

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, May 09, 2023 – 6:00 PM

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



AGENDA

CALL TO ORDER

INVOCATION GIVEN BY BECKY BLACKMORE WITH ST. PAUL'S UNITED METHODIST CHURCH,
FOLLOWED BY THE PLEDGE OF ALLEGIANCE

ADOPT THE AGENDA

CONSENT AGENDA

- [1.](#) Budget Amendments/Transfers
- [2.](#) Consider Approving Resolution 23-2287 for the Wording on the Entryway Sign to Read, "Celebrating 100 Years 1925-2025"
- [3.](#) Approval of Council Meeting Minutes

SPECIAL PRESENTATIONS

- [4.](#) Events Update by Tim Murphy
- [5.](#) Proclamation for Safe Boating Week – May 20-26, 2023
- [6.](#) 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

- [7.](#) **Text Amendment** to amend Chapter 40, Art. XVII. – Definitions to amend the definition of Gross floor area, outdoor. Applicant: Town of Carolina Beach
- [8.](#) Public Hearing to Receive Public Input on the 2023/2024 Budget

ITEMS OF BUSINESS

- [9.](#) Staff Recommendation for IT Vendor

COUNCIL COMMENTS

CLOSED SESSION FOR ATTORNEY/CLIENT PRIVILEGE

- [10.](#) Closed Session – Real Estate and Attorney/Client

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 5/09/2023

SUBJECT: Budget Amendments/Transfers

BACKGROUND:

I 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 appropriation.

Transfers:

Transfer \$10 from account 10-430-033 Clerk Supplies to account 10-430-053 Clerk Dues & Subscriptions to cover increase cost of NC Municipal Clerk dues.

Transfer \$2,500 from account 10-491-012 Planning Printing & Publishing to account 10-491-033 Planning Supplies to cover cost of office furniture and office supplies for planning staff.

Transfer \$7,588 from account 10-570-046 Parking Professional Services to account 10-630-046 Freeman Park Professional Services to cover the cost of Freeman Park management line-item shortage.

Transfer \$6,989.21 from account 10-520-017 Lifeguard M&O Vehicles to account 10-520-074 Lifeguard Capital Project over \$10,000 to cover the purchase of a used Jeep for lifeguards.

Transfer \$2,796 from account 10-410-014 Legislative Travel & Training to account 10-420-014 Executive Travel & Training to cover the cost of the budget retreat facilitator.

Transfer \$9,911.46 from account 23-010-074 Lake Dredging Capital over \$10,000 to account 23-010-046 Lake Dredging Professional Services to cover line-item shortage.

BUDGET IMPACT:

Amendments and transfers will not affect the budget.

ACTION REQUESTED:

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

From: Kim Ward
Sent: Wednesday, March 8, 2023 12:16 PM
To: Debbie Hall
Subject: Budget Transfer Request

Debbie,

Will you please transfer \$10.00 to 10-430-053 (Clerk Dues and Subscriptions) from (10-430-033 Clerk Supplies) to cover the cost of the \$10 increase in the NC Municipal Clerk Dues?

Thank you!

Kim Ward
Town Clerk
Town of Carolina Beach
1121 N Lake Park Blvd
Carolina Beach, NC 28428
Phone 910-458-2992



From: Jeremy Hardison
Sent: Thursday, April 13, 2023 10:34 AM
To: Debbie Hall
Subject: Budget Transfer Request

Debbie,

I would like to request \$2,500 from 10-491-012 Printing and Publishing to Supplies 10-491-033. Let me know if you need anything additional.

Thanks,

Jeremy Hardison
Planning & Development Director
1121 N. Lake Park Blvd.
Carolina Beach NC 28428
910 458 2991

From: Sheila Nicholson
Sent: Tuesday, April 25, 2023 1:37 PM
To: Debbie Hall
Cc: Bruce Oakley
Subject: Budget transfer request: 10-630-046

To cover the cost of managing Freeman Park for the month of March 2023, please transfer \$7,588.00 from 10-570-046 to 10-630-046. Please note that a PO has already been issued and funds encumbered for April, May, and June for these services.

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.

From: Alan Griffin
Sent: Wednesday, April 26, 2023 11:25 AM
To: Debbie Hall
Subject: RE: Budget Transfer for Lifeguard Vehicle

Transfer 10-520-17 that is where the insurance checks came from, thanks.

Alan Griffin
Fire Chief
Carolina Beach Fire Department
910-458-2985 Office
910-409-1014 Cell

From: Debbie Hall <debbie.hall@carolinabeach.org>
Sent: Wednesday, April 26, 2023 9:49 AM
To: Alan Griffin <alan.griffin@carolinabeach.org>
Cc: Bruce Oakley <Bruce.Oakley@carolinabeach.org>
Subject: Budget Transfer for Lifeguard Vehicle

Alan,

I'm working on Budget Transfers in preparation for tomorrow's agenda prep meeting. Please send me your budget transfer request for the Lifeguard Vehicle. I believe you said you're planning to take the money out of 10-520-017 to cover the shortage in 10-520-074.

From: Sheila Nicholson
Sent: Thursday, April 27, 2023 8:30 AM
To: Debbie Hall
Cc: Bruce Oakley; Kim Ward
Subject: Budget transfer request: to cover cost of Budget Retreat Facilitator

Debbie,
We have just now received the invoice for the facilitator services we received at the January budget retreat. To cover the cost, we respectfully request a budget transfer in the amount of \$2,796 from 10-410-014 to 10-420-014. Please let me know if you have any questions.

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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From: Ed Parvin
Sent: Wednesday, April 26, 2023 1:07 PM
To: Debbie Hall
Subject: budget transfer

Debbie,

Respectfully request to have the following budget transfer reviewed for approval:

Move \$9,911.46 from 23-010-074 to 23-010-046

This will cover the additional engineering/design costs needed for this project.

V/R,

Ed H. Parvin
Assistant Manager

910 465 2766
ed.parvin@carolinabeach.org



1121 North Lake Park Blvd.
Carolina Beach, NC 28428

www.CarolinaBeach.org



CAROLINA BEACH POLICE DEPARTMENT

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



Item 1.

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

From: Chief Vic Ward

Date: 4/28/2023

Re: Budget Transfer Request

The Police Department is requesting the following budget transfers for the FY 22/23 budget. Please let me know if you have any questions.

\$22,000 – for the purchase and upfit of a UTV for use by Beach Ranger

From 10-510-001 Holiday Pay
To 10-510-074 Capital Projects

\$2,000 – for maintenance and repairs to fleet vehicles

From 10-510-033 Supplies
To 10-510-017 Maintenance & Repair - Vehicles

\$3,000 – for maintenance and repairs to fleet vehicles

From 10-510-045 Contract Services
To 10-510-017 Maintenance & Repair - Vehicles

Thank you for your consideration.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Workshop 5/9/2023

SUBJECT: Consider Approving Resolution 23-2287 for the Wording on the Entryway Sign to Read, "Celebrating 100 Years 1925-2025"

BACKGROUND:

NCDOT requires a resolution of support to change the entryway sign located in the right of way beside the south bound lanes on 421 approaching the Snow's Cut Bridge.

ACTION:

Motion to approve Resolution 23-2287, supporting the language on the Carolina Beach entryway sign to read, "Celebrating 100 Years 1925-2025".

Resolution



Town of Carolina Beach
Town Council

RESOLUTION NO. 23-2287

RESOLUTION REQUESTING INSTALLATION OF A SIGNAGE PANEL RECOGNIZING THE TOWN OF CAROLINA BEACH’S 100 YEAR ANNIVESARY AND AUTHORIZING EXECUTION OF NCDOT REIMBURSEMENT AGREEMENT FOR RELATED DESIGN AND INSTALLATION COSTS

WHEREAS, the Carolina Beach Town Council desires to recognize the 100 year anniversary of the Town of Carolina Beach; and

WHEREAS, the Council has determined that an appropriate recognition is to request the installation of a supplemental sign panel stating “Celebrating 100 Years 1925-2025”; and

WHEREAS, under the NC Department of Transportation guidelines for the installation of new or modified signage at or near town boundaries, the Town, as the requesting party, would be responsible for all related costs for the design and installation of the signage.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Carolina Beach requests that the NC Department of Transportation install a supplemental sign panel stating “Celebrating 100 Years 1925-2025” to the existing Department of Transportation’s Welcome to Carolina Beach signage located at the base of the Snow’s Cut Bridge.

BE IT FURTHER RESOLVED, that the Town will accept the responsibility for all related costs of the supplemental sign panel by executing a reimbursement agreement for the design and installation of such signage, and the Town Manager is authorized to execute such agreement.

ADOPTED this 9th day of May, 2023.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 5/9/2023

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

Attached are the meeting minutes from March 28, April 11, and April 25, 2023.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Workshop

Tuesday, March 28, 2023 - 9:00 AM

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



MINUTES

CALL TO ORDER

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

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Mike Hoffer

Council Member Deb LeCompte

ABSENT

Council Member Joe Benson

ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

Mayor Barbee recognized the passing of New Hanover County Commissioner Deb Hays and asked everyone to take a moment of silence for her. He said the Town will follow the County on flying the flag at half-staff in her honor.

