

# CAROLINA BEACH

Town Council Workshop Minutes  
Tuesday, June 26, 2018 @ 6:00 PM  
Council Chambers  
1121 N. Lake Park Boulevard  
Carolina Beach, NC 28428

## ASSEMBLY

The Town of Carolina Beach Town Council Workshop was held on Tuesday, June 26, 2018 at 6:00 PM at Council Chambers.

PRESENT: Mayor Joe Benson, Mayor Pro Tem Tom Bridges, Council Member LeAnn Pierce, Council Member Steve Shuttleworth, Council Member JoDan Garza, Town Manager Michael Cramer, Assistant Town Manager Ed Parvin, Finance Director Debbie Hall, Town Clerk Kim Ward, and Town Attorney Noel Fox

### 1. MEETING CALLED TO ORDER BY MAYOR JOE BENSON

### 2. DISCUSSION ITEMS

#### a. Council Liaison Committee Updates

Council Member Pierce gave an update on the Bike/Ped Committee. They held their first meeting last week. The meeting went very well, and they established officers of the committee.

Mayor Benson said that the Canal Drive Flood Committee met on June 14th. They are a very productive 9 person committee. They meet again on the 12th of July. The Harbor Commission will also meet on the 12th of July.

Council Member Garza stated that the Parks and Rec Committee met on June 4th. They discussed volleyball courts and the Farmer's Market. The summer camps are doing well. Freeman Park has not met this month. They will discuss Pack it in, Pack it Out at their next meeting.

MPT Bridges said that he missed the Operations Committee Meeting but Ron Bond was in the audience, and he said that they discussed irrigation meters.

Council Member Shuttleworth reported that the Marketing Committee is doing well and spending marketing dollars. The Ports and Waterway Commission discussed storm damage reduction sand and they should hear something back from the state in the fall.

Mayor Benson said that he and Council Member Shuttleworth held a Town Hall meeting at the American Legion, and it was very well received. There were approximately 35 in attendance. The public liked that style of meeting. They were mainly interested in Freeman Park and

resolving the Lake Dredge Project.

b. Special Presentation on Opioid Crisis

Nicole Barnes with the Legacy Group Foundation gave an update and statistics on the opioid crisis.

Council Member Shuttleworth asked Ms. Barnes what Carolina Beach can do.

Ms. Barnes said that communities can offer prescription drop off programs. The more boxes you make available, the more successful the program will be.

Council Member Pierce asked if they were going into the schools and educating them on these statistics.

Ms. Barnes said that it is hard to get into the schools. They have programs such as DARE and GREAT that the schools feel are sufficient.

Council Member Garza said that Ms. Barnes may want to get in contact with Loralie Grigas that spoke at the last Council meeting. She is a local counseling service looking for funds to support this need.

c. Towing Update

Attorney Noel Fox gave an update on the recent controversy of tow companies doing predatory towing on private property. She said that Towns do not have the authority to regulate and cap fees for towing. The Town can regulate the requirement and placement of signage and post tow procedures. She mentioned that it is a property owner right to contract out towing from their private property. She said that the Town should be enforcing the current ordinance on towing. Private property owners are supposed to be notifying the police department on who they are contracting with.

Council Member Pierce asked if the tow companies are being educated on the ordinances.

Ms. Fox said that they had a meeting with the tow companies about a year or so ago.

Mr. Cramer said that the ordinance was revamped in 2016 and they met with all the tow companies that were doing business in Carolina Beach.

Council Member Garza asked if the Town was reviewing each tow company as they renew their business license to make sure they are in compliance. He said there is a lot of conversation on social media about this.

Ms. Fox said that she would like to see the comments so she can understand the complaints.

Council Member Pierce said that she witnessed a tow truck parked illegally watching a

parking lot. She feels that they should have to follow the same parking rules.

Mr. Cramer mentioned that they are mainly discussing commercial parking lots.

Council Member Shuttleworth asked what the Town procedure is for the public to complain about towing issues.

Mr. Cramer said they could contact the police department, but it will become a civil matter if it is on private property.

Captain Harry Humphries said that last Tuesday night was the first complaint he has heard in about a year. He said that he would look into any complaint that is received. He suggested that tow companies ask the caller of a private home to sign the tow ticket saying that they called the tow company and asked them to tow a vehicle off of their private property. The tow company is required to contact 911 to notify them of the tow.

