**CAROLINA BEACH**

Town Council Special Meeting Minutes

Friday, April 3, 2020 @ 4:00 PM

Council Chambers

1121 N. Lake Park Boulevard

Carolina Beach, NC 28428

**ASSEMBLY**

A Special Meeting of the Town of Carolina Beach Town Council was held on Friday, April 3, 2020, at 4:00 PM at Council Chambers.

PRESENT: Mayor LeAnn Pierce, Mayor Pro Tem Jay Healy, Council Member Lynn Barbee, Council Member Steve Shuttleworth, and Council Member JoDan Garza

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ALSO PRESENT: Town Manager Bruce Oakley, Town Clerk Kim Ward, and Town Attorney Noel Fox

**1. MAYOR PIERCE CALLED THE MEETING TO ORDER**

**2. DISCUSSION ITEMS – COVID-19**

a. Update from the Town Manager and Assistant Town Manager

Mr. Oakley gave an overview of COVID-19 statistics and actions at the State and County level. He also reviewed measures taken for Town staff, including remote work for many and virtual staff meetings. This has resulted in a burden for those who are answering the phones at Town Hall, so Mr. Oakley encouraged the public to use email for their inquiries when possible. He also thanked Town staff, including first responders, who have continued exposure to the public.

Mr. Oakley said many people have been asking about closure of the beach strand and whether this affects those who have private access. He said because the beach strand is public trust, it is not clear whether the Town has the authority to force people off the beach if they are not getting there through public accesses or using public parking. The Town is asking the County for clarity in interpreting this matter, but Mr. Oakley encouraged everyone to stay off the beach regardless.

The Town continued to discuss the possibility of bridge closure, but Mr. Oakley said this measure would take officers off the street and increase their exposure to people coming on the island.

Residents have reported issues with paying their utility bill online. Mr. Oakley said there will be no disconnections or late fees as a result of this or any other situation during the pandemic.

Mr. Oakley said since the ban on short-term rentals began on March 30, there have been 21 complaints reported to Town, including via an online reporting form. He said enforcement begins with a letter to the owner of the property, and a second complaint results in the matter being sent to the Police Department. Violation is a Class II misdemeanor criminal charge. Mayor Pro Tem Healy asked that Town staff follow up on any initial report instead of waiting for a second complaint to come in. Mr. Oakley said the Town cannot restrict people who have second homes from coming to their own property, but he suggested that they follow expert guidelines by staying at their primary residence.

Mr. Oakley also addressed some other frequently asked questions. He said the Police Department does not plan to pull over people to ask if they are doing something essential. He also said there are no plans for a curfew or checkpoints. Mr. Oakley said many had asked if they could sit with their neighbors outdoors. He replied that while the State’s stay-at-home order does not allow for social visits, the Police Department is not planning to break up neighbors talking if they are practicing social distancing.

Mayor Pro Tem Healy asked if COVID-19 statistics were available at the Town level rather than just by State and County. Mr. Oakley said they had asked for a breakdown by ZIP Code but were denied due to privacy concerns.

Council Member Shuttleworth asked that Town staff come to the next meeting prepared to discuss the possibility of reducing utility bills for closed businesses and whether or not parking violations at meters should be enforced. Mr. Oakley said Town staff would be ready with options or solutions.

Town resident Fred Fisher asked if he could address Council. While there was no scheduled public comment period, Mayor Pierce gave him permission to speak. He said he wanted to know where he can go to express his “Constitutional right that what this country is doing is an abomination.” He questioned the authority of North Carolina Governor Roy Cooper to abdicate his rights. Mayor Pierce advised him to voice his concerns at the State level. She said the Town is following the state of emergency and the State and County lead, and the number one concern is public health and safety.

b. Update from the Police Chief

Police Chief Chris Spivey gave further details about issues the Police Department is handling. He said maintaining bridge closure would pose a challenge, so legal advice would be necessary if the Town wanted to implement that measure.

Chief Spivey said in general call volume was down, while some types of calls, such as domestic disturbances, were slightly up. He said there has been enforcement of the beach access closure, with three or four people having court dates as a result of violation. He urged people to stay at home and said it is the best defense we have against COVID-19.

Mayor Pro Tem Healy said he was talking to a resident who had a suggestion that the Police Department make the bridge one lane and park a police car with the lights on, even if it’s not manned all the time. He said this would create a physical presence that might discourage people from coming over for non-essential reasons. Chief Spivey said he thought this might not be effective and suggested bridge closure should be all or nothing. He said this would need to be done with cooperation from the Town of Kure Beach. Council Member Shuttleworth said this could cause logistical problems and thought the closure of short-term rentals had helped with what the Town was trying to manage.

c. Update from the Fire Chief

Fire Chief Alan Griffin said the Fire Department and Police Department have been doing temperature checks twice a day at both shift changes for the protection of staff as well as the community. He said he and his staff are working with the County and getting most of the personal protective equipment (PPE) they need while also learning about decontamination measures to help with the shortage of N95 masks and other hard-to-obtain items.

Chief Griffin said it was unknown whether there are any cases of COVID-19 on Pleasure Island because statistics are not being released beyond the County level. He said HIPAA laws protect patients and their right to keep their medical status private, and responders don’t have that information and could not release it even if they did. He said patients have the right to tell responders they have COVID-19 if they choose.

Chief Griffin said his staff has made operational changes to limit exposure to COVID-19. Training has been discontinued, and volunteers are discouraged from coming to the station. Crews are splitting up when responding to medical calls, and they are only going on top-priority medical calls for life-saving intervention. He said the Fire Department is trying to stick closely to its number one mission of providing fire suppression.

Council Member Shuttleworth asked if Town staff could be proactive about seeking supplemental funds for the Town due to lost revenue that will have an impact on the budget. He also stressed the importance of residents responding to the Census so the Town can get its fair share of funding.

d. Consider Waiving Fees for Municipal Marina Fees for the Month of April 2020

Assistant Town Manager Ed Parvin said the Public Works and Public Utilities staff are still working on some projects that are considered emergency repairs, but overall they are trying to limit what they do in the community while still moving forward when necessary.

As a result of looking for ways to help those who are struggling financially during the pandemic, the Town is proposing to waive monthly fees for all license holders at the Town’s municipal marina for the month of April.

**ACTION:** Motion to waive all fees for April for dockage at the Town marina

Motion: Mayor Pierce

Vote: UNANIMOUS

Mayor Pierce said Council would revisit the issue if the waiver needs to be extended past April 30.

Council further discussed water bill relief for businesses that are closed. This would involve waiving the typical minimum charge and billing only for actual water used. Mr. Parvin said Town staff could bring back some options for Council to consider at the next meeting. Council Member Barbee said it’s important for Council to understand exactly how much money would be lost and whether the Town would be able to bear the shortage.

Mr. Parvin recognized that it was Town Attorney Noel Fox’s birthday.

Mr. Parvin said the Town has been testing Zoom and other platforms for virtual meetings.

Mr. Oakley said the County Attorney had confirmed that the order to restrict access to the beaches was intended to close the beach strand to everyone, even those with private access, and that the authority to do so exists.

Mayor Pierce asked Town staff to set up a way for the public to call in with comments during the April 14 Council meeting so residents can stay home while still participating.

**3. ADJOURNMENT**

Mayor Pierce made a motion to adjourn at 5:00 PM. Motion passed unanimously.