure**

FLOW PERIOD 7/1/18 TO 6/30/19

PAGE 3

Rate Calculation and Summary

Monthly Fixed Cost

Actual Sewerage Flows:

Annual Flow from Carolina Beach	271,060,800	
Annual Flow from Kure Beach	77,717,000	
Projected Annual Flow from NC Aquarium	7,300,000	(Based on 80% of allocated flow)
Total Flow at WWTP	348,777,800	
Average Annual Flow by Kure Beach	22.283%	

Percentage Allocation of Total Flow:

Total Flow allocated to Kure Beach	727,784 GPD
Total NPDES permitted plant model period	3 MGD
Percentage of flow allocated to Kure Beach	24.259467%
Total Flow allocated to NC Aquarium	25,000 GPD
Percentage of flow allocated to NC Aquarium	0.8330%
TOTAL flow % allocated to Kure Bch/NC Aquarium	25.092467%

Fixed Operations Costs from page 2	545,059.07
Fixed Capital Recovery Costs from page 1	89,728.80

	Annual	Monthly
Fixed Operations Costs	\$ 545,059.07	
Fixed % Rate for Fixed Operations Costs	<u>0.8330%</u>	
Annual Fixed Rate for NC Aquarium Fixed Operations Cost	\$ 4,540.34	\$ 378.36
Fixed Capital Recovery Costs	\$ 89,728.80	
Fixed % Rate for Capital Recovery Costs	<u>0.8330%</u>	
Annual Fixed Rate for NC Aquarium Capital Recovery Costs	\$ 747.44	\$ 62.29
Total Annual Fixed Operations & Capital Recovery Costs for NC Aquarium	\$ <u>5,287.78</u>	\$ <u>440.65</u>

Gallongage Rate from Variable Costs - Not Applicable

	Annual	Monthly
Total Fixed Rate cost for NC Aquarium for Waterwater Treatment	\$ <u>5,287.78</u>	\$ <u>440.65</u>

Waste Water Treated					
FLOW PERIOD 7/1/19 TO 6/30/20					
Month	Carolina Beach Flow	Kure Beach Flow	Total Flow	KB's Mthly % of Total Flow	
Jul-19	25,233,400	7,793,600	33,027,000	23.60%	
Aug-19	20,971,900	10,636,100	31,608,000	33.65%	
Sep-19	21,911,800	8,440,200	30,352,000	27.81%	
Oct-19	18,095,400	5,185,600	23,281,000	22.27%	
Nov-19	21,180,400	4,078,600	25,259,000	16.15%	
Dec-19	18,636,700	4,297,300	22,934,000	18.74%	
Jan-20	17,859,500	4,357,700	22,217,200	19.61%	
Feb-20	20,351,500	5,300,000	25,651,500	20.66%	
Mar-20	22,194,900	6,364,200	28,559,100	22.28%	
Apr-20	17,326,500	2,332,500	19,659,000	11.86%	
May-20	25,806,200	5,803,800	31,610,000	18.36%	
Jun-20	41,492,600	13,127,400	54,620,000	24.03%	
	271,060,800	77,717,000	348,777,800	22.28%	

Kure Beach flow gallons in FY19-20

PRIOR YEAR FLOW					
Waste Water Treated					
FLOW PERIOD 7/1/18 TO 6/30/19					
Month	Carolina Beach Flow	Kure Beach Flow	Total Flow	KB's Mthly % of Total Flow	
Jul-18	41,141,800	14,645,200	55,787,000	26.25%	
Aug-18	46,706,400	15,196,600	61,903,000	24.55%	
Sep-18	44,927,400	15,371,600	60,299,000	25.49%	
Oct-18	28,417,100	10,402,900	38,820,000	26.80%	
Nov-18	25,694,200	7,649,800	33,344,000	22.94%	
Dec-18	26,080,500	11,028,500	37,109,000	29.72%	
Jan-19	22,088,300	8,660,700	30,749,000	28.17%	
Feb-19	18,048,800	4,990,200	23,039,000	21.66%	
Mar-19	19,666,100	5,683,900	25,350,000	22.42%	
Apr-19	20,026,100	5,967,900	25,994,000	22.96%	
May-19	21,831,200	1,167,800	22,999,000	5.08%	
Jun-19	24,427,600	3,811,400	28,239,000	13.50%	
	339,055,500	104,576,500	443,632,000	23.57%	

Variance between FY18/19 and FY19/20

	(67,994,700)	(26,859,500)	(94,854,200)
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<i>Month</i>	<i>Year</i>	<i>Monthly Gallons</i>	<i>Amount Paid</i>	<i>Adjusted Amount Due to Audit</i>	<i>Difference</i>
July	2020	No Data	512.98	440.65	-72.33
August	2020	No Data	512.98	440.65	-72.33
September	2020	No Data	512.98	440.65	-72.33
October	2020	No Data	512.98	440.65	-72.33
November	2020	No Data	512.98	440.65	-72.33
December	2020	No Data	512.98	440.65	-72.33
January	2020	No Data	512.98	440.65	-72.33
February	2020	No Data	512.98	440.65	-72.33
March	2020	No Data	512.98	440.65	-72.33
April	2020	No Data			0.00
May					0.00
June					0.00
Total Due for 2020/2021		0			-650.97

Total Due to Aquarium

\$ (650.97)



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council – 05/11/2021

SUBJECT: Set Public Hearing for June 8, 2021 to discuss establishing a Municipal Service District

BACKGROUND:

Set Public Hearing for June 8, 2021 to discuss establishing a Municipal Service District.



AGENDA ITEM COVERSHEET

PREPARED BY: Miles Murphy, Senior Planner

DEPARTMENT: Planning

MEETING: Regular Town Council – 11 MAY 2021

SUBJECT: Set a Public Hearing Date for June 8th to consider amending Chapter 40, Article VII, to review fence regulations.

BACKGROUND:

ACTION REQUESTED:

Set Public Hearing Date

RECOMMENDED MOTION:

Approve the Consent Agenda



AGENDA ITEM COVERSHEET

PREPARED BY: Miles Murphy, Senior Planner

DEPARTMENT: Planning

MEETING: Regular Town Council – 11 MAY 2021

SUBJECT: Set a Public Hearing Date for June 8th to consider amending Chapters 12, 36, & 40, to make required 160D updates.