DISCUSSION ITEMS

1. Capital Improvement Financial Planning Model Presentation

David Cheatwood with First Tryon Advisors attended the meeting virtually and gave an overview of the Town's existing debt and capital planning model for the utility system. He said First Tryon has worked with the Town since 2016 and developed the model to help determine the best way to fund the Town's sizeable needs for the next five to 10 years.

The first slide focused on the existing debt profile for utilities:

- As of June 30, 2022, the Town had approximately \$23 million of utility-related debt outstanding, consisting of a series of revenue bonds and various State Revolving Fund (SRF) loans and installment financing contracts.
- The portfolio had an average coupon of 4.111%, a 10-year payout ratio of 57%, a weighted average life of 9.423 years, and a final maturity in FY 2041.

Mr. Cheatwood reviewed components of the capital planning model, which gives the Town the ability to forecast the impact of funding proposed capital projects over both the near-term and long-term horizon:

- The model is designed to be interactive and allow the Town to run multiple scenarios with different assumptions in a timely manner.
- Within the model, the focus is on several key inputs to produce desired results. Inputs include existing debt, credit profile, capital improvement plan/project “wish list,” and financial performance. Outputs include revenue impact, cash balance impact, compliance with financial policies/targets, credit rating impact/peer comparison, and revenue/expenditure performance.

An optimal funding plan will achieve the following goals:

- Fund 100% of projects
- Debt service coverage remains strong (minimum coverage of 1.5 times parity and 1.2 times total)
- Cash remains above targeted level (180 days)

Other slides covered overview of assumptions, capital improvement plan summary, summary of debt-funded capital projects, and summary of financial projections.

Mayor Barbee said this is a happy day for the Town because infrastructure items have been punted around from Council to Council without a plan, which is now in place. He said the Town now knows what it must do, cost estimates, and a financial plan for how to get it done and when. Mayor Barbee said this is important because Council can stop debating about when to borrow money and how much and instead just follow the plan. He thanked Mr. Oakley for his work.

Mayor Barbee said Council will have to figure out how to roll out rate increases. He questioned whether the Town would want to hit people every year or do something different.

Council Member LeCompte said this is a great start, but there is a lot of material so Council Members will need to review, draw conclusions, and add information.

Mayor Pro Tem Healy asked Mr. Parvin if he had ever seen the Town get in front of expenses like this in the past. Mr. Parvin said there has been a capital improvement plan, but there were no numbers behind it like now with this model. Mayor Pro Tem Healy said this is a big day for the Town.

Mayor Barbee mentioned Canal Drive as a non-utilities project that has been kicked down the road for many years. He asked staff to run a similar model for this and other projects not covered by the model discussed today. Mayor Barbee asked what a reasonable time frame would be for this. Mr. Oakley said it would be about six months to have a plan in place and work on a model. Mayor Barbee said without a plan, the Canal Drive project is never going to move forward.

Council Member Hoffer said it’s comforting to know the projects can be done with rate increases that he feels are reasonable for most people. He said everything goes up 3% per year, and it seems like the average person can handle this.

Mr. Oakley said the Town is still actively searching for other funding sources, including at the State and Federal levels, that may affect the model in the long term.

2. Update from the Centennial Committee

Centennial Committee Chair Maureen Lewis gave an overview of the group's projects. She said the Pleasure Island Chamber of Commerce voted on March 15 to absorb the Centennial Committee under its umbrella, a move that will offer more flexibility with fundraising. Ms. Lewis said the Chamber's reach and mission align with the committee's vision, and the Chamber's board president and a Chamber staff member currently serve as committee members.

Ms. Lewis said funding for the projects will take a four-pronged approach: Town-owned activities and programs, existing local organization programs that can be "centennialized," via room occupancy tax (ROT) to attract a wide tourist base, and through private and private/public funded programs that will enhance the centennial celebration.

Proposed projects for Town funding include Venus fly trap statues, the centennial logo on the water tower, replacement of decals on Town vehicles with the centennial logo, a mural on Town Hall, street banners, a time capsule, new centennial logo shirts for Town staff, and a hometown fair and picnic. Ms. Lewis said the committee can look for sponsors for anything the Town doesn't cover.

Island Arts Council President Chris Higgins presented the most pressing budget item, a \$6,000 request to go toward the design of the first Venus fly trap statue to be on display in Town Hall and become property of the Town. Ms. Higgins said the Island Arts Council was established in 2011 and originated as the Town's ad hoc Arts and Activities Committee. She said the Town provided a \$3,000 seed grant, and the organization has been self-sustaining since then.

Ms. Higgins said the Venus fly trap statues, a public sculpture project, would be produced by local manufacturer Hubert Graham of Grahamland, which is located on Highway 74 in Bolton (Columbus County). She showed a mockup of the first statue and reviewed benefits of the project, which include celebrating the community, promoting the arts, and supporting economic development and tourism.

Ms. Higgins said there is a multi-year plan for implementation of the statue project:

- 2023 – design, prototype, and introduction \$10,000-\$15,000
- 2024 – production, artists' magic, and launch \$30,000-\$40,000
- 2025 – installation and celebration \$10,000 to \$15,000

Proposed funding sources include:

- 2023 – grants and fundraising campaign
- 2024 – more grants, fundraising, and pre-sale
- 2025 – auction and merchandise

Council Member Hoffer asked about the Island Arts Council's track record of raising money. Ms. Higgins said the group has not been back for money from the Town in 12 years, has raised grants, and

has \$17,000 in the bank, which the group keeps reinvesting and growing. She said the Island Arts Council birthed the Carolina Beach Mural Project and Art in the Yard.

Mayor Barbee thanked Centennial Committee members for their work and praised them for creating a vision.

ACTION: Motion to approve the transition of the Centennial Committee to the Pleasure Island Chamber of Commerce, therefore dissolving the Town ad hoc committee

Motion made by Mayor Barbee

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

Motion passed 4-0

Mayor Barbee mentioned the idea of creating a photo-op location related to the centennial celebration at the Federal Emergency Management Agency (FEMA) or marina parking lot. The Town will work with the Island Arts Council on this project.

Mayor Barbee said he would like Council Members to hand out T-shirts with the centennial logo during the Thursday fireworks displays this summer to create support and a buzz.

3. Beach Services Discussion

Planning Director Jeremy Hardison gave an overview of beach vending services for the 2023 season. He said in Freeman Park, a maximum of six vending permits for motorized vehicles are allowed, and currently two have been issued. Mr. Hardison said the number of permits sought at Freeman Park has dropped since the maneuverable size of the park has decreased. He said six non-motorized vending permits are allowed on the municipal beach strand, and six have been issued.

Mr. Hardison said for both motorized and non-motorized permits, vendors can operate from sunrise to sunset and may not remain in a stationary location for more than 30 minutes.

Permit issuance

- Existing vendors shall submit a request for permit renewal on or before March 1 of each year.
- All vending permits shall expire on March 31 of the following year.
- The vendor shall sign a new one-year vending permit with the Town.
- No vendor shall apply for or obtain more than one of each type of vending permit (i.e., one motorized and one non-motorized).

Mr. Hardison said a wait list is available and currently contains two applications for non-motorized permits.

Council Member Hoffer asked if the Town still has the brick-and-mortar rule. Mr. Hardison said that requirement was removed from all permits when regulations for food trunks changed. He said the previous rule was that to get a permit, you had to have a brick-and-mortar business in the Town, but this is no longer required.

Council Member Hoffer asked if anybody ever makes it off the wait list. Mr. Hardison said this happens very rarely.

Mr. Hardison said a permit shall be removed immediately by a citing Town official upon receipt of three violations, and the Beach Patrol will help enforce this. He said the fee for a permit is \$200 annually.

Mr. Hardison also gave a brief history of beach vending permits, which started on the municipal strand in 1996 and in Freeman Park in 2006. He said there were ordinance revisions in 2007 and 2011 before getting to the current regulations in 2017.

Mayor Barbee said many years ago, the Boardwalk had lots of walk-up services such as cotton candy, candied apples, and corn dogs, but things have changed over the years and there are now more sit-down restaurants. He said beach vendors are providing a type of service that has migrated off the Boardwalk, so it's a good program.

Mayor Pro Tem Healy said he would like to add one more non-motorized vending permit. Several Council Members said they often don't see any vendors on the beach all day long in certain areas.

Council Member LeCompte said boat captains operating out of the marina have a certain number of trips they must take to maintain a lease, so she would like to consider doing something similar with beach vendors to make sure the permits are being used to the fullest extent. She said they could provide a log of when they operate.

Mayor Barbee said he likes the idea of 10 carts on the 3.5-mile municipal beach strand, so he would be in favor of adding four more non-motorized vending permits. He said he supports a free market and doesn't think the Town should get in too deep specifying exactly what they can sell in comparison to what's already out there, but he also doesn't want to create a structure where they can't survive and be successful.

Mayor Barbee said Council Members should let Mr. Oakley know their thoughts, and staff will bring back a proposal for discussion and a vote at the next meeting.

