

# CAROLINA BEACH

Regular Town Council Minutes  
Tuesday, August 13, 2019 @ 6:30 PM  
Council Chambers  
1121 N. Lake Park Boulevard  
Carolina Beach, NC 28428

## ASSEMBLY

The Town of Carolina Beach Regular Town Council was held on Tuesday, August 13, 2019 at 6:30 PM at Council Chambers.

PRESENT: Mayor Joe Benson, Mayor Pro Tem Tom Bridges, Council Member LeAnn Pierce, Council Member Steve Shuttleworth, and Council Member JoDan Garza

ABSENT:

ALSO PRESENT: Interim Town Manager Ed Parvin, Finance Director Debbie Hall, Town Clerk Kim Ward, and Town Attorney Noel Fox

### 1. MEETING CALLED TO ORDER WITH INVOCATION BY GAYLE TABOR, PASTOR OF CHURCH ON THE BOARDWALK AND CHURCH ON TAP FOLLOWED BY THE PLEDGE OF ALLEGIANCE

### 2. ADOPT THE AGENDA

- a. Mayor Benson announced that they would be moving Item 7(b) - "Resolution in Support of a 2019 CAMA Public Beach Access Grant" to the end of the agenda.

Council Member Pierce requested to add an item to the agenda to discuss re-establishing the Business and Economic Development Committee.

**ACTION:** Motion to adopt the agenda with the changes mentioned.

Motion: Joe Benson

Vote: UNANIMOUS

### 3. CONSENT AGENDA

- a. The following items were approved under the Consent Agenda:
  - Consider setting a Public Hearing for September 10, 2019 at 6:30 PM for a Text Amendment to amend Article IX. - Development Standards For Particular Uses, Mixed use commercial-residential regulations to review the commercial sq. ft. requirement when located in a V-floodzone. Applicant: Jeff Stokley
  - Consider setting a Public Hearing for September 10, 2019 at 6:30 PM for a Conditional Use Permit that consist of a roof top bar expansion to Hurricane Alleys, located at 5 Boardwalk - Applicant: JLM Partnership LLC
  - Budget amendments and carryovers as presented by the Finance Director
  - Year End Budget Transfers as presented by the Finance Director

- Budget Ordinance 19-1116 - AIA Water
- Budget Ordinance 19-117 AIA Wastewater
- Meeting minutes from July 9 and 23, 2019

#### 4. SPECIAL PRESENTATIONS

##### a. Employee Recognition

Chief Alan Griffin recognized firefighters that received the Blue Card Certification.

Chief Chris Spivey recognized Captain Harry Humphries for 20 years of service with the police department.

##### b. Special Events

Brenda Butler presented the events scheduled in August and September.

##### c. New Event-Superb Beach Soccer Festival

Brenda Butler presented a new event for a soccer tournament September 13-15, 2019.

Dwight Findlay and Ryan Gillespie presented their request for the event.

**ACTION:** Motion to approve this event with no more than 7 courts.

Motion: Steve Shuttleworth

Vote: UNANIMOUS

##### d. Manager's Update

Ed Parvin gave an update on the following items:

##### **Upcoming Land Use Plan Meetings:**

The next meeting is August 21st at 6:00 pm.

##### **Street Sign Placement:**

Staff has replaced 75% of the street signs.

##### **Around Town Hall:**

Permit Technician Institute will be holding training at Town Hall. Attendees will be from across the state. (Sept 24-25). Hopefully more will come to our area which will increase our staff's knowledge/skills/abilities and be a cost savings for the Town.

Billing window is open from 8-5pm except on Wednesdays (hours 12-5pm)

2 New Police Officers will be sworn in over the next 2 weeks.

Water tests conducted by NCSU has our water as the best in the area!

Requested Recertification for CRS 6 = 20% discount in flood insurance

Building Code Effectiveness Grading has improved by one grade. This is due to an exceptional building inspections program.

**Technical Review Committee:**

Springhill Suites (CUP)

Planned Unit Development on Keys Lane for 2 houses on 1 lot (CUP)

36 Unit Condos beside Dominos (CUP)

Text amendment to allow for more flexibility in Neighborhood Business

Review private parking lot allowance for profit in the Central Business District

Adding lots in Hidden Hills

Preconstruction meeting with the warehouse/office space going in at the corner of Bertram and Lake Park Boulevard

Town Council meeting September 10, 2019:  
Expand roof top bar at Hurricane Alleys (CUP)

Amend Mixed use commercial residential regulations to reduce commercial square footage requirements for V-Zone properties.