BACKGROUND:

ACTION REQUESTED:

Set Public Hearing Date

RECOMMENDED MOTION:

Approve the Consent Agenda



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council – 5/11/2021

SUBJECT: Approval of Meeting Minutes from 4/13/2021 and 5/4/2021

BACKGROUND:

Attached are the meeting minutes from 4/13/2021 and 5/4/2021.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, April 13, 2021 - 6:30 PM

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



MINUTES

CALL TO ORDER

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

PRESENT

Mayor LeAnn Pierce

Mayor Pro Tem Jay Healy

Council Member Lynn Barbee

Council Member JoDan Garza

ABSENT

Council Member Steve Shuttleworth

ALSO PRESENT

Town Manager Bruce Oakley

Town Clerk Kim Ward

Town Attorney Noel Fox

Mayor Pierce commended Fire Chief Alan Griffin and his staff as well as the Police Department on a great job regarding the Paradise Cove fire on April 2. Council Member Garza said he wanted to recognize all first responders from both communities for good teamwork.

ADOPT THE AGENDA

CONSENT AGENDA

1. Budget Amendments/Transfers
2. Move position from Wastewater Collections to Stormwater
3. Set a Public Hearing Date for May 11th to consider amending Chapter 40, Article III & Article XVIII, to address rooming houses.
4. Set a Public Hearing Date for May 11th to consider amending Chapter 40, Article VII, Fence Regulations to review restrictions and how to measure height.
5. Set a Public Hearing Date for May 11th to consider amending Chapter 40, Article III & Article VII, to review setbacks for through lots for fences, swimming pools and accessory structures.
6. Request for Right of Way Improvements
7. Approval of Meeting Minutes from 2/23 and 3/9/2021

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Pierce

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

Motion passed 4-0

SPECIAL PRESENTATIONS

8. New Employee Introduction – Captain Greg Steffens CBPD

This item was removed from the agenda.

9. Request by Girl Scout Troop 4785 to add signage to Island Greenway

Girl Scout Troop 4785 is working to complete a Bronze Award. The proposed project consists of installing six quarter-mile-marker posts on the Island Greenway to help motivate users of the trail to set goals and lead a healthier lifestyle. The trail markers will also serve as an important safety function for first responders by providing an additional reference point for anyone in need of assistance.

Five fifth-grade members of Girl Scout Troop 4785 presented details, including plans for financing the project. They will use a portion of their cookie sales from last year and this year. If needed, the girls will also hold additional fundraising activities to ensure that neither the troop nor the Town would be required to pay for this project. The girls plan to complete it before the end of May. The presentation acknowledged the need for approval from the Army Corps of Engineers due to the Island Greenway's location on Military Ocean Terminal Sunny Point (MOTSU) property.

Mayor Pierce said this was one of the most well-put-together presentations she had ever seen and thinks the project is a wonderful idea.

Council Member Garza said he thought they did an amazing job and encouraged them to use a copy of the video of their presentation to show other troops.

Mayor Pro Tem Healy said the presentation was extremely impressive and that he felt bad for the presenters who had to follow the girls.

Council Member Barbee said they did a fantastic job and joked that the rest of the meeting would probably go downhill after that.

Mayor Pierce said she was impressed that the girls included MOTSU in their presentation and that she knows the project is going to do well.

ACTION: Motion to approve the request by Girl Scout Troop 4785 to add signage to the Island Greenway

Motion made by Mayor Pierce

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

Motion passed 4-0

Mayor Pierce asked Mr. Oakley to find a staff liaison to assist the girls with any issues that might come up. She said she was excited to see this and asked the girls to come back with a presentation when they are finished. She said the future looks bright and that she doesn't think MOTSU could tell them no.

10. Events Update by Tim Murphy

Tim Murphy, Recreation Programs Superintendent/Community Events Coordinator for the Town, reviewed special events for April/May:

- 4th Annual Surf Dog Experience – May 8 at North End Pier
- CB Street Arts Festival – May 8 at Carolina Beach Lake
- Tinted Turtle Trot – May 16 at Mike Chappell Park

Mr. Murphy said there were three new event requests.

Carey Jones of Island Women presented details about Flo's Food Truck Rodeo proposed for August 29 from noon to 5:00 PM at Carolina Beach Lake. She said this would be a family-friendly event with 10 food trucks, 10 retail vendors, two bands, two bars, and a kids' area with games and activities. In case of a hurricane or other weather issue, the proposed makeup date is September 26.

Council Member Garza said he loves food trucks and thinks the Town should do more events with them.

Mayor Pierce said this looks like a great event.

Mr. Murphy said the Town doesn't usually permit new events between Memorial Day to Labor Day, but due to cancellations from the COVID-19 pandemic he was all for this from a staff perspective.

Council Member Barbee asked if there would be any problem getting the food trucks in and out. Mr. Murphy said no.

Council Member Garza asked Ms. Jones if there were any thoughts about ways to add space between people with such a busy season predicted, such as using the parking lot for the event itself instead of parking. Ms. Jones said they understand these concerns due to the COVID-19 pandemic and will think about ways to space things out. She said they are anticipating about 1,000 attendees.

Mayor Pro Tem Healy said he loves the idea.

ACTION: Motion to approve the Island Women food truck event as presented

Motion made by Mayor Pierce

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

Motion passed 4-0

Mayor Pierce recognized former Mayor Bob Lewis, who approached the podium with Roy Lee Carter to make a presentation for a new event from Island Men. Mr. Carter commended the Girl Scouts on a great presentation and said Island Men pledges to help them pay for the signs.

Mr. Carter said Island Men is proposing to build on the success of similar previous holiday events to have a Golf Cart Palooza on July 1 from 4:00 to 6:00 PM, leaving from the Publix parking lot. He said plans are to have close to 100 patriotic, non-political golf carts participating in the event, which will have a similar route to the previous events. This will entail crossing Lake Park Boulevard twice for a short amount of time.

Council Member Garza suggested moving the parade to a Wednesday instead of a Thursday as planned because he said Thursday is typically a huge travel day. Mr. Lewis said he would not be against considering that.

Mayor Pro Tem Healy said he had concerns that July might be too busy for an event like this.

Mayor Pierce said she also was concerned about traffic backing up over the bridge.

Council Member Barbee asked if staff brought up any issues about public safety. Mr. Murphy said there should be little burden on staff with the exception of the Police Department. He said the part of the route from Publix to Harper Avenue would be the biggest hiccup.