4. Manager's Update

Mr. Oakley gave an update on various projects:

- The lake dredge bids will be in later this week.
- The Starfish Lane project is underway, and stormwater improvements are being made.
- A rendering of the Brandy Myers Memorial Playground was displayed. The project, which will be located at Lake Park, should start this fall and be complete by spring.
- The paving projects are still underway. Crews are starting to pave Carolina Beach Avenue North today.

Mayor Pro Tem Healy mentioned the archway shown in the playground rendering and asked if the Town would consider doing something similar at Freeman Park. Mr. Oakley said it's possible, and the Town still needs to plan a monument to the Freeman family at some point.

Mr. Oakley said the grant for the purchase of Freeman Park is awaiting some appraisals, and after those are complete the Town can move forward with a contract and receipt of funding.

Council Member Hoffer said with the Town 75% of the way through the current year's budget, he wants to know if things are on pace to expand the paving projects. Mr. Oakley said there are a lot of unknowns because many projects are put off until the last quarter so the budget can be monitored. He said if there is leftover money at the end of the year, it could be rolled into Powell Bill funds to do more paving next year.

Mayor Barbee said the idea to add more paving projects now is so the Town can save money on mobilization costs while the equipment is already here. He asked if mobilization would cost more later. Mr. Oakley said with the current paving contractor, mobilization is built into the unit price and there is no separate charge for it, but additional projects would need to be bid out, a process that would take about two weeks.

Council Member Hoffer asked if there is room in the current budget to add to the paving projects. Mr. Oakley said he thinks there will be a surplus in June, but he doesn't know how much. He said any overage could go toward other projects, so it all comes down to priorities.

Council Member Hoffer said some roads that didn't quite make the cut this time are rough, so he doesn't want them to sit for another two years.

Mayor Barbee said he thinks a continual paving program would be beneficial, but he understands that the Town may need to build up funds. Mr. Oakley said the current paving projects are being done with all Powell Bill funds allocated by the State and not any Town property tax dollars.

Mayor Barbee asked Mr. Oakley to bring a list of possible priorities that could be handled with a surplus so Council can vote on the items.

Council Member Hoffer said he thinks there should be more clarity into the budget as each month passes. Mr. Oakley said he gave Council a budget actual of every line-item last month. Council Member Hoffer said he would like to see updated projections. Mr. Parvin said any method for making projections would not be accurate because of big projects that are scheduled for later in the year.

5. Approve Change of Meeting Day for the Operations Advisory Committee

The Operations Advisory Committee voted on March 14 to change its meeting day from the second Tuesday to the second Monday of the month due to a schedule conflict. The meeting time will remain 10:00 AM, and the location will continue to be the multipurpose room in Town Hall.

Ms. Ward said because Council sets the schedule for committees, Council will have to vote to change the meeting day.

ACTION: Motion to change the meeting day of the Operations Advisory Committee from the second Tuesday of the month to the second Monday of the month

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Hoffer, Council Member LeCompte
Motion passed 4-0

6. Beautification Committee Appointment

Council made the following committee appointment:

- Karin Harriss – Beautification Committee (term expiring on June 30, 2025)

7. Discuss Agenda Items Scheduled for April

Council Members asked that the following items be placed on the agenda for the April 11 regular meeting or April 25 workshop (or otherwise reviewed for later consideration):

- Adding beach vending permits
- Update on the Beach Patrol ranger position
- The Defense Community Infrastructure Pilot Program, which offers grants to communities that support military installations
- Update on the entrance sign at Snow's Cut Bridge and what the N.C. Department of Transportation (DOT) will allow
- DOT approval for a permanent flat monument at Lake Park Boulevard and Cape Fear Boulevard in honor of Cora Kruger, who was killed by a vehicle at the intersection in 2019
- Lake Park Boulevard 2025 DOT paving project
- Presentation by the Beautification Committee
- Update on the 2023 summer season and any major changes
- Hamlet Avenue stoplight progress
- Bottle shop ordinance
- Right-of-way issues

COUNCIL COMMENTS

Mayor Barbee said the capital planning model is big news, so he hopes Council Members will help the public understand what the Town just achieved in terms having a plan to pay for infrastructure. Mr. Oakley said the presentation can go on the Town website. Mayor Barbee said this is a big deal and thanked everyone involved in making it happen.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 12:00 PM.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, April 11, 2023 - 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 Jen Nau of Lifepoint Church and Pledge of Allegiance.

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

Council Member Deb LeCompte

ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

Town Attorney Noel Fox

ADOPT THE AGENDA

Council Member LeCompte asked to add an item to the Special Presentations section so she can introduce Jake Allen to the public.

Mayor Barbee said item 5 of the consent agenda will be moved to the Items of Business section.

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. Amend Capital Project Budget for Saint Joseph Bike/Ped Project
2. Set a Public Hearing for May 9, 2023, to Amend Chapter 40, Article XVIII – Definitions to Amend the Definition of Gross Floor Area, Outdoor Applicant: Town of Carolina Beach
3. Adopt General Compliance Policies for the American Rescue Plan
4. Budget Amendments/Transfers

5. ~~Resolution Requesting Coverage of Building Inspections and Plan Review by New Hanover County~~
6. Notification of Expiring Committee Terms
7. Approval of Council Meeting Minutes

Mayor Barbee reiterated removing item 5 from the consent agenda and putting it on the regular agenda.

Council Member Benson asked what will be left of funding once the contractor for the Florida Avenue paving project is paid. Mr. Oakley said he will have to meet with staff to go through everything and figure out what remains.

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

8. Events Update by Tim Murphy

Tim Murphy, Recreation Programs Superintendent/Community Events Coordinator, introduced Maureen Lewis, who gave an update on the three murals being installed this spring, including one on the blue building north of The Dive. This mural will be created starting next week by an artist sponsored by Monster Energy and will feature Chicken Hicks and the history of shag dancing in the Town. Ms. Lewis said in celebration of this mural, an idea emerged to close the alley between buildings and have a DJ dance party on April 25 4:00-7:00 PM. The event would cap capacity at 180 and charge a \$10 admission fee, she said.

ACTION: Motion to approve the event for the shag mural 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

Mr. Murphy reviewed upcoming special events:

- Fancy Pants Croquet Soiree – April 16 at Mike Chappell Park
- Solstice Healing Arts & Music Festival – April 23 at Carolina Beach Lake (rescheduled due to rain last month)
- Your Dog Skateboarding – April 29 at Mike Chappell Park
- Island Arts Festival – May 6 at Carolina Beach Lake (gallery night on May 5 at the St. Paul's United Methodist Church Community Center)
- Beach Wrestling – May 20 at Boardwalk beach strand
- Fireworks/music nights begin May 26 and continue every Thursday through the season with the exception of July Fourth and Labor Day shows

- Movies at the Lake begin May 28 and continue every Sunday through the season

Council Member Benson asked about possibly changing parking requirements for the GRiZMAS in July event. Mr. Oakley said designated parking is required for the event, so it would take Council action to change that. Mr. Murphy said the ordinance states the event must have a parking plan, so he would need to find out details and come back to Council before any changes are considered. Ms. Fox said the Town must be consistent in the way it approaches parking requirements for events. She said if GRiZMAS in July had a different parking plan that also meets the ordinance, that would be different than a plan that does not meet the ordinance requirement.

9. Update from the Friends of CB Parks & Greenways

Janet Hoffer and Nick Hahn of Friends of CB Parks & Greenways gave a presentation about the group. Ms. Hoffer reviewed the mission, values, current team, history, and future plans and projects.

Mr. Hahn said the group has raised over half of the \$350,000 estimated cost for expansion of the Skate Park. Current plans call for the group to break ground in late fall 2023. Organizers are not asking for money now but would like the Town to consider supporting the project when finalizing next year's budget.

10. Update on Beach Toy Boxes Project

Council Member LeCompte introduced Jake Allen, a student at Ashley High School who is working on an Eagle Scout project that would install boxes for sharing beach toys on four lifeguard towers near the Boardwalk. He demonstrated the box design and gave additional details about the effort.

11. Manager's Update

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

- Seasonal preparation, including putting out mulch, is ongoing. Lifeguards will start working soon, and there will be an update about the Beach Patrol at Council's upcoming workshop.
- Paving will resume on April 17. Florida Avenue is scheduled to start on April 24.
- Only two bids came in for the lake dredge and stabilization project and three were required to move forward, so this had to go back out for bid for 10 days and is now due on April 13. After this rebid, the project can move forward even without a third bid.
- The Saint Joseph Street stormwater pipe project is currently out for bid.
- As part of the Starfish Lane stormwater and access project, the dock has been demolished and the Town has applied for a permit to reconstruct it.
- The Saint Joseph Street multi-use path is moving forward.
- The project to realign stop signs on 6th Street is moving forward.
- The Hamlet Avenue signal project is moving forward and should be finished by mid-April.
- The delayed crosswalk signal at Cape Fear Boulevard has been installed.
- Legislation regarding navigable waters, limited shark fishing tournament moratorium, and budget appropriations is moving forward.

- Legislation regarding bulkhead authority has been removed from consideration, but reintroduction is possible if there are wording changes.
- The Ocean Boulevard sidewalk project is awaiting approval from the N.C. Department of Transportation (DOT) and then will go out for bid.

