

# CAROLINA BEACH

Regular Town Council Minutes  
Tuesday, March 12, 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, March 12, 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: Town Manager Lucky Narain, Assistant 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 MOLLY PAINTER FOLLOWED BY THE PLEDGE OF ALLEGIANCE

- a. Council Members Shuttleworth and Garza are in Washington, D.C. attending the American Shore and Beach Conference.

### 2. ADOPT THE AGENDA

**ACTION:** Motion to adopt the agenda.

Motion: Joe Benson

Vote: UNANIMOUS

### 3. CONSENT AGENDA

- a. Attorney Noel Fox recommended pulling an item off the consent agenda and discussing it during Items of Business. The item was to set a public hearing for April 9, 2019 to consider a Conditional Use Permit for Wake and Bake to serve alcohol. She recommended discussing this due to the potential of Council considering changing the April meeting date to Monday, April 8th instead of Tuesday, April 9th.

Mayor Benson made a motion to approve the consent agenda with the exception of pulling the item to consider a public hearing for April 8, 2019. Motion carried unanimously.

The following items were approved under the Consent Agenda:

Budget Amendments and Transfers as presented by the Finance Officer.

Approve the 2019 NC Department of Natural and Cultural Resources Records Retention Schedule.

Approve the February 12th and 26th meeting minutes.

**4. SPECIAL PRESENTATIONS**

a. Employee Recognition

Ed Parvin recognized Rick Icenhower for 15 years of service in the Operations Department.

Chief Spivey recognized Cpl. Colby Edens for 5 years with the Police Department.

b. Presentation by Gloria Garton with the disAbility Resource Center

Gloria Garton with the disAbility Resource Center presented an award to the Carolina Beach Recreation Center and Ocean Cure for making Carolina Beach a handicap friendly beach.

c. New Event - International Festival

Anna with La Grande Radio Station presented a request to host an International Festival on October 19, 2019 at the Lake.

**ACTION:** Motion to approve the International Festival on October 19, 2019 at the Lake.

Motion: Joe Benson

Vote: UNANIMOUS

d. New Event - Food Truck & Craft Beer Rodeo

Bobby McConville presented a request to host a new food truck and craft beer rodeo. Saturday, October 5, 2019 at the Lake from 10-6.

**ACTION:** Motion to approve the Food Truck and Craft Beer Rodeo for Saturday, October 5, 2019 from 10-6 at the Lake.

Motion: Joe Benson

Vote: UNANIMOUS

e. Special Events March & April

Brenda Butler presented the events for March and April, 2019.

f. Manager's Update

Lucky Narain gave an update on the Coastal Storm Damage Reduction Project. The project will be complete this week. Freeman Park will close Thursday and most likely stay closed through the weekend for demobilization of dredge equipment.

Assistant Manager Ed Parvin gave an update on the following items:

Hurricane Florence - There has been an additional \$282,881 in expenses.

The Island Greenway is complete. Grand opening will be April 20, 2019 at Mike Chappell Park after the Easter Egg Hunt.

Stormwater projects are still ongoing. There will be another update next month on the status of each project.

Mayor Benson mentioned using some of the lake dredge money to fix some of the flapper valves on Canal Drive.

Mr. Parvin said he would research it.

Council Member Pierce asked to have this item on the April workshop.

Mr. Parvin said that Henniker's Ditch is being cleaned out.

Council Member Pierce asked about an ordinance for the maintenance of drainage ditches. She asked that this topic be put on the March 26th workshop.

Mr. Parvin gave an update on the marina project. Gangways are going in next week and then they will connect water and electricity.

He explained that the marina is set up so that the east side is for commercial fishing, the south end is for head boats and charter businesses are on the west side.

Council Member Pierce asked about the hydro bikes that was presented by Scott Britt at the last Council meeting.

Mr. Parvin stated that is not a typical use for marina slips and Council would have to approve changing the purpose of the marina.

Mayor Benson asked about how slips are filled.

Mr. Parvin said that topic is being discussed by the Harbor Commission.

## **5. PUBLIC COMMENT**

- a. Bob Ponzoni 1201 Canal Drive would like to have signage on recycle bins that clarify what is allowed. He would also like to see signage on blue cans that say please don't litter. He recommended adding trash cans on the street side and not just the beach side. He also mentioned that the dog poop ordinance should be enforced.

Bill Brocker 1521 Sea Ray Lane asked if there were any plans to put electric wires underground.

MPT Bridges informed him of the Underground Power Line Ad-hoc committee that has been formed to look into this.

## 6. PUBLIC HEARINGS

- a. Public hearing for Non-Profit Funding Requests

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

Sarah Chasteen spoke in regards to the LoTide run. They are requesting \$5,000 to support cancer victims on Pleasure Island.

Darlene Bright 407 Canal Drive spoke on behalf of the Federal Point Historic Preservation Society. They requested \$9,000 for the operation of the History Center. On Monday, March 18th they will be celebrating 25 years of operation.

Nancy Busovne with the Pleasure Island Sea Turtle Project requested \$1,100 per month during turtle season.