Council Member Barbee said he would like to defer to public safety officials to speak up if there are any issues.

Mayor Pierce said she thinks it will be important to minimize any time on Lake Park Boulevard as much as possible due to traffic concerns.

ACTION: Motion to approve the Golf Cart Palooza to celebrate the Fourth of July conditional on the Police Department's approval

Motion made by Council Member Barbee

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

Motion passed 4-0

Brandon Goertz gave a presentation about proposed filming for a Netflix movie called "Along for the Ride," a coming-of-age love story that focuses on a teenage couple. He said the Boardwalk plays a special part in the story and that filming is proposed for several businesses and residences around the Town. He said he wants to make sure things go smoothly with the public.

Mr. Goertz went over the proposed filming schedule, which kicks off April 21-22 at Nauti Dog, 5 Cape Fear Boulevard. Other filming plans include April 22 at Pleasure Island Rentals, 2 North Lake Park Boulevard, and May 11-14 at Nest Realty, 112 Cape Fear Boulevard.

Council Member Garza asked if Mr. Goertz had spoken to public safety officials about any concerns for the filming dates. Mr. Oakley said the filming project was discussed at a recent Events Committee

meeting, where the Police Department was represented, and Netflix representatives were working with staff and coordinating. Council Member Garza said he was all for it.

Mr. Goertz said there are no plans for road closures. Mayor Pierce said streets and access to other properties are the items of concern for Council. Mr. Goertz said he intends to gather as much information as possible about people in close proximity to the proposed locations to try to figure out what their concerns are.

Mayor Pro Tem Healy asked if the crew will be eating local or having their own food. Mr. Goertz said the catering company is part of the crew but that there are other opportunities for the production to patronize local restaurants. Council Member Barbee said this could be the key to future success and help build bridges for upcoming projects. Mayor Pro Tem Healy said it is great for our community when we have film crews here.

Mayor Pierce asked what the end date is. Mr. Goertz said the final day of filming is June 3, but any filming after Memorial Day will be outside of the Town. He said during the last week of filming in the Town, crews will be working inside a house.

Mayor Pierce said she is glad to see this project in the Town but doesn't want to impose on other businesses that are looking forward to their first peak season after COVID-19 pandemic struggles. She asked Mr. Murphy if there were any red flags. He said he didn't think so and that it was a great plan that should go off without a hitch.

Council Members expressed support for the project.

11. Manager's Update

Mr. Oakley updated Council on current and future projects.

Mr. Oakley said the vaccination site at the Rec Center on April 12 was a big success, with up to 30 people per hour coming through at one point. He said those who got vaccinated will come back in three weeks for their second shot.

Legislative Update

Beach Nourishment: The Town is working to get federal money and is cautiously optimistic that some appropriations will come through.

Community Project Funding

- Lake Park Improvements
 - Playground
 - Restroom
 - Picnic Shelter

Mayor Pro Tem Healy asked if the Town gets federal funding whether it is still feasible to do beach nourishment this year. Mr. Oakley said the Town is moving forward with plans for this year as if the federal funding is coming.

Mayor Pro Tem Healy said he was at the Rec Center around 3:00 PM during the vaccination event and at that time over 200 people had been vaccinated. He said that's a big win for the Town.

Mr. Oakley gave an update on the Hamlet Ocean Rescue/Public Restroom Facility. He said after building costs went up, the Town has looked at doing a value-engineered design that would reduce materials and get rid of the elevation of the structure to save money. He asked for Council's thoughts on whether to move forward with the original design or the value-engineered design.

Council Member Garza asked if the value-engineered design meets the needs of the Town and what the cost difference is. Mr. Oakley said he thinks it would meet basic needs, but he does not yet have specific savings figures.

Mayor Pro Tem Healy said he is fine with the value-engineered design.

Council Member Barbee said while Council always wants things as cheap as possible, he is concerned that re-engineering would result in less than what is necessary to do the job. He said he would encourage Mr. Oakley to target the design that is needed to perform the job properly first and foremost.

Mayor Pierce said since the Town has already waited so long, it's important to get what is needed. She said she would defer to Mr. Oakley and Chief Griffin about what they think is best. Mr. Oakley said that is the direction he was seeking.

Pack It In, Pack It Out

Mr. Oakley said Public Works crews are reporting that the effort has been successful on their part outside of the Boardwalk area. Mayor Pierce said she wanted to clarify for the public that nothing has changed in the Boardwalk area and that no trash cans have been removed there, but there is still lots of trash. Mr. Oakley said at other beach accesses there is less trash, and the Town plans to add more stickers and signage to the trash cans, which are now on the street side and not on the beach. He said the Town is also giving magnets to hotels and property managers to remind visitors to take their trash with them when they leave the beach strand.

Mayor Pro Tem Healy said he think it's is working and recommended asking beach and umbrella rental vendors to give out trash bags to their patrons.

Council Member Garza said he liked that idea and also recommended having two or three volunteers to randomly walk the beach on weekends to give out bags and remind visitors of the rules. Mr. Oakley said there have been conversations about a beach ambassador program to promote rules and the Town itself.

Mayor Pierce commended Shelia Nicholson, Executive Assistant to Mr. Oakley, for her communication with hotels and property managers. Mayor Pierce said with the Town already very busy, now is a good learning curve to show where the focus needs to go.

Council Member Barbee said he recently visited a number of places that have pack it in, pack it out rules and that in some instances there are no trash cans anywhere. He said in these cases visitors take all of their trash with them, and if that can work then surely the Town's new program can work. He said people are posting pictures on social media of overflowing trash cans that aren't even in the Town, and this is doing a disservice to the Town's efforts. He encouraged those with concerns to bring them to Mr. Oakley and have patience.

Council Member Barbee asked whether private parking lots are supposed to have trash cans and daily trash service, even during times when they aren't charging for parking. He said some do not appear to have trash service. Mr. Oakley said he believes there are trash cans in these areas, but he doesn't believe they are serviced daily like they will be when they start charging for parking. Council Member Barbee said if private property owners are filling their lots with cars, they have a responsibility to deal with trash even if they are not charging.

Mr. Oakley said there was a malfunctioning trash compactor over the past weekend that contributed to problems in the Boardwalk area. He said there are also issues with people using trash receptacles for their businesses without authorization and that there were plans to put up signage and cameras to catch them in the act.