PUBLIC COMMENT

Joe Starks of 203 Florida Avenue said he is in favor of requiring bulkheads. He also said he is concerned about illegal dumping in the harbor.

Cindy Dunn spoke about the Harper Avenue and Dow Road crosswalk. She requested that Council consider approaching DOT about lowering the speed limit to 35 mph. Ms. Dunn also said the Town may want to request a time delay on the Harper Avenue traffic signal like the one at Cape Fear Boulevard.

Duke Hagestrom of 920 Riptide Lane expressed concern that the Town did not reach out to current beach vending permit holders to inform them of the possibility of adding more permits.

Phillip McInnes, owner of Island Ice Factory, said he was also concerned about adding more beach vending permit holders.

Kristen Dunn of 907 Ocean Boulevard thanked Ocean Rescue for the Junior Lifeguard Camp program. She also spoke about vandalism at the Skate Park and said there is no police presence there at night.

Wayne Rouse said Council Members should not state on social media how they plan to vote on matters prior to discussion in a meeting. He also said current beach vending permit holders should not have a say on how many permits are allowed.

PUBLIC HEARINGS

12. Presentation of System Development Fees Study

Daryll Parker of Willdan Financial Services presented the Water & Wastewater System Development Fee Study. Per North Carolina General Statute under Section 1, Chapter 162A, Article 8, the fees charged by the Town are to be reviewed every five years.

Mr. Parker reviewed a general description, methodology, and fee adoption procedures. He said the Town is way ahead of schedule because staff has done a great job. Mr. Parker then went over costs, specific formulas about how fees are determined, and proposed fees.

ACTION: Motion to open the public hearing on system development fees

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

Jen Starks said she didn't understand the part of the presentation about how the fees will affect residential customers. Mayor Barbee said these are one-time fees charged when a customer attaches

to the Town's water and sewer system. Mr. Oakley said this is for new development, such as a subdivision or apartment complex, and will not affect existing property. Ms. Starks said the Town is the most expensive place she's ever lived in terms of water bills.

ACTION: Motion to close the public hearing on system development fees

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 said he never understood how these fees were calculated, so it was fascinating to see there is a methodological approach required by law and the fees not something Mr. Oakley comes up with haphazardly.

Mr. Oakley said consideration of this study will be part of the budget ordinance, and the proposed fees are not effective now.

Council Member Hoffer said he inferred from the study that one of the reasons the Town's fees are where they are is because of the number of capital improvements that need to be done. He said if there were fewer projects, fees would be lower.

13. Text Amendment to Amend Chapter 40, Article III – Zoning District Regulations, Article IX – Development Standards for Particular Uses, and Article XVII – Definitions to Create Standards for Wine Shops and Beer Shops in Neighborhood Business
Applicant: Maxwell Sussman

Applicant Maxwell Sussman is proposing a text amendment to allow for wine shops and beer shops with on-premise alcohol sales as a use in the Neighborhood Business (NB) district by right. Currently the zoning ordinance allows for wine and beer shops with retail and off-premise sales of alcohol only.

PROPOSAL

The applicant owns The Veggie Wagon in the NB district. The business currently has an off-premise wine and malt beverage permit. The applicant would like to apply for an on-premise wine and malt beverage permit at that location. The Veggie Wagon is currently permitted as a retail establishment. For allowances of on-premise wine and malt beverage, the current ordinance categorizes the use as either a standard restaurant, bar, or brewery. The Veggie Wagon does not meet the definition of a standard restaurant or brewery. Breweries and bars are not permitted in the NB district.

WINE SHOP

The applicant proposes to add wine shop (on-premise) to the table of allowed uses. The current ordinance allows for wine shops (off-premise) as retail. The Alcoholic Beverage Control (ABC) Commission created an allowance in recent years for a wine shop to have limited sales of on-premise consumption. Wine shops must comply with all ABC standards and obtain proper permits. Per North Carolina General Statute 18B, wine shop permits authorize the retail sale of malt beverages, unfortified

wine, and fortified wine in the manufacturer's original container and/or dispensed from a tap for consumption off the premises. The holder of the permit is allowed to sell unfortified wine for consumption on the premises, provided that the sale of wine for consumption on the premises does not exceed 40% of the establishment's total sale for any 30-day period. The limited consumption of on-premise wine would be subject to an audit by the ABC commission. Wine shops (on-premise) will be permitted by right in the CBD, NB, and Highway Business (HB) districts.

BEER SHOP

The applicant would also like the ability to provide on-premise malt beverages in the NB district. Beer shops would need to obtain an on-premise malt beverage permit to allow for the retail sale of malt beverages for on- and off-premise consumption. ABC regulations do not have the same limitations for a beer shop as a wine shop, so the applicant would be allowed to offer on-premise malt beverages without any limitation or percentages to off-premise sales. The proposal is for beer shops to only be permitted by right in the NB district. To reduce the impact from the use on adjoining properties, staff proposes that any outdoor or indoor areas be located three times the minimum setback yard for the district from any interior lot line from an adjacent property.

The text amendment consists of defining both uses. Beer shops will be defined as an establishment substantially engaged in retail sale of on- and off-premise malt beverages subject to ABC Commission regulations. Wine shops will be defined as an establishment substantially engaged in retail sale of on- and off-premise unfortified wine and fortified wine subject to ABC Commission regulations.

Senior Planner Gloria Abbotts presented the details. She showed aerial photos comparing the current minimum setback with the proposed setback. Ms. Abbotts said the text amendment is in general conformity with the 2020 Land Use Plan. She said staff proposes to define each use and supports the proposed amendment that would limit beer shops to have a larger yard setback to protect neighboring properties and mitigate any concerns of the use. The Planning and Zoning Commission unanimously recommended approval of the amendment.

ACTION: Motion to open the public hearing on the amendment of Chapter 40, Article III

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

Mr. Sussman said he has worked for the past 90 days with staff members on this issue and thinks what they came up with works. He said he is happy to hear opinions and answer questions.

Cindy Dunn said she supports what The Veggie Wagon is trying to do and asked Council to consider approval of the request. She said the business is a plus to that end of Lake Park Boulevard, where there isn't as much commercial use.

Steve Jaeb of 204 Tennessee Avenue said he thinks the request is a great idea and believes The Veggie Wagon is not a place that attracts a wild crowd.

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

Council Member LeCompte said the request falls in line with what the Town had in mind for NB when working on the Land Use Plan. She said this amendment is just cleaning up what wasn't fixed previously.

Council Member Benson referred to guiding documents and said the amendment is conforming and harmonious.

Council Member Hoffer reminded Council Members that they are supposed to look at what the potential usage would be if allowable, not a specific business. He said he does not have a problem with the request.

Council Member Benson asked if there are other properties that could meet the increase in setbacks. Ms. Abbotts said Superior Automotive might be able to meet the standard if that property was to redevelop, but that's the only other one.

Mayor Barbee said the amendment seems to make sense.

ACTION: Motion that Council, whereas in accordance with the provisions of the North Carolina General Statutes, does hereby find and determine that the adoption of the following ordinance amendment to amend Chapter 40, Article III – Zoning District Regulations, Article IX – Development Standards for Particular Uses, and Article XVIII – Definitions to Create Standards for Wine Shops and Beer Shops is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

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 said this reminded him of another issue. He said after Council recently defined event venues, there were some concerns about how this was written. Mayor Barbee asked Mr. Oakley if he could meet with those concerned to understand their issues. Mr. Oakley said he thinks there is a meeting scheduled this week to go over this.

14. Public Hearing to Receive Public Input on the FY 23/24 Budget

Council offered the public an opportunity to give input on the FY 23/24 budget.

ACTION: Motion to open the public hearing

Motion made by Mayor Barbee

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

Motion passed unanimously

Cindy Dunn, who is Chair of the Beautification Committee, requested support for the group. She asked Council to consider allocating \$10,000 for committee projects.

Kristen Dunn of 907 Ocean Boulevard asked that the budget be more transparent to the public. She said there are not any details listed within each line item.

Butch LeCompte of 307 Charlotte Avenue reminded Council of the survey the Operations Committee did identifying three blocks with extreme erosion problems. He said he would like some budgetary focus on erosion reduction. Mr. LeCompte also said Pump Station #3 needs a bulkhead.

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

Mayor Pro Tem Healy asked about opportunities for the public to get details about the proposed budget. Mr. Oakley said the process includes public hearings and an open house to go over departmental budgets. He said the Town goes beyond the detail required by law.

Council Member Hoffer said he would like to see a specific budget line item for the Beautification Committee's Town entrance project. He said it's important to know the money is there.

Mayor Barbee said the Beautification Committee can't work forever with no funding.

Council Member LeCompte said if the Town wants a standing Beautification Committee, the committee needs financial support.

ITEMS OF BUSINESS

15. Resolution Requesting Coverage of Building Inspections and Plan Review by New Hanover County

The Town's Building Inspector resigned on February 8, 2023. Since that time, New Hanover County has been issuing building permits and performing building inspections for the Town. Resolution No. 23-2284 requests Council support in continuing support from the County for those services.