JoE Needham and Denise Anderson with Friends of Felines presented their request for \$3,000 to trap, spay, and neuter stray cats. 120 cats were spayed/neutered in Carolina Beach last year.

Jarvis Wise with the Carolina Beach Inlet Association presented a request for \$7,500 to continue education on shallow draft dredging and keeping the inlet navigable.

Frances Massey President of Island of Lights presented a request for \$8,000 for events promoting tourism during the off season.

Laurie Taylor with the Pleasure Island Help Center said that she has been with them 34 years. They are requesting \$5,000 to help victims of Hurricane Florence. They helped 5,000 individuals last year. They fed 150 people this past Christmas.

Loretta Gunter, president of Pleasure Island Paws, and Gail Shaw said they have been spaying, neutering, and releasing feral cats since 2001. They are asking for \$3,000 to spay, neuter, and release feral cats strictly on the Island. They also assist pet owners who may need help with surgeries, food, etc. Ked Cotrell with Pleasure Island Animal Hospital was in attendance and supports this group. He said that he charges this organization \$35 to spay or neuter and that includes vaccinations.

Charma McKinght 400 Virginia Avenue with the Island Cottage said they would like to request \$7,000 to repair the building on Bridge Barrier Road.

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

Council will consider these requests during their budget meetings.

## 7. ITEMS OF BUSINESS

- a. Flooding Traffic Ordinance

Dale Walters, Chairman of the Canal Drive Flood Committee presented a request for an ordinance to enforce traffic violations for vehicles that travel through flooded streets in Carolina Beach. They mainly focused on Canal Drive.

Council Member Pierce asked staff to look into the fine amount and if it is comparable to other fines in the Town Code.

Ms. Fox said that this item will come back to a future workshop.

- b. Conditional Use Permit extension for a retail store located at 1000 & 1010 N. Lake Park Blvd.

Jeremy Hardison presented the request from Harris Teeter for a 12 month extension on their conditional use permit. He stated that in 15 years there have been 8 requests for an extension on a CUP. 7 were approved and one was denied because they were requesting to close a right-of-way on the boardwalk.

Council Member Pierce asked if they would be able to come back and ask for another extension.

Mr. Hardison said that they cannot.

Attorney Dan Smith with Brooks, Pierce, McLendon, Humphrey, and Leonard in Greensboro, NC said that this case will be heard by the NC Court of Appeals on April 10th. He explained that they are having trouble with inter-connectivity with the adjacent property to get their delivery trucks in. They can not build the store if they cannot get inter-connectivity.

**ACTION:** Motion to approve a 12 month conditional use permit extension for a retail store located at 1000 & 1010 N. Lake Park Blvd. that will expire on April 11, 2020.

Motion: Joe Benson

Vote: UNANIMOUS

- c. Consider setting a public hearing date for Monday, April 8, 2019 to consider a conditional use permit for Wake and Bake to sell alcohol at their 1401 North Lake Park Boulevard location.

This item was pulled from the Consent Agenda at the request of Town Attorney Noel Fox. The item was listed on the Consent Agenda as a request to be heard on the April 9, 2019 Council meeting. Since Council has changed the date of the April meeting, she felt it would be best to discuss this change in open session and advertise the meeting date accordingly.

**ACTION:** Motion to set a public hearing date for April 8, 2019 to consider a conditional use permit for Wake and Bake to sell alcohol at their 1401 North Lake Park Boulevard location.

Motion: Joe Benson

Vote: UNANIMOUS

## 8. NON-AGENDA ITEMS

- a. Discuss Topics for the Beach Towns Meeting in Wrightsville Beach April 12, 2019

Council Member JoDan Garza requested this item be put on the agenda to give recommendations for topics at the Spring Beach Towns meeting in Wrightsville Beach.

Council mentioned the following topics:

Discuss the cap on the marketing funds for the 2nd 3%.

Sales tax 1% consumption tax and who would hold those funds

Sand fund and how the money is distributed

BRER final decision that extend the beaches 15 years

b. Open Discussion for Non-Agenda Items

Council Member Pierce asked staff to look into the storm damage at the Island Cottage.

Mayor Benson would like for a weather station to be installed on the top of the bridge.

Mayor Benson also mentioned looking into a stormwater monitoring system.

Council Member Pierce said she received an email that the DOT did not approve the crosswalk at Winner Avenue.

**9. CLOSED SESSION**

a. Closed Session to Discuss An Attorney/Client and a Personnel Matter

Motion: Joe Benson

Vote: UNANIMOUS

b. **Mayor Benson made a motion to go into closed session to discuss an attorney/client and personnel matter in accordance to NCGS 143.319.11(a)(3)(5) and (6). The properties being discussed are 310 Canal Drive and 601 Carolina Sands Drive. Motion carried unanimously.**

**Mayor Benson made a motion to return to open session stating that no action was taken. Motion carried unanimously.**

**10. ADJOURNMENT**

Adopted at a regular meeting on April 8, 2019.

Recorded by Kimberlee Ward, Town Clerk.