Council Member Barbee asked for a breakdown of the timeline of the response to the Paradise Cove fire on April 2. Chief Griffin said the call came in to 911 at 12:59 PM, and the Fire Department received dispatch at 1:00 PM and arrived at 1:04 PM. Council Member Barbee asked if this is considered a great response time. Chief Griffin said that's probably about as fast as they could respond and he doesn't think it could get any better. Council Member Barbee also asked who participated in the investigation. Chief Griffin said the command post at the fire site brought in by the EMS hospital system included Mr. Oakley, Mayor Pierce, and Police Chief Vic Ward. He said the State Bureau of Investigation also showed up, which is typical for a large fire, and that the investigation continued all day until it got dark. Chief Griffin said when everyone met back on the scene the next day, at that point the Bureau of Alcohol, Tobacco, Firearms and Explosives became involved. Council Member Barbee asked Mr. Oakley if there was any communication from the state or federal agencies indicating that the Town's fire response violated protocol in any way. Mr. Oakley said no. Council Member Barbee said his point in asking these questions was to let the public know that the Town's emergency crews are doing a great job, and he thanked them.

Mayor Pierce said Council stands behind the Town's emergency crews 100 percent and added that her son was a resident of the building that burned, so this is very personal to her. She asked Chief Griffin to convey Council's appreciation to his staff.

Chief Griffin said many of the firefighters who responded had multiple decades of experience, so he didn't think there could've been a better crew and he was very proud of how they performed. He said that shift will appear before Council at an upcoming meeting.

Mr. Oakley said the response showed great leadership and team effort from fire, police, and utility crews and that it was impressive to watch.

Mayor Pierce said the fire investigation is still active and there was not yet an answer about the cause.

PUBLIC COMMENT

None

PUBLIC HEARINGS

12. Public Hearing to Receive Public Input on the FY21/22 Budget

ACTION: Motion to open the public hearing to receive input on the 21/22 budget

Motion made by Mayor Pierce

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

Motion passed 4-0

Mr. Oakley said Town staff is still preparing the budget and there will be additional chances for public input. He said the purpose of this agenda item was mainly to hear requests for funding needs outside of the non-profit organizations that already reached out.

No one requested to speak.

Mayor Pierce said there will be other opportunities for the public to speak as Council goes through the budget cycle.

ACTION: Motion to close the public hearing on the 21/22 budget

Motion made by Mayor Pierce

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

Motion passed 4-0

13. Consider a Text Amendment to Chapter 40 Article VIII Signs

ACTION: Motion to consider a Text Amendment to Chapter 40 Article VIII Signs

Motion made by Mayor Pierce

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

Motion passed 4-0

Due to recent case law, Town staff has updated the Town's sign ordinance to comply with the direction that signs, and other similarly managed items, may not be regulated by their content. The ruling allows the regulation of signs by location, size, zoning district, and number but not by what they display. Ms. Fox completed her initial review, and staff has made her requested changes in preparation for Council review.

Senior Planer Miles Murphy presented the background and details. He said the purpose is to update the sign ordinance to comply with the 2015 Supreme Court decision in Reed v. Town of Gilbert.

Background

- Sign ordinances are utilized primarily for aesthetic and economic purposes
- Free speech generally overrides any state, county, or local sign ordinance
- Sign ordinances may not be “content-based” in almost all circumstances

Supreme Court Decision

- In 2015, the Supreme Court heard the case of Reed v. Town of Gilbert
- The Town of Gilbert had a sign ordinance with 23 exempted categories, and each category was treated differently based on the content
- The Ninth Circuit Court of Appeal initially upheld the exceptions
- The Supreme Court determined that the sign ordinance, and its exceptions, were based on the “face” since the content of the signs dictated their limitations

Local Ordinance Implications

- Town sign ordinance currently has 11 sign categories that are regulated individually and are based on content
 - Governmental
 - Window/door signs
 - Real estate/off-site
 - Political
 - Open
 - Patriotic
 - Government required
 - Construction/future development
 - Subdivision
 - Non-profits
 - Special events

Revisions

- Addition of location restriction to prevent traffic sight distance triangle obstructions
- Addition of a catch-all category for “temporary non-commercial signage” with regulations pertaining to aesthetics and time frames only
- Remove categories specifically regulating signs by content
- Clarified/corrected language throughout Article VIII

Example: Yard Signs

Four temporary signs related to non-commercial activities or events may be placed on a parcel 30 days prior to said activity/event, may remain up during said activity/event, and must be removed within 10 days of the conclusion of said activities/event. These yard signs shall follow the regulations below:

1. The sign shall be non-illuminated and may not exceed 20 square feet or 5 feet in height.
2. The sign shall be setback at least 5 feet from the road and not impose upon the intersection sight triangle (Sec. 40-232 c).

3. The person, party, or parties responsible for the erection or distribution of any such signs shall be jointly liable for the removal of such signs.
4. The lot occupant or, in the case of unoccupied lot, the lot owner, shall be responsible for violations on a particular lot.
5. No temporary signage is permitted in the public right-of-way
 1. With the exception of N.C. Department of Transportation (NCDOT) rights-of-way in accordance with Session Law 2011-408
6. Off-site directional signage shall be related to an event, will only be permitted while the activity/event is ongoing, and shall be removed within 48 hours of the conclusion of said activity/event.
7. No commercial signs shall be placed off-site on a residential lot which are unrelated to ongoing activities on that residential lot.
 1. Signs related to ongoing activities shall be removed within 10 days from the completion of said activity.

Recommendation

- Staff recommends approval of the ordinance
- Planning and Zoning approved the ordinance 7-0

Council Member Barbee asked if the changes include signs on a person's private property, such as a sign in the front yard, regardless of content. Mr. Murphy said yes and that debates could arise over the nature of what is considered an activity or event or whether something is continually ongoing. He said there will be some flexibility and that staff will deal with challenges appropriately.

Mayor Pro Tem Healy asked if the Code Enforcement person is who will enforce this. Mr. Murphy said yes, predominantly, and other Planning staff and the Police Department may also get involved.

ACTION: Motion to amend Chapter 40 Article VIII Sign Regulations as presented

Motion made by Council Member Garza

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

Motion passed 4-0

Ms. Fox asked Council to adopt a statement of approval.