ACTION: Motion to recuse Council Member Hoffer from this item because he is a New Hanover County employee

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

Council Member LeCompte said she is not ready to go to a Level I possibly probationary inspector after the Town had a Level IV inspector for years. She said she doesn't want the Town to become on-the-job training for the County's newest inspectors.

Council Member Barbee said this is not being proposed as a permanent solution but as a necessity to keep operations running. He said the Town doesn't really have a choice.

Mr. Oakley said a Level I inspector will be designated to the Town, but there will be access to all levels. Council Member LeCompte said she still had reservations. Mr. Oakley said certain inspections require higher levels, but the majority of inspections in the Town require Level I certification.

Planning Director Jeremy Hardison gave details about the different levels and said the County will send who is appropriate for those levels. He said the Town is scheduling some dates to meet with local builders for feedback on how things are going and how they should move forward. Council Member LeCompte said she has heard concerns about how inspections are being done on roof trusses and foundations, so she thinks conversations with builders are necessary.

ACTION: Motion to approve the resolution requesting coverage of building inspections and plan review by New Hanover County

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member LeCompte
Motion passed 4-0

Council Member LeCompte said she reluctantly voted to approve the resolution.

16. Text Amendment to Amend Chapter 28, Article I – In General to Allow for More Non-Motorized Vending Carts on the Municipal Beach Strand
 Applicant: Town of Carolina Beach

At the March 28 workshop, Town staff presented the current ordinance and history of beach vending. The current allowance is for six non-motorized vending carts. At the time of the workshop, all six permits were in use and there were two vendors on the waitlist. Since then, two additional vendors have joined the waitlist. During Council discussion, the recommended number of vendors ranged from seven to 10.

Ms. Abbotts presented the details. She said the proposed text amendment is for eight permits, a number that was chosen because there were two vendors on the waitlist at the time of the workshop.

Mr. Oakley said the number was also based on Council discussion and added that staff is not hard set on any amount, so Council may change it.

Mayor Barbee said he is torn because he doesn't want to cause current vendors to struggle, but he also thinks the market takes care of itself.

Mr. Oakley said the Town can limit the types of items that are sold on the beach, but it cannot say who can sell what.

Mayor Barbee said he has previously proposed increasing the number to 10, which is a cart every 500 yards and seems like a number that would allow vendors to be dispersed. He said the current allowance of six vendors feels arbitrary.

Mayor Pro Tem Healy said the last time the allowance was increased was 2017, and the number of people on the beach has grown since then. He said entrepreneurship is the backbone of the country and competition is good for business. Mayor Pro Tem Healy said he's fine with adding more permits, but he's not sure what the number should be. He said he disagrees with comments that increasing the number of beach vendors will affect brick-and-mortar businesses.

Council Member Hoffer asked why nobody is talking about unlimited permits. Mayor Barbee said ideally the Town should stay out of this, but because it's a relatively new issue he wants to monitor the situation with increased vendors before opening the floodgates.

Council Member Hoffer said brick-and-mortar businesses pay rent and otherwise make upfront investments while beach vendors are allowed to use the Town's beach strand, so it's not a fair comparison. He said he doesn't have a problem with beach vendors.

Mayor Pro Tem Healy said he doesn't like the fact that once beach vendors are in, they're in for life. He said he's not sure how to resolve this, but it doesn't make sense to him.

Mayor Barbee said he doesn't like talking about adding beach vendors while being provided with a list of vendors on the waitlist. He said any number under 10, which includes the four on the current waitlist, would be seen as a political decision.

Council Member LeCompte said one thing not addressed in this process is the possibility of additional litter on the beach. She said she would like to sit down with beach vendors to discuss the use of ocean-friendly plastics and other measures to mitigate trash.

ACTION: Motion to amend Chapter 28, Article I to allow for 10 non-motorized vending carts on the municipal beach strand

Motion made by Mayor Barbee

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

Voting Nay: Council Member Hoffer

Motion passed 4-1

Mayor Barbee said for any future discussions, he does not want to know the number and names of people who have applied for beach vending permits because of the potential for the perception of favoritism. Council Member LeCompte said she also does not like knowing who is on the list.

COUNCIL COMMENTS

Council Member LeCompte:

- Requested an update from DOT on placing a memorial at Cape Fear Boulevard and Lake Park Boulevard called “Cora’s Corner”
- Reminder to update the Town’s AM radio station
- Reminder to submit ideas for the 2025 paving project for Lake Park Boulevard
- Requested to discuss a 25-year traffic plan at an upcoming workshop
- Reminder to advertise steps of the budget process, including opportunities for public input and questions
- Reminder of Realtor Action Day on April 21 9:00 AM-noon, when realtors will work on bumpouts on the east side of North Lake Park Boulevard

Council Member Benson:

- Requested that meeting notices go on electronic boards
- Suggested adding “open” signage at the marina
- Mentioned Nags Head’s success with its stormwater management plan
- Suggested reaching out to the N.C. League of Municipalities regarding a resolution for Kenny Lewis, who recently retired from the Town after 38 years of service

Council Member Hoffer:

- Mentioned the bathrooms at the Lake look much better
- Reminder that volunteers will be working on the tree nursery this Saturday at 9:00 AM
- Mentioned that New Hanover Assistant County Manager Tim Burgess passed away on Good Friday
- Responded to the comment about Council Members voicing their opinions on social media and stated he felt it was an appropriate place to discuss Town matters

Mayor Barbee:

- Requested a presentation about the “Be a Looker” bike safety campaign at the next workshop

CLOSED SESSION

17. Closed Session – Real Estate and Personnel

ACTION: Motion to go into closed session to discuss a real estate and personnel matter in accordance with NCGS 143-318.11(a)(5) and (6); the properties being discussed have the following Parcel IDs:

- R08807-013-005-000
- R08807-013-004-000

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

Mayor Barbee adjourned the meeting at 9:15 PM.

CAROLINA BEACH

Town Council Workshop

Tuesday, April 25, 2023 - 9:00 AM

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



MINUTES

CALL TO ORDER

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

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem 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. WMPO's Presentation on the Be a Looker Road Safety Campaign

Carolyn Caggia of the Wilmington Urban Area Metropolitan Planning Organization (WMPO) gave a presentation about the 2023 Be a Looker campaign, which promotes safety for bicyclists and pedestrians. It encourages drivers to be on the lookout for bicyclists and pedestrians while encouraging bicyclists and pedestrians to be visible and behave in predictable ways when they're on the road.

Ms. Caggia shared the following statistics:

- Between 2017 and 2021, Brunswick, New Hanover, and Pender counties averaged 90 pedestrian crashes annually with 12 deaths and 59 bicycle crashes with 4 deaths, according to the N.C. Department of Transportation (DOT).
- In North Carolina, fatal and suspected and serious injury pedestrian crashes doubled between 2010 and 2019.

The Be a Looker campaign kicked off in 2019, and it runs April through September every two years. Ms. Caggia reviewed safety tips for drivers, bicyclists, and pedestrians. She said more information may be found at www.gocoastnc.org/bealooker, including a pledge people can sign as a commitment to follow the safety tips.

Ms. Caggia shared campaign graphics as well as marketing and outreach opportunities, including the River to Sea Bike Ride on May 6. She said she is bringing outreach materials to the Town's Police Department today and would love to hear more ideas for how to reach the Carolina Beach community.

Mayor Pro Tem Healy asked if there are plans to go to high schools for education opportunities to reach young drivers. Ms. Caggia said she has been in contact with the school board to do a presentation for board members to get their advice on effective ways to reach students and families.

Mayor Barbee emphasized the responsibility of others to be seen by putting things on their bike or person. He said even if other rules aren't followed, bicyclists and pedestrians are always safer with visibility.

Ms. Caggia said WMPO recently received a grant from DOT for 100 bicycle helmets for children and will get the helmets this week. She said the organization is also looking to purchase bicycle lights to distribute.

Mayor Barbee encouraged Council Members to think forward to events for ways to promote this campaign.

Council Member Hoffer asked if Ms. Caggia plans to visit bicycle shops on the island. Ms. Caggia said this is a great idea.

2. Update from the Beautification Committee

Cindy Dunn, Chair of the Beautification Committee, gave an update on the state of the committee for 2023. The group is a 10-member Council-appointed advisory committee.