Council Member Shuttleworth asked how many tows are happening a day/month.

Mr. Cramer said that he could get that information from 911 dispatch.

Council Member Shuttleworth said that he would like to hear from staff again in a few months on how things are going and if they are receiving complaints. He suggested that the tow companies take photos of the violators as part of Best Management Practices.

Mayor Benson wrapped the topic up by requesting the Town Attorney to look for any gaps in the ordinance and compare it to other communities and he asked for clarification on what would be grounds for revoking a permit based on infractions against the ordinance.

d. Lake Dredging Update

Mr. Cramer gave an update on the Lake Dredge Project. He reviewed the four options which are:

- 1- Leave it in place
- 2- Create a new island
- 3- Remediation Action Plan
- 4- Remove remaining soil and moving it to the LORAN site or the landfill.

He said that the preferred option was to finish the project and move the spoils to another location.

Council Member Garza said that it has been 9 months since the project came to a halt and he is concerned that they are no further along than they currently are.

Mayor Benson asked if you do nothing, can you quote cleaning up the banks from erosion and get rid of the algae?

Mr. Cramer said that he could check into it but it would have to be armored by the Corps.

Council Member Pierce said the algae is worse than ever.

Mr. Cramer said it has to do with the heat and the water depth. Copper sulfate only works for a limited amount. Any harsher chemical could harm the wildlife.

Council Member Pierce asked about a filtration system.

Mr. Cramer said it would be not be conducive for an 11 acre lake. Those are more for smaller ponds.

Mr. Cramer continued with options to remove the material from MOSTU property. One other option is to sell the dirt as fill dirt.

Council was in favor of selling the dirt.

Mr. Cramer said that he would have to write MOTSU a letter asking permission to have contractors come onto the property and remove the dirt.

Council was in agreement to move forward with contacting MOTSU for this request.

Mayor Benson said that he would call the Colonel of MOTSU.

MPT Bridges said that the agreement needs to be in writing.

Mr. Cramer asked for a consensus from Council on how to move forward. He feels that Council is wanting to continue with the project. He also feels that selling the dirt is a good idea.

Council Member Shuttleworth wants to sell the dirt and finish the lake.

Council Member Pierce and Garza agreed and wanted to have a public hearing.

Mr. Cramer said they can put it on the July 10th agenda for a public hearing.

Council Member Garza said that he would like the Manager to reach out to Nan Toppin and update her on the complaints that she presented to Council at the June 12th meeting.

### **3. NON-AGENDA ITEMS**

- a. Council Member Garza stated that no one is paying attention to the flashing cross walks and would like to see more enforcement.

Chief Spivey said they issued 12-18 citations at the Dow Road crosswalk on Saturday.

Council Member Garza asked if the Town has authority over stop signs.

Mr. Cramer replied that they do.

MPT Bridges mentioned an email that Gil DuBois sent Council about sidewalks. He also mentioned that the variable message sign for the triathlon was not complete. They didn't have AM or PM on the time and there were some misspellings.

Mr. Cramer said that he noticed that as well but it was not a Town sign. The contractor put the sign out.

MPT Bridges said that he likes the new larger street signs on Dow Road.

Council Member Pierce asked about the crosswalk at Winner and Lake Park.

Mr. Cramer said that he feels the study will help get that corrected and maybe DOT will pay for it. It may be years down the road.

Council Member Pierce said she witnessed an officer issuing citations for dogs and alcohol on the beach on Saturday and he was very professional.

Mayor Benson said he would like to meet with the Police Chief and the Manager to discuss storm damage drone footage as well as doing a 3 lane return back onto the island after an evacuation.

Mr. Cramer said both police chiefs have met to discuss those details.

Mayor Benson said he would like to be at the meeting with DOT regarding crosswalks.

#### 4. CLOSED SESSION

- a. Closed Session to discuss an Attorney/Client Matter in Accordance to NCGS 143-318.11(a)(3).

**Mayor Benson made a motion to discuss an Attorney/Client Matter in Accordance to NCGS 143-318.11(a)(3).**

Council returned to open session stating that no action was taken during closed session.

#### 5. ADJOURNMENT

- a. Motion: Joe Benson  
Vote: Motion to Adjourn at 9:30 pm

Adopted at a regular meeting on July 10, 2018.  
Recorded by Kimberlee Ward, Town Clerk