ACTION: Motion for a Statement of Approval – The Council, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of a Text Amendment: To amend Chapter 40 Article VIII to update the sign ordinance to comply with the 2015 Supreme Court decision is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. If applicable, list any recommended restrictions or requirements. (Ms. Fox said there should be none.)

Motion made by Council Member Garza

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

Motion passed 4-0

ACTION: Motion to close the public hearing

Motion made by Mayor Pierce

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

Motion passed 4-0

ITEMS OF BUSINESS

14. Committee Appointments

Council voted March 9 to establish an 11-member Centennial Ad-Hoc Committee. Two members of the former Business and Economic Development Committee will transfer to the new committee, leaving nine spots vacant; 11 individuals have applied.

Council Member Barbee said the new committee was striving to be as inclusive as possible and that he thought the 11 applicants were a good cross-sectional representation of the community. He said he'd like to expand the committee to 13 members so all applicants could serve. Council Members expressed support for this.

ACTION: Motion to expand the Centennial Committee to 13 and appoint all noted applicants

Motion made by Council Member Barbee

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

Motion passed 4-0

The members are:

1. Maureen Lewis (Business and Economic Committee transfer)
2. LeeAnn Tluchowski (Business and Economic Committee transfer)
3. Alannah Keeler (Chamber)
4. Christine Higgins (Non-profit – Island Arts)
5. Debra LeCompte (At-Large)
6. Elaine Henson (History Center)
7. Frances Massey (Non-profit or At-Large)
8. Jasmine McKee (At-Large)
9. Jennah Bosch (Non-profit and At-Large)
10. Ryan Cavanaugh (At-Large)
11. Sharon Carlson (At-Large)
12. Shelia Marshall (At-Large)
13. Vincent Losito (At-Large)

NON-AGENDA ITEMS

Council Member Garza asked when the next budget meeting is. Mr. Oakley said April 27.

Council Member Garza said with this being an election year, there is the possibility of having three new Council Members in December. He said there is a steep learning curve and suggested that staff begin putting together a welcome packet that contains previous budgets, Planning and Zoning Commission activity, events from first responders, legal issues, and more.

Council Member Garza said the meeting had been a highlight for him due to the Girl Scouts presentation. He also said he wanted to thank first responders and expressed appreciation for all they do for the community.

Mayor Pro Tem Healy said they can't thank first responders enough. He also said the water tower is looking a little shabby. He said he agrees that a Council 101 book would be a good idea.

Mayor Pierce said it had been a very emotional week and that the community is tough and always pulls through. She thanked the Fire Department, Police Department, and Mr. Oakley for a good job.

Mayor Pierce asked where the Town is with the Saint Joseph Street bike lanes. She said her understanding was that all that needed to be done was apply with NCDOT. Mr. Oakley said he is working with staff to submit the information needed to get started. He said he hopes to have a response soon.

CLOSED SESSION

15. Closed Session to Discuss an Attorney/Client Matter

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

18 CVS 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

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

Motion made by Mayor Pierce

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

Motion passed 4-0

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

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Mayor Pierce

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

Motion passed 4-0

The meeting adjourned at 9:00 PM.

CAROLINA BEACH

Town Council Workshop

Tuesday, May 4, 2021 - 9:00 AM

Fire Department 9 South Dow Road, Carolina Beach, NC



MINUTES

CALL TO ORDER

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

COUNCIL MEMBERS PRESENT

Mayor LeAnn Pierce

Mayor Pro Tem Jay Healy

Council Member Lynn Barbee

Council Member JoDan Garza

Council Member Steve Shuttleworth

STAFF MEMBERS PRESENT

Town Manager Bruce Oakley

Finance Director Debbie Hall

Mark Meyer, Public Utilities Director

Brian Stanberry, Public Works Director

Eric Jelinski, Parks and Rec Director

Assistant Town Manager Ed Parvin

Town Clerk Kim Ward

Sheila Nicholson, Administrative Assistant

Jeremy Hardison, Planning Director

Alan Griffin, Fire Chief

BUDGET DISCUSSION

Mr. Oakley mentioned that he is requesting a 2% COLA and up to a 3% Merit. Shuttleworth reminded Council that any increase in an employee's salary stays with the employee and increases the budget every year.

Council discussed the idea of the Municipal Service District tax. All Council seemed to be in favor of moving forward with the tax. Staff is proposing Option 3 as shown for a total property value of \$136,275,600.

Mr. Parvin reviewed the department organization charts.

Debbie Hall presented the debt service. \$103,000 of debt is maturing this year. The burial of the power lines at the boardwalk and the fire boat. They will be replacing this debt payment with two new pieces of fire apparatus.

Mr. Parvin reviewed the non-departmental budget, legislative, clerk, executive, HR, marina, and parking.

Council Member Shuttleworth asked for a 30,000-foot view on what is going on with the relations with MOTSU and what Mike McIntyre is working on.

Mr. Oakley said he feels the Town may eventually be allowed more use of the property, but it will still have restrictions.

Mayor Pierce said she would like to see the expansion of Mike Chappell Park.

Council Member Shuttleworth said that he would like to add a community garden and that he had been requesting that for years.

Mayor Pierce said that she is attending a meeting next week with the County and the City of Wilmington to discuss a quarter cent sales tax. She said she is not in favor of the increase unless she understands how Carolina Beach will get the tax back. Mrs. Hall added that the tax is currently based on ad valorem.

Mayor Pierce asked about the \$10,000 for time keeping training in the Human Resource budget. Staff explained that it included the software, maintenance, and training.

Mayor Pierce said that she would rather see the budget after it has been cut and not before cuts have been made.

Council Member Shuttleworth discussed the re-valuation and the effect it will have on revenue. He feels that property owners should pay the increased tax amount because their property value increased.

Council Member Barbee said that he relies on the manager to manage the expenses. He doesn't feel the Town is wasting money. He would like to see things start moving forward again. There are projects that need to get started.

Council Member Shuttleworth said that his focus is on infrastructure.

Council Member Shuttleworth asked where we can find more revenue. He mentioned that parking seems to be the best source to create more revenue.

Council discussed rules such as dogs on the boardwalk and smoking on the beach. They asked staff to get with Noel on any changes staff is proposing.

Mr. Parvin reviewed the marina budget and suggested Council consider adding a backup staff member for the current full-time harbor master. Revenues are down at the marina right now because of construction. Council Member Barbee would like to see more transient slips.