Ms. Dunn reviewed the committee's mission and vision statements as well as ways they will be achieved:

- Review and recommend revisions to the Town's tree ordinance and continue to encourage the Town to pursue the Tree City USA designation
- Recommend landscaping standards for commercial and industrial development
- Make recommendations on proposals for installation of street furnishings and other aesthetics
- Suggest available grant opportunities
- Recommend a Master Plan for Beautification with detailed standards
- Organize, publicize, and participate in Town events
- Present beautification awards for commercial areas
- Work at the direction of council on planning and development of beautification projects

Ms. Dunn also reviewed goals for fiscal year 2023-24:

- Recommend that Council continue to pursue the Tree City USA designation on an annual basis to continue protection and management of trees on publicly owned land and located within public rights-of-way
- Continue the Public Beach Access Beautification Project (re-establishing since COVID)

- Pursue the support of Council for the addition of a budget line item for beautification, specifically watering resources for landscaping projects, within the town's fiscal year 2023-24 budget
- Continue efforts for the Master Beautification Plan for the Lake Park Corridor
- Continue to maintain the wildflower project area along Bridge Barrier Road and Old Dow Road
- Continue working with the Friends of CB Parks & Greenways and the N.C. Wildlife Federation Clean & Green program (CB Trash Walkers) to maintain and resupply the tree nursery
- Present to Council the concept of an annual business beautification awards program

Ms. Dunn said other possible projects include planting trees in Mike Chappell Park and improving the garden behind the Federal Point History Center. She said the group is not just about trees and plants but also about aesthetic improvements such as benches, banners, and some art. Ms. Dunn said water is a big thing for many of the committee's projects, so Town support is needed to be successful.

Mayor Pro Tem Healy said the Town should do a better job embracing Earth Day.

Council Member LeCompte asked where things stand with the Tree City USA designation. Planning Director Jeremy Hardison said the Town received feedback that it needs to adopt an ordinance for management and maintenance of its existing trees.

Karen Graybush of the Beautification Committee said there are volunteers waiting to help, but water resources are necessary before moving forward. She said if the committee knows how much money it's getting each year, then plans can be made around that.

Council Member Hoffer said he's going to fight for a line item specific to the Beautification Committee in the next budget.

Council Member LeCompte said the committee was moved from ad hoc to standing for a reason, so now the Town must support it.

Mayor Pro Tem Healy said there are huge advantages to breaking off from the Town and becoming a 501(c)(3), including flexibility for fundraising and spending. He said it's an option that's out there. Mayor Pro Tem Healy also thanked the group of realtors who recently planted 200 plants downtown.

Mr. Oakley said the Town doesn't normally fund line items for advisory committees, but committees can advise on specific projects and then Council can fund those.

3. Consider Approving Resolution No. 23-2286 Supporting the Town's Application for the 2023 Bicycle and Pedestrian Planning Grant

DOT is accepting proposals from communities for the 2023 Bicycle and Pedestrian Planning Grant initiative. The program provides funding for municipalities and counties across the state to develop comprehensive multi-modal bicycle and/or pedestrian plans. The cost of such a plan is estimated to be \$60,000, with DOT paying 90% and the Town being responsible for the remaining 10% to satisfy local match requirements.

Council Member Hoffer gave some additional background.

ACTION: Motion to approve Resolution No. 23-2286 supporting the Town's application for the 2023 Bicycle and Pedestrian Planning Grant

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. Manager's Update

Mr. Oakley gave an update on various projects:

- Carolina Beach Avenue South bike lane: The Technical Review Committee (TRC) agreed with the recommendation of the Bike/Ped Committee that right now the Town should not move forward on this because there are other needs that should be prioritized higher.
- 6th Street stop sign orientation for emergency route: WMPO and TRC reviewed this, and the recommendation is to eliminate the four-way stop sign at Hamlet Avenue and change it to a two-way stop sign as well as reverse the stop signs at Clarendon Avenue. This would require an ordinance change, which will come before Council for consideration in the future.
- Lake dredge and stabilization: The bidding period has closed, and the Town has received a bid for just over \$916,000. Funding for this project was \$2 million, so the remaining money will be used for a pump, directional drill, and pump house. Staff will come back to Council with a proposed contract to award, and current plans call for a possible June or July start date.
- Florida Avenue paving: Crews are hoping to have the asphalt started by the end of week if weather permits, and they are going to try to extend the project all the way out to the rest of Florida Avenue.
- Ocean Boulevard sidewalk: Staff just started sending notifications to property owners, and the Town is still awaiting DOT signoff on the encroachment agreement. The next step will be to prepare bid documents for construction.
- Island Women Boutique Bash parking passes: For the April 29 event, golf carts will have inflatable flamingoes on top so the parking company knows not to issue tickets, if Council has no issue with this. There was no opposition.
- Budget open house: The public will have an opportunity to ask questions and give feedback May 2 from 4:00 to 6:00 PM.

Council Member LeCompte asked if there is an update on the Town seeking DOT approval for a monument at Cora's Corner in remembrance of Cora Kruger, who was killed by a vehicle at the intersection in 2019. Mr. Oakley said there is a meeting with DOT next week.

Council Member Benson asked if the two crossings planned for the Saint Joseph Street multi-use path, at The Vault and Winner Avenue, are changes to the last version of the plan. Mr. Oakley said he's not aware of any changes, but he will ask staff and get back to Council about this.

5. Department Budget Presentations

Department heads presented their budget requests for fiscal year 2023-24. Mr. Oakley said this is an opportunity for Council Members to give feedback and ask questions.

EXECUTIVE

Mr. Oakley reviewed the organizational chart for this department, which includes a proposed change in title for Mr. Parvin to Deputy Town Manager. Mr. Oakley said this better reflects the job Mr. Parvin does and will not result in a change in salary.

Mr. Oakley said the communications position has not yet been filled because the Town's information technology (IT) method is going to change, so he thought this might result in some changes to the position duties. He said he is waiting to see what happens with recently submitted IT proposals.

Mr. Parvin gave details about two part-time positions proposed to help with Harbor Master duties. He said Harbor Master Larry Denning does a great job but could use some assistance so he is not always on call when issues arise with the mooring field, marina, and the harbor in general.

Mayor Pro Tem Healy asked if the Town still plans to get 10 more mooring balls. Mr. Parvin said yes, the Town is exploring what needs to be done for grant eligibility to help with that project.

Mayor Pro Tem Healy asked about the cost of the two part-timers. Mr. Parvin said approximately \$23,000 each, and the plan is to keep them year-round if possible.

Mayor Barbee said the Town has become very popular with transient boaters, so if the additional positions can fit in the budget he is all for them.

Council Member LeCompte said the Town is considered a safe harbor for boaters during storms.

Mr. Oakley said the total proposed Executive budget is \$1,533,934, an increase of 10.43% from the current year.

Highlights

- The Town will transition to a new managed IT vendor and replace leased computer equipment with Town-owned materials; support will overlap for three months or less.

Mr. Oakley said the total proposed Non-Departmental budget is \$263,890, an increase of 2.5% from the current year.

Highlights

- No request yet from Wave Transit
- Reduced property taxes by eliminating debt on one of CBP3 properties
- The Centennial Committee request was added into non-profit requests

FINANCE

Ms. Hall reviewed the organizational chart for this department.

She said the total proposed Finance budget is \$590,325, an increase of 15.7% from the current year.

Takeaway points

- Increase of \$5,000 for New Hanover County tax collection fees due to property growth
- Cost-of-living increase of 6%

Ms. Hall said the proposed Debt Service General Fund budget is \$1,288,077, a decrease of 3% from the current year.

Takeaway points

- Grant funds will pay off the Freeman Park loan from April 11, 2022 (\$3.25 million/10 years). This year's debt service payment is \$399,750, but the Town hopes to receive funding by the end of this fiscal year to pay off the entire loan with no prepayment penalty.
- Two new loans in fiscal year 2023-24 include 1101 North Lake Park Boulevard, approved on April 27 for \$2 million/10 years with a debt service payment of \$279,600, and a placeholder for the Town's match in case it is awarded a grant for 1808 and 1810 Canal Drive, which would be \$400,000/5 years with a debt service payment of \$88,400.

Ms. Hall said the proposed Vehicle Leases General Fund budget is \$116,193, an increase of 20% from the current fiscal year.

Takeaway points

- 7 Police vehicles
- 2 Parks & Recreation
- 4 Environmental
- 1 Planning
- 1 staff

Ms. Hall said the proposed Debt Service Utility Fund budget is \$2,358,859, a decrease of 6.2% from the current fiscal year.

Takeaway points

- Inflow and infiltration loan paid off in April 2023
- 2018 street sweeper loan will be paid off in June 2023

Ms. Hall said the proposed Vehicle Leases Utility Fund budget is \$32,821, an increase of 35% from the current fiscal year.

Takeaway points

- 1 Water
- 1 Wastewater
- 2 Stormwater

CLERK

Ms. Ward said the proposed Clerk budget is \$189,504, an increase of 4.5% from the current fiscal year.

Highlights

- The \$8,130 increase in the Personnel & Benefits category includes a 6% market adjustment and cost of benefits.

Ms. Ward said the proposed Legislative budget is \$263,612, a decrease of 25.6% from the current fiscal year.

Highlights

- Removed contingency line item of \$150,000
- No capital outlay request trimmed \$7,000

HUMAN RESOURCES

Mr. Oakley said the proposed Human Resources & Retirees budget is \$670,258, an increase of 3.8% from the current fiscal year.

Highlights

- Retiree insurance for 30+ retirees \$150,000
- 2024 pay study, which is done every 5-6 years \$15,000

POLICE

Police Chief Vic Ward reviewed the organizational chart for this department. He said he is in the final stages of hiring for the Beach Ranger position, which is moving over from Ocean Rescue.

Mayor Barbee asked if the Beach Ranger will be a sworn officer. Chief Ward said yes.