Update the Town Sign regulations to be consistent with latest court cases/laws in NC.

**Hamlet Avenue Restrooms and Ocean Rescue Office:**

Mr. Parvin showed a rendering of a potential design. He has received one quote for the construction which came in at \$699,740.

Council Member Pierce asked staff to consider asking for ROT funds to help with this expense. She also asked staff to do a cost analysis on what the Town pays in rent versus building a new building.

Mayor Benson would like to see what conex boxes would cost.

**August 27, 2019 Workshop:**

MOTSU update

Overview of draft emergency compensation policy

Review parking and Freeman Park status and recommendations

Council Member Shuttleworth asked staff to consider not writing tickets for golf carts that are parking in spots that have historically been used as golf cart parking. Also look into finding more golf cart parking areas.

**Parking:**

Compact parking has been established on Lake Park Boulevard.

Council Member Shuttleworth said he is receiving complaints from those who have non-compact carts. They cannot find a place to park.

**September 24, 2019 Workshop:**

Review engineering plans for the Town Marina

Draft harbor ordinance

**Stormwater Updates:**

Network Realty/Lake Park/Mona Black - Priority #1 \$150,000

Texas Pump Station Priority #2 \$80,000

Charlotte/Cape Fear/6th Street Priority #3A No cost

Cape Fear and 4th Street Priority #3B \$30,000

Marina/Lumberton/Wilson Priority #4A \$295,000

Goldsboro to Island Marina Priority #4B \$250,000

Dow to 7th and Harper to Sumter Priority #5 Cost to be determined

**Water Study:**

A full report is scheduled to be complete by January.

Council Member Garza asked about the Open House for the Clarendon Avenue Multi-Use Path project.

Mr. Parvin said that it would be early September.

Council Member Garza asked if the Town is having to pay the consultant more for extending LUP meetings?

Mr. Hardison said that it is costing the Town \$1,500 for every extra meeting.

**5. PUBLIC COMMENT**

- a. Deb LeCompte 307 Charlotte Avenue spoke about the possibility of losing the amusement rides at the boardwalk. She gave some history on ferris wheels and how they benefit municipalities. She asked Council to consider re-establishing the Business and Economic Development Committee.

Jill Zimmerman 1423 South Lake Park Boulevard expressed her concern as to why Town staff approved the new development next door at 1425 South Lake Park Boulevard after CAMA denied it. This project will intrude 50 feet into the dunes.

Dennis McKee 705 and 707 Canal Drive received a violation from the Code Enforcement Officer regarding his private dock and his guests staying on their boat when they dock at his house for the weekend. He stated that these are his guests and they are not permanently living aboard.

Mayor Benson asked Mr. Parvin to look at the text and to define a live aboard.

Erik Bigsby on behalf of Kevin Murphy thanked Council for supporting Life Rolls On.

## 6. PUBLIC HEARINGS

- a. Consider amending ARTICLE VI. – SCHEDULES, Sec. 16-208. - Schedule F, traffic patterns on specified streets to designate a portion of the 200 block of Wilson Ave at the intersection of N. Lake Park Blvd for one-way traffic.

Jeremy Hardison presented the request to turn the 200 block of Wilson Avenue back to one-way.

Council Member Garza asked about cost.

Mr. Hardison said the only cost would be the signage and paint.

Mayor Benson made a motion to open the public hearing. Motion carried unanimously.

Thomas Tucker 707 Harper Avenue would like for Wilson Avenue to be two-way with no exit onto Lake Park Boulevard.

Mayor Benson made a motion to close the public hearing. Motion carried unanimously.

Council Member Shuttleworth asked staff to work with the church on the logistics of this change.

**ACTION:** Motion to amend Article VI. – Schedules, Sec. 16-208. - Schedule F, traffic patterns on specified streets designating a portion of the 200 block of Wilson Ave at the intersection of N. Lake Park Blvd for one-way traffic for a distance to be determined by staff.