Mr. Parvin said that there are still issues with parking, but they are working together with Reef.

Council Member Barbee said that the Surfside lot is a mess. There are too many signs and you cannot figure out how to pay. He feels that it may be more beneficial to have that property redeveloped.

Mayor Pierce made a motion to go into closed session to discuss an attorney/client matter in accordance to 143.318.11(a)(3). The 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
18 CVS 3155 Town of Carolina Beach vs. Winnie Futch Heirs

Mayor Pierce made a motion to return to open session stating that no action was taken during closed session. Motion carried unanimously.

Jeremy Hardison presented the budget proposal for the Planning Department.

Mark Meyer presented the budget for public utilities.

Council Member Garza said he would like to see the same expenditures spreadsheet at the May 11, 2021 Council meeting.

Council Member Barbee would like to see an overview slide on the large buckets of expenditures like personnel and capital.

MPT Healy asked Mrs. Hall to send out the information on revenue neutral numbers.

Council Member Garza said that training seemed to be a big interest amongst staff. He suggested that management overly take care of staff. He asked that the Town do small things such as bringing in a food truck to show employee appreciation.

Mayor Pierce said she is interested in moving forward with the beach ranger position. Mr. Oakley said that he is meeting with the fire chief tomorrow to discuss this position falling under ocean rescue and will look into funding it with ROT funds.

Council Member Barbee said he feels that Council wants this position to be more enforcement than education.

Council briefly discussed the mission of committees.

Mayor Pierce made a motion to adjourn at 2:00 p.m.



AGENDA ITEM COVERSHEET

PREPARED BY: Council Member Barbee

DEPARTMENT: Legislative

MEETING: Town Council – 05/11/2021

SUBJECT: Special Presentation by Johnathan Strickland regarding Pack It In, Pack It Out

BACKGROUND:

Local middle school student, Johnathan Strickland will present his poster design and speak about the Pack It In, Pack It Out program.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council – 05/11/2021

SUBJECT: Presentation by the Cape Fear Sail & Power Squadron – Safe Boating Week

BACKGROUND:

Representatives from the Cape Fear Sail and Power Squadron will present information on safe boating and request Council’s support on proclaiming May 22-28, 2021 as Safe Boating Week.

RECOMMENDED MOTION:

Motion to adopt Proclamation Number 21-2235 setting May 22-28, 2021 as Safe Boating Week.

Proclamation



Town of Carolina Beach
Town Council

PROCLAMATION NO. 21-2235

**A RESOLUTION OF THE TOWN COUNCIL
OF CAROLINA BEACH, NORTH CAROLINA
PROCLAIMING THE WEEK OF MAY 22-28, 2021
AS SAFE BOATING WEEK**

WHEREAS, the beautiful coastal waters of Carolina Beach represent a world renowned recreational resource that residents and visitors alike are drawn to each year for water and beach activities; and

WHEREAS, year-round, people continue to enjoy all that our natural environment has to offer through the joy of boating; and

WHEREAS, on average, 613 people die in the U.S. each year in boating-related accidents, with approximately 80% of these deaths caused by drowning; and

WHEREAS, in approximately 86% of drowning cases, the victim was not wearing a life jacket; and

WHEREAS, it is apparent that wearing a life jacket is the single most important factor in reducing boating-related deaths; and

WHEREAS, the National Safe Boating Council, supported by the U.S. Coast Guard and other national organizations, has set May 22 through 28 as National Safe Boating Week;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Council of the Town of Carolina Beach proclaims May 22-28, 2021 as Safe Boating Week in this Town; and **urges all persons to wear a life jacket at all times while boating.**

This Resolution is adopted this 11th day of May, 2021.

LeAnn Pierce, Mayor

Attest: Kimberlee Ward, Town Clerk

Town of Carolina Beach
Proclamation No. 21-2235



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council Meeting 5/11/2021

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 5/11/2021

SUBJECT: Manager's Update

BACKGROUND:

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



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council – 6/8/2021

SUBJECT: Public Hearing to Receive Public Input on the FY21/22 Budget

ACTION REQUESTED:

Open public hearing to allow residents to provide input on the FY21/22 budget.

RECOMMENDED MOTION:

Motion to open the public hearing to receive input on the FY21/22 budget.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Planner

DEPARTMENT: Planning

MEETING: Town Council – 11 MAY 2021

SUBJECT: Text Amendment: Consider amending Chapter 40, Article III, Article VII, & Article XVIII to review setbacks for through lots for fences, swimming pools and accessory structures.

BACKGROUND:

The town has approximately 70 through lots, in which all sides of a lot adjacent to streets shall be considered frontage. Currently, the ordinance requires that accessory structures, swimming pools, and fences meet front setback requirements on both frontages on through lots. Per P&Z's discussion in March, staff took P&Z feedback to TRC and discussed various ordinance allowances related to through lots. These changes were compiled into several updates related to dimensional standards and setbacks for fences, swimming pools, and accessory structures on through lots. Proposed changes include allowances for the designated rear yards on through lots. In the designated rear yard, fences may not exceed 6ft, accessory structures must be setback 10ft, in-ground pools must be setback 5ft, and above ground pools must be setback 10ft. The proposed ordinance incorporates both P&Z and TRC recommendations.

ACTION REQUESTED:

Staff recommends approval of the Text Amendment

RECOMMENDED MOTION:

Approval - Whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40, Article VIII is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

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

Double Frontage Lots



ORDINANCE NO. 21-1152

Amend Chapter 40 Zoning Article III Sec. 40-75 Dimensional standards for accessory structures, Article VII, Sec. 40-204 Height restrictions, and Article XVIII Definitions

Sec. 40-204. - Height restrictions.

- (b) *Residential and commercial districts.*
- (1) No fence shall exceed six feet in height.
 - (2) No fence shall exceed four feet in height when located in the front yard setback.
 - (3) On through lots, no fence may exceed 6 feet in height in the designated rear yard as long as there is no driveway access and no sight distance interference.
- (c) *Fences exceeding the height restrictions.*
- (1) For nonresidential uses only, a conditional use permit shall be required for fences exceeding the height restrictions.
 - (2) Exemptions. Town facilities, utilities, and all uses specifically identified in article IX of this chapter as having an allowance for fencing exceeding six feet.

Sec. 40-75. - Dimensional standards for accessory structures.