Chief Ward said the proposed Police budget is \$3,892,224, an increase of 15.91% from the current fiscal year.

Highlights

- Equipment and upfit for 2 vehicles \$20,000
- Beach Ranger position (wages and benefits) \$76,590
- Utility terrain vehicle (UTV) for Beach Ranger \$15,000
- Phase Two of perimeter fence project \$64,348

Chief Ward also reviewed some additional budget needs not included in the request.

Mayor Pro Tem Healy asked if the Beach Ranger position will fall back as an Officer during the off-season. Chief Ward said yes, but he will focus on the Boardwalk area and hopefully set up a substation there where people can find him for non-emergency situations.

Mayor Barbee said he is concerned about someone starting the Beach Ranger position without having a UTV available. He said he would be supportive if there is a way to get that done during the current fiscal year. Chief Ward said the current Gator may be used if necessary until a new UTV is available.

Mayor Barbee said the Town has tried the Beach Ranger position multiple ways over multiple years, but he thinks this plan is honing in on a permanent solution.

Council Member LeCompte said the Town needs to find some availability in the Boardwalk area for a substation. She said this is a great idea, and business owners and residents would appreciate the increased police presence.

Mayor Barbee said most of the major crime in the Town is concentrated in the Boardwalk area.

FIRE

Fire Chief Alan Griffin reviewed the organizational chart for this department.

He said the total proposed Fire budget is \$2,082,167, an increase of 0.09% from the current year.

Takeaway points

- Personnel & Benefits: 6% cost-of-living adjustment (COLA)
- Maintenance & Operations: completed communications project and reduction in contract services
- Capital: Airpack upgrades and equipment for new apparatus

Chief Griffin said the proposed Ocean Rescue budget is \$658,306, an increase of 3.88% from the current year. Mayor Pro Tem Healy pointed out that the numbers for the proposed budget don't add up correctly. When adding up the Personnel & Benefits, Maintenance & Operations, and Capital Outlay categories, the figure is \$682,212, an increase of 7.65% from the current year.

Takeaway points

- Personnel & Benefits: decrease due to moving Beach Patrol to Police
- Maintenance & Operations: add internet, electric, and pre-employment cost
- Capital: 4-wheelers, jet ski, and UTV

Chief Griffin said the Ocean Rescue budget comes from room occupancy tax (ROT) funds.

Council Member Hoffer said his kids have considered being lifeguards but decided they can make a lot more money and have less responsibility working at restaurants. He said he would have a hard time arguing against raising lifeguard salaries.

Council Member Benson said the Town is competing with other beach towns for hiring lifeguards.

Mayor Barbee said this is another instance of the budget season not aligning with tourist season, stressing the need for a jet ski and UTV before the next fiscal year begins.

Council Member LeCompte said it may be interesting to take a look in the future at drones that can deploy life-saving devices.

PUBLIC WORKS

Public Works Director Brian Stanberry reviewed the organizational chart for this department. He said two new positions are being proposed in Environmental: General Maintenance III and General Maintenance I. Mr. Stanberry said staff is hyperextended because the island is so popular and amenities are numerous, so it's difficult to keep up despite the hard work of current staff. He said the General Maintenance III position would be focused on paving, while General Maintenance I would be cross-trained in various duties.

Mr. Stanberry said the proposed Environmental budget is \$4,432,197, an increase of 13.28% from the current year.

Highlights

- 2 new positions \$125,000
- Meridian transportable safety bollards for the Cape Fear Boulevard/Boardwalk area \$75,000
- Lighting improvements for Lake Park Boulevard \$80,000
- GFL waste contract 5.3% consumer price index (CPI) increase \$2,074,850
- Boardwalk/Central Business District (CBD) decorative lighting contract \$50,000

Mayor Pro Team Healy asked when the Town last invested in the Christmas decorations that hang on street lights. Mr. Stanberry said the lighting on the strands has all been replaced with LED, but the fixtures themselves have been around for a while. Council Member Hoffer said they look tired.

Mayor Pro Tem Healy asked if new decorations might fall under ROT. Mayor Barbee said this would be a tough sell because that money is to put "heads in beds," so Christmas decorations may be a stretch when it comes to attracting tourists for overnight stays. Mr. Stanberry said his staff can look into replacing the decorations, which have a going rate of about \$800 each.

Mr. Stanberry said the proposed Stormwater budget is \$1,749,350, an increase of 20.97% from the current year. He said there are no proposed changes to personnel.

Highlights included a list of 10 projects. Mr. Stanberry gave details about a few and showed a map of all of them.

Mr. Stanberry said the proposed Powell Bill budget is \$215,500, a decrease of 75.04% from the current year.

Highlights

- State Powell Bill allotment \$215,500
- Equipment to internalize road-cut repairs \$130,500
- Paving project based on pavement condition index (PCI) study \$100,000

Mr. Stanberry said the proposed Beach Maintenance budget is \$644,348, a decrease of 18.14% from the current year.

Highlights

- Clam Shell Lane bulkhead \$75,000
- Florida Avenue bulkhead \$100,000
- Beach access repairs \$50,000
- Inlet dredging payment \$10,894
- Raising of Boardwalk east-west walkways \$100,000

Mayor Barbee asked if he could take a moment to read the proposed legislation for a moratorium on shark fishing tournaments to make sure Council agreed with the wording. No one expressed any issues.

PUBLIC UTILITIES

Public Utilities Director Mark Meyer reviewed the organizational chart for this department.

Mr. Meyer said the proposed Water & Sewer Administration budget is \$1,390,187, a decrease of 0.94% from the current year.

Mr. Meyer said the proposed Wastewater Treatment budget is \$1,165,769, an increase of 15.52% from the current year.

Highlights

- Cost of materials, chemicals, and services \$100,000

Mr. Meyer said the proposed Wastewater Collections budget is \$1,807,595, an increase of 17.27% from the current year.

Highlights

- Replacement of lift station \$169,687

Mr. Meyer said the proposed Water budget is \$1,389,662, a decrease of 17.34% from the current year.

Mr. Meyer said the proposed Enterprise Fleet budget is \$291,000, a decrease of 3.96% from the current year.

Mr. Meyer said the proposed General Fleet budget is \$323,000, a decrease of 3.65% from the current year.

PLANNING & DEVELOPMENT

Mr. Hardison reviewed the organizational chart for this department.

He said the proposed Planning & Development budget is \$834,867, an increase of 1.8% from the current year.

Takeaway points

- Year two of Unified Development Ordinance (UDO)

PARKS & RECREATION

Parks & Recreation Director Eric Jelinski reviewed the organizational chart for this department. He is requesting one additional position, a Recreation Specialist, and said it's probably been about 15 years since the department added a full-time position.

Mr. Jelinski said the proposed Parks & Recreation budget is \$1,601,082, an increase of 28.46% from the current year.

Takeaway points

- Skate Park project match with Friends of CB Parks & Greenways \$175,000
- Replacement of HVAC in Rec Center gym \$65,000
- New Recreation Specialist (wages and benefits) \$62,666
- Lake Park improvements (concrete and electric repairs) \$20,000
- ROT programs (added family-friendly New Year's Eve event and funding for Boardwalk Christmas decorations) \$240,000
- Rec Center upstairs renovations \$30,000

Mayor Barbee asked if there is an issue with the HVAC system or if this request is complaint-driven. Mr. Jelinski said a contractor recommended replacement during a service call. He said he thinks the HVAC system is original to the building.

Mayor Pro Tem Healy said he agrees that Parks & Recreation needs more personnel with the responsibilities the department has taken over during the past couple of years. He said he would like to look into the possibility of getting a sail covering for the Gazebo stage to protect musicians from the weather.

Mayor Barbee asked Mr. Oakley about property taxes. Mr. Oakley said he thinks the budget can be balanced holding the line on property taxes. He said this is the 18th or 19th budget he's done, and he has never proposed a rate increase and doesn't plan to for the next fiscal year.

6. Discuss Agenda Items for Upcoming Council Meetings

Council Members asked that the following items be placed on an upcoming agenda:

- A review of capital projects that were started during the current fiscal year but not yet finished
- A request to increase the frequency of updates on matters that will affect the public this summer
- A rendering of what the lake will look like with bank stabilization
- An update on legislation and court cases regarding short-term rentals
- A review of options for rectifying issues with the recently passed event venue ordinance

COUNCIL COMMENTS

Mayor Barbee praised staff members for their efforts in preparing for peak tourist season.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 11:55 AM.



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council Meeting 5/9/2023

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 5/9/2023

SUBJECT: Proclamation for Safe Boating Week – May 20-26, 2023

BACKGROUND:

The local US Power Squadron chapter is asking Town Council to support National Safe Boating Week by issuing a Proclamation setting May 20-26 as Safe Boating Week.

ACTION REQUESTED:

Members of the Cape Fear Sail & Power Squadron will be in attendance to speak about boater safety.

RECOMMENDED MOTION:

Motion to support Proclamation 23-2285 recognizing May 20-26, 2023 as Safe Boating Week.