Motion: Joe Benson

Vote: UNANIMOUS

## 7. ITEMS OF BUSINESS

- a. Text Amendment: Consider Amending Chapter 28 – Watercraft, Beaches, and Coastal Parks, Article IV, Sec. 28-166. – Public Nudity

Jeremy Hardison presented the request to remove the word "buttocks" from the list of items that are considered to be private parts.

**ACTION:** Motion to remove the word buttocks from the list of items that are considered private parts under Article IV, Section 28-166.

Motion: Steve Shuttleworth

Vote: UNANIMOUS

- b. Consider redesign of the website

Jeremy Hardison presented the request to move to Granicus as the website provider.

MPT Bridges said that he is excited about getting a user friendly website.

**ACTION:** Motion to into a contract with Granicus to redesign the website

Motion: Tom Bridges

Vote: UNANIMOUS

- c. Consider Adopting the New Pay Plan

Ed Parvin presented the 2019 pay study for the Town.

Staff will continue to receive annual performance evaluations to help with conversations between the employee and their supervisor.

Mr. Parvin said that they are not requesting money at this time. They are only requesting to move the pay ranges. He added that he may try to implement part of the salary portion of the study at the end of the fiscal year if there is money available.

**ACTION:** Motion to approve 2019 pay study.

Motion: Joe Benson

Vote: UNANIMOUS

- d. Add three full time employees in the Fire Department

Mr. Parvin presented the request to add 3 full time firefighters starting in October. If the Assistance to Firefighter's Grant is awarded, \$52,500 will be going back into general fund. If not, no additional funds will be needed because it was already budgeted.

**ACTION:** Motion to roll over \$52,500 from the 2018-19 to the 2019-20 budget and add 3 full time positions to the Fire Department with recruitment starting in October.

Motion: Joe Benson

Vote: UNANIMOUS

- e. Bike/Ped Committee Appointment

Council voted by written ballot and appointment Danielle Kurtz to the Bike/Ped Committee.

- f. Reactivate Business and Economic Committee

Council Member Pierce would like to reactive the Ad-hoc Business and Economic Committee.

Council agreed to move forward and Council Member Pierce will lead the committee.

## 8. NON-AGENDA ITEMS

- a. Mayor Benson asked staff to have an engineer look at North Carolina Avenue at Sea Ray, Spot and Croaker to see if it needs four-way stop signs.

Council Member Garza mentioned that there has been a lot of discussion on social media about the sidewalk proposal for Ocean Boulevard.

Council Member Pierce said that there is a proposal in the Bicycle Plan for Ocean Boulevard.

MPT Bridges added that the setback will put residents on Ocean Boulevard in a bad position with no parking.

Council Member Garza asked staff and Council to consider having an area at Cape Fear and Canal Drive blocked off during events to have a staging area for open containers. He asked to have this brought back for discussion at a workshop.

Council Member Shuttleworth said that staff needs to talk to Noel about open containers before having this discussion.

## 9. CLOSED SESSION

- a. Closed Session to Discuss an Attorney/Client, Real Estate and Personnel Matter

Mayor Benson made a motion to go into closed session to discuss an attorney/client, real estate and personnel matter in accordance to NCGS 143-318.11(a)(3)(5) and (6). Motion carried unanimously.

The properties being discussed include:

310 Canal Drive, Carolina Beach, NC  
3 Carolina Beach Avenue South  
316 Cape Fear Boulevard  
12 Pavilion Avenue North

The matters being discussed include:

TCB vs. Carolina Freeman LLC NHC 18 CVS 3151  
TCB vs, B&F Enterprises LLC NHC 18 CVS 3152  
TCB vs DRDK, LLC NHC 18 CVS 3153  
TCB vs Freeman Beach, LLC 18 CVS 3154

Mayor Benson made a motion to go back into open session. Motion carried unanimously.

Mayor Benson made a motion to enter into a contract with April Williams for the purchase of 310 Canal Drive Carolina Beach for the amount of \$230,000. Motion carried unanimously.

Mayor Benson made a motion to adopt Resolution 19-2206 in support of a 2019 CAMA Public Beach Access Grant. Motion carried unanimously.

**10. ADJOURNMENT**

**ACTION:** Motion to adjourn at 11:30 pm.

Motion: Joe Benson

Vote: UNANIMOUS

Adopted at a regular meeting on September 10,  
2019.

Submitted by Kimberlee Ward, Town Clerk