- (a) *Accessory structures associated with residential uses shall:*
- (1) Be included when calculating the total allowable lot coverage, and shall not constitute a proportionate size greater than 25 percent of the principal building's lot coverage, regardless of the lot size;
 - (2) Be limited to 15 feet in height;
 - (3) Not be permitted within any required front or side yard, or within five feet of the rear lot line;
 - (i) On double frontage lots, accessory structures must be setback a minimum of 10 feet from the property line in the designated rear yard.
 - (4) Not be occupied, leased, rented or otherwise used for profit, income or for gain;
 - (5) Not be used as a dwelling unit;
 - (6) Contain no more than three internal plumbing fixtures (water heater is exempt);
 - (7) Maintain a residential appearance and shall not produce impacts detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking, or other activities;

- (8) Meet state building code requirements if any dimension is greater than 12 feet;
- (c) *Swimming pools setbacks.*
 - (1) Setbacks for swimming pools less than 30 inches above the ground level of the graded lot:
 - a. Front yard: As required for the zoning district.
 - b. Side yard: Five feet.
 - c. Corner yard: Five feet.
 - d. Rear yard: Five feet.
 - e. Designated rear yard (Through Lots): Five feet
 - (2) Setbacks for swimming pools more than 30 inches above the ground level of the graded lot:
 - a. Front yard: As required for the zoning district.
 - b. Side yard: Five feet.
 - c. Corner yard: 7.5 feet.
 - d. Rear yard: Five feet.
 - e. Designated rear yard (Through Lots): Ten feet

Sec. 40-548. - Definitions.

Rear yard means the area between the side lot lines across the rear of the lot. Through lots have no rear yard, only front and side yards.

- 1. Designated rear yard means a yard on a through lot where there is no driveway access, and the principal structure is not addressed from the adjacent right-of-way.

Adopted this 11th day of May, 2021.

LeAnn Pierce, Mayor

Attest: _____

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

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

MEETING: Town Council – 11 May 2021

SUBJECT: Text Amendment: Consider amending Chapter 40, Article III & Article XVIII, to address rooming houses.
Applicant: Town of Carolina Beach

BACKGROUND:

Currently the zoning ordinance does not address rooming houses or also referred to as boarding houses. There have been recent discussions at what point are you operating as a single-family home or now you are defined as a rooming house. The definition of a single-family home by the zoning ordinance means one or more individuals occupying a premises and living as a single nonprofit housekeeping unit, provided that a group of five or more persons who are not related by blood or marriage shall not be deemed to constitute a family.

Staff is proposing to prohibit rooming houses in table of permitted uses and creating a definition on what exactly is a rooming house. This is a result of complaints that have generated from a house that was offering individual rooms for rent to unrelated individuals. The issues that have resulted in this type of arrangement have been parking, noise, and increase in police calls with the transient nature of the tenants. The proposed definition would regulate when offering rooms for rent on individual basis when not owner occupied, but did not want to cast a wide net to have a negative impact on vacation rentals or offering roommate living for residence that are owner occupied.

ACTION REQUESTED:

Review the proposed ordinance and make a motion to Council or direct staff to bring back alternative language

RECOMMENDED MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the following ordinance amendment to amending Chapter 40, Article III & Article XVIII, is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

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

Ordinance 21-1151

Town of Carolina Beach

Town Council



Consider amending Chapter 40, Article III & Article XVIII, to address rooming houses.

Sec. 40-72. - Table of permissible uses.

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Residential Uses														
Rooming house	Prohibited													

Sec. 40-548. - Definitions.

[Roominghouse](#) means a dwelling unit not owner occupied where individual sleeping rooms are rented under separate agreement or lease, either written or oral, regardless of whether an agent, or rental manager is in residence

Duly adopted this 11th day of May, 2021.

LeAnn Pierce, Mayor

Attest: Kimberlee Ward, Town Clerk



Rooming House



Sec. 40-72. - Table of permissible uses.

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Residential Uses														
<u>Rooming house</u>	<u>Prohibited</u>													

Sec. 40-548. - Definitions.

Roominghouse means a dwelling unit not owner occupied where individual sleeping rooms are rented under separate agreement or lease, either written or oral, regardless or whether an agent, or rental manager is in residence