Proclamation



Town of Carolina Beach
Town Council

PROCLAMATION NO. 23-2285

**A PROCLAMATION OF THE TOWN COUNCIL
OF CAROLINA BEACH, NORTH CAROLINA
PROCLAIMING THE WEEK OF MAY 20-26, 2023
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. Power Squadron and other national organizations, has set May 20 through 26 as National Safe Boating Week;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that the Town Council of the Town of Carolina Beach supports the U.S. Coast Guard and the Cape Fear Sail and Power Squadron and thereby proclaims May 20-26, 2023 as Safe Boating Week in this Town; and **urges all persons to wear a life jacket at all times while boating.**

This Proclamation is adopted this 9th day of May, 2023.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council 5/9/2023

SUBJECT: Manager's Update

BACKGROUND:

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



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning &
Development

MEETING: Town Council – May 9th, 2023

SUBJECT: **Text Amendment** to amend Chapter 40, Art. XVII. – Definitions to amend the definition of Gross floor area, outdoor.
Applicant: Town of Carolina Beach

BACKGROUND:

Town Council requested that staff look at the definition of Gross floor area, outdoor, in regard to the parking requirements for eating and drinking establishments. The current ordinance allows no parking for outdoor gross floor area (GFA) if the establishment is within 500 feet of public parking. Additionally, a 50% reduction in the parking requirement shall apply to outdoor GFA if the establishment is not within 500 feet of public parking. Currently, gross floor area, outdoor is defined as any unenclosed areas where business is conducted. The area shall be considered enclosed if any type of vertical surface other than typical mesh screening has been installed, whether temporary or permanent. Vertical surfaces shall include plastic roll downs, or similar devices that prevent the free flow of air and weather into the commercial area. Gross floor area is measured from the exterior building walls of the use and includes all floors where the business is conducted.

The current eating and drinking establishment parking requirements were adopted in 2008 changing the parking requirement from parking spaces per seats to a gross floor area calculation. The distinction between open areas was created to limit confusion on what was considered open and enclosed.

Proposal:

The new language defines gross floor area, outdoor as any unheated areas where business is conducted. Any outdoor areas shall meet NC building code. This new definition allows for eating and drinking establishment owners to temporarily enclose any outdoor areas without the requirement of adding additional parking. An outdoor GFA would be considered indoor GFA if renovations permanently created heated space for the establishment. This allows eating and drinking establishments to operate during the off-season while also giving staff clear guidance for enforcement of the minimum parking regulations. Enforcement of the current ordinance is difficult as eating and drinking establishments must continue to be monitored to ensure

adequate parking is installed if open areas are converted to enclosed areas. This negative effect was presented when the ordinance was changed in 2008.

Recommendation:

Staff proposes to clarify the definition language to give clearer guidance on the distinction between indoor and outdoor gross floor areas.

Planning and Zoning recommended unanimous approval.

Land Use Plan:

The text amendment is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Chapter 40, Art. XVIII. Definitions. to amend the definition of Gross floor area, outdoor.

Denial – to amend Chapter 40, Art. XVIII. Definitions. to amend the definition of Gross floor area, outdoor.

Ordinance 23-1203

Town of Carolina Beach
Town Council



AN ORDINANCE TO amend Chapter 40, Art. XVII. – Definitions to amend the definition of Gross floor area, outdoor.

Sec. 40-548. - Definitions

Gross floor area, outdoor, means any **unenclosed unheated** areas where business is conducted. Any outdoor areas shall meet NC building code. ~~The area shall be considered enclosed if any type of vertical surface other than typical mesh screening has been installed, whether it is on a temporary or permanent basis. Vertical surfaces shall include plastic roll downs or similar devices that prevent the free flow of air and weather into the commercial area. Vertical surfaces shall not include enclosures for garage areas.~~

Adopted this 9th day of May, 2023.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



Item 7.

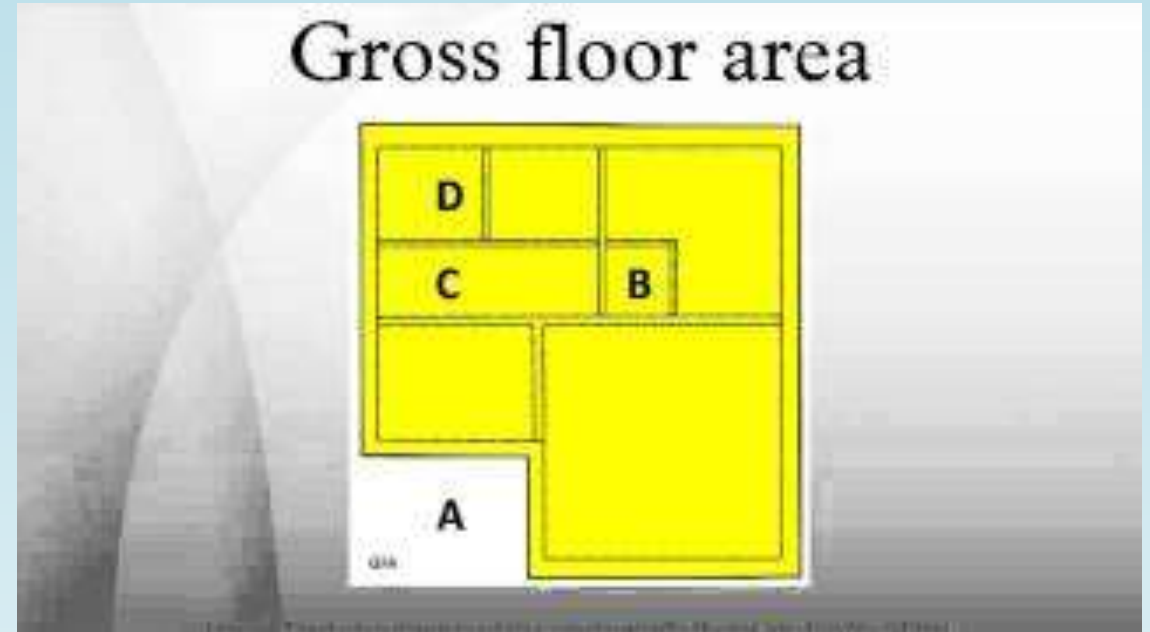
Text Amendment to amend the definition of Gross floor area, outdoor.

Amend Chapter 40 Sec 40-548 – Definitions.

Applicant: Town of Carolina Beach

Background

- Council requested staff look at definition of gross floor area, outdoor regarding the parking requirements for eating and drinking establishments
- Current eating and drinking establishment parking requirements adopted in 2008
 - Changed parking requirement from spaces per seat to gross floor area calculation in 2009



Current ordinance allowance

- No parking required for outdoor GFA if the establishment is within 500 feet of public parking
- 50% reduction shall apply to outdoor GFA if establishment is not within 500 feet of public parking



Current definition

Gross floor area, outdoor means any unenclosed areas where business is conducted. The area shall be considered enclosed if any type of vertical surface other than typical mesh screening has been installed, whether temporary or permanent. Vertical surfaces shall include plastic roll downs, or similar devices that prevent the free flow of air and weather into the commercial area. Gross floor area is measured from the exterior building walls of the use and includes all floors where the business is conducted.



Amended Chapter 40 Sec 40-548 – definition

Gross floor area, outdoor, means any ~~unenclosed~~ unheated areas where business is conducted. Any outdoor areas shall meet NC building code. ~~The area shall be considered enclosed if any type of vertical surface other than typical mesh screening has been installed, whether it is on a temporary or permanent basis. Vertical surfaces shall include plastic roll downs or similar devices that prevent the free flow of air and weather into the commercial area. Vertical surfaces shall not include enclosures for garage areas.~~



Land Use Plan Consistency

General Conformity with the Land Use Plan by promoting a healthy year-round economy.

Recommendation:

Staff recommends approval, the clarified language provides clearer guidance for enforcement.

Planning and Zoning recommended unanimous approval.



Motion

Approval

- The Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following ordinance amendment to Amend Chapter 40, Art. XVIII. Definitions to amend the definition of Gross floor area, outdoor is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or
- Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.
- Further Direction/Discussion



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 5/9/2023

SUBJECT: Public Hearing to Receive Public Input on the 2023/2024 Budget

BACKGROUND:

Council will receive input from the public on the FY23/24 budget.

ACTION REQUESTED:

Open the public hearing to receive input on the FY23/24 budget.

RECOMMENDED MOTION:

Motion to open the public hearing.

Motion to close the public hearing.



AGENDA ITEM COVERSHEET

PREPARED BY: Sheila Nicholson

DEPARTMENT: Executive

MEETING: Town Council 5/9/2023

SUBJECT: Staff Recommendation for IT Vendor

BACKGROUND:

Staff met to review bids that were received for IT services. The Manager will make a recommendation to Council on who staff felt was the most qualified, responsive bidder.

ACTION:

Motion to approve a contract with the recommended IT vendor.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Council Meeting 5/9/2023

SUBJECT: Closed Session – Real Estate and Attorney/Client

RECOMMENDED MOTION:

Closed session to discuss an attorney/client and real estate matter in accordance with NCGS 143-318.11(a)(3) and (5). The property being discussed is R08807-013-005-000 and R08807-013-004-000.