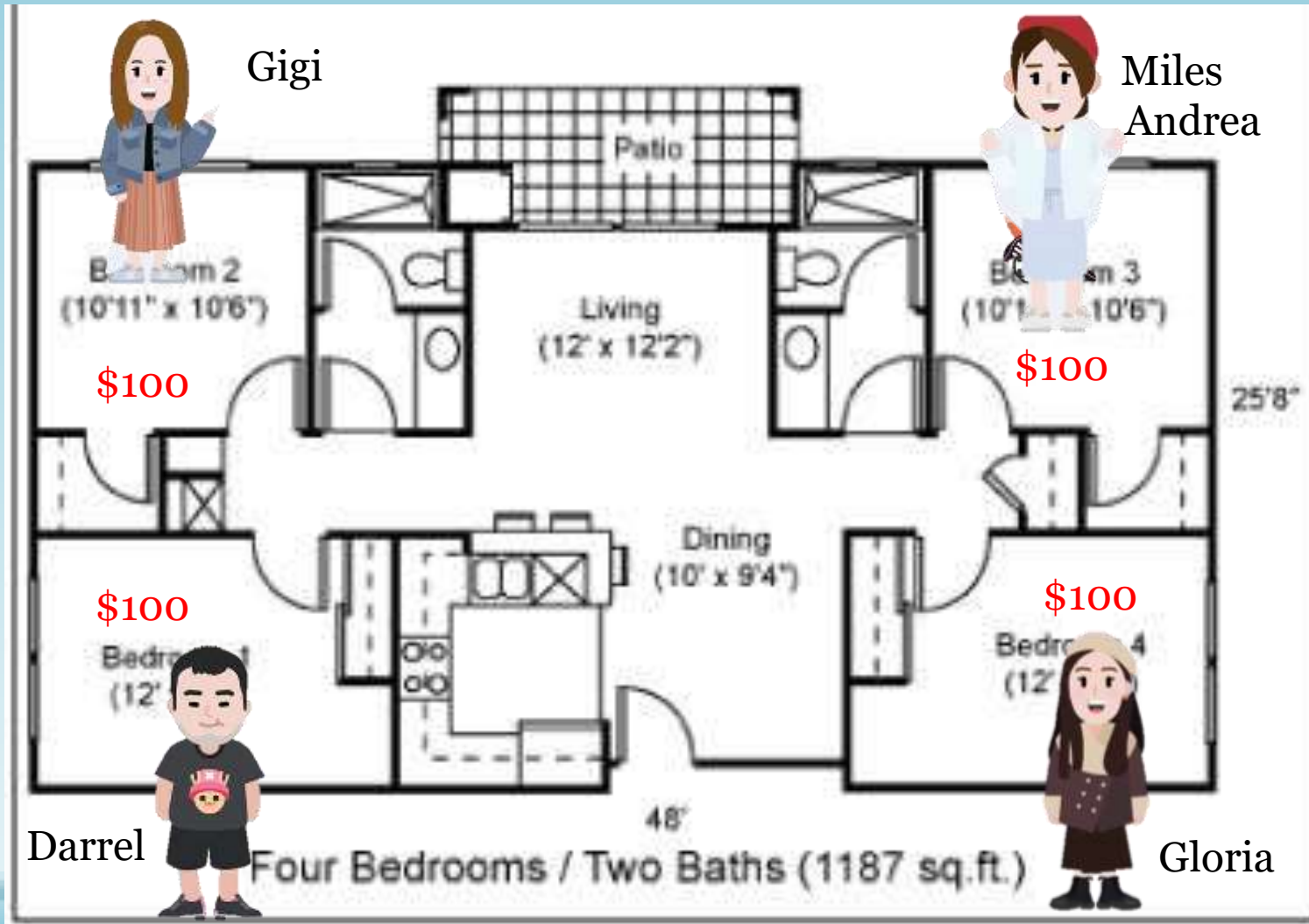


Owner
Jeremy

Renting Rooms
Individual
Agreements

Renting the
whole house
With one
agreement

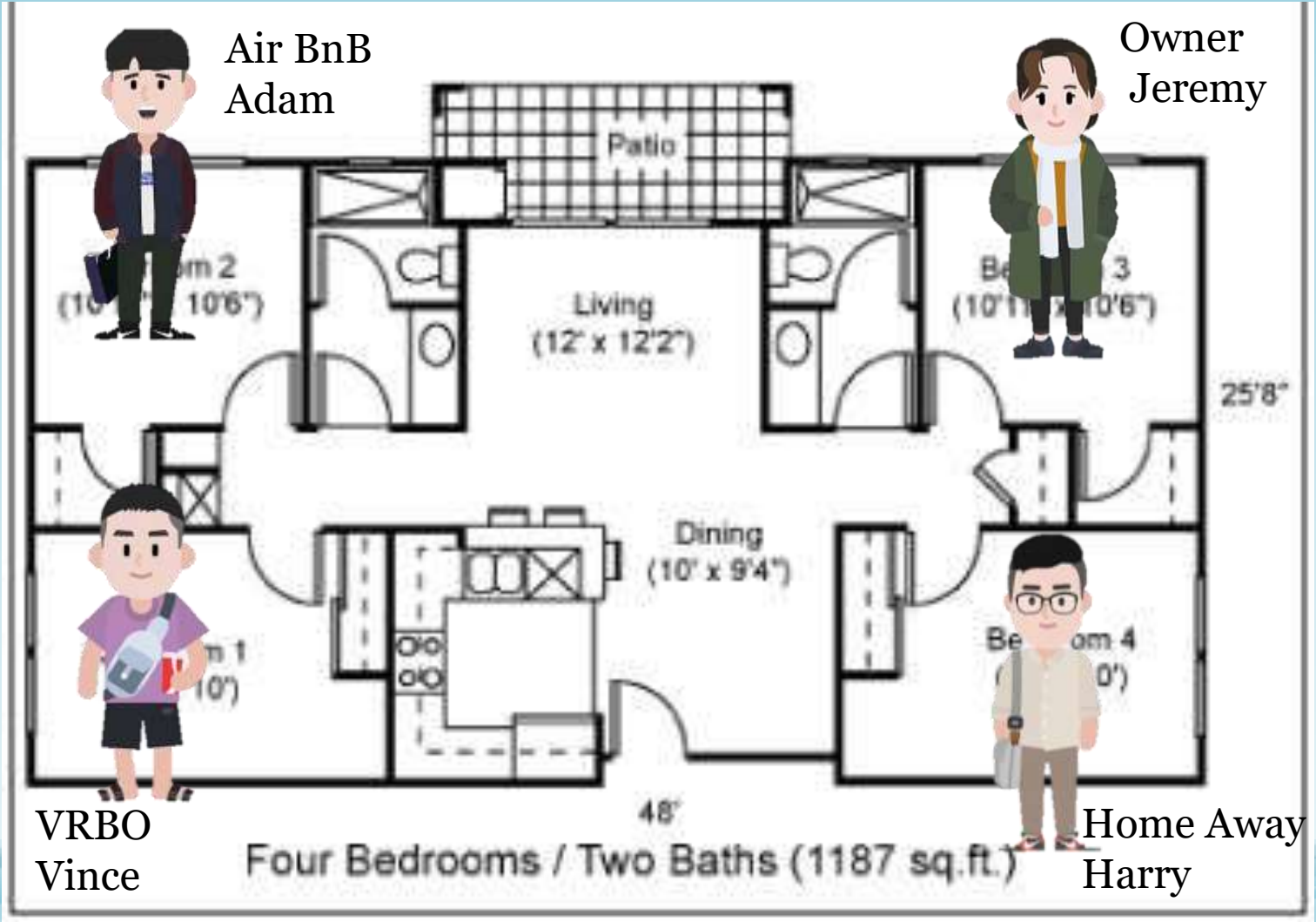
\$400





Owner
Jeremy

Renting Rooms



P&Z Recommendation

Item 13.

Approval - whereas in accordance with the provisions of the NCGS, the commission does hereby find and determine that the adoption of the following ordinance amendment to amending Chapter 40, Article III & Article XVIII, is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion

Approval - whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the following ordinance amendment to amending Chapter 40, Article III & Article XVIII, is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

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



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Council Meeting 5/11/2021

SUBJECT: Closed Session to Discuss an Attorney/Client Matter

RECOMMENDED MOTION:

Motion to go into closed session to discuss an attorney client matter in accordance to NCGS 143-318.11(a)(3).

Matters being discussed are:

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