

CAROLINA BEACH

Town Council Workshop Minutes
Tuesday, February 27, 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, February 27, 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, and Council Member JoDan Garza

ABSENT:

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

1. MAYOR BENSON CALLED THE MEETING TO ORDER AT 6:00 PM

2. DISCUSSION ITEMS

a. CSDR 101 - Project Update

New Hanover County Shore Protection Coordinator Layton Bedsole gave an overview on the storm damage reduction project and the significance it has on local beaches. Some of the key points mentioned include:

It is the Town's responsibility to manage this project in between dredging cycles. For example, capturing sand with sand fencing when the opportunity presents itself.

It would be a good idea for staff and CAMA to meet with the owners of private crossovers to develop a plan for raising the walkways and extending them to the edge of the dunes so that more sand will build up and create a larger dune underneath it.

Every year surveys are taken from Mason's Inlet to Fort Fisher. These show where the sand is going and why. It also helps track mean high water locations. Some of the data collected from that regarding Freeman park shows that without storm damage reduction management, you lose 13 cubic yards per foot per year. With management, it is reduced to 8 cubic yards per foot per year. The beach loses about 277,000 cubic yards per year, headed primarily to the borrow site. Without management, you lose 15 cubic yards, per foot, per year. With management, you are at a positive 3.3. That means we are putting a little more back on the beach than what's coming off.

The Sea Turtle Project is very important and should always be supported.

In 2015, the CSDR Project expired. It was good for 50 years. Now there is the Water Resources Development Act (WRDA) 2014. The Beach Re-nourishment Evaluation Report (BRER) was approved to give us an option. If there is still a federal interest, we can get an additional 15 years. In WRDA 2014, we got a 3 year authorization. WRDA 2016, we got an additional 3 year authorization. In 2017, we initiated the BRER. WRDA 2018, one of the targets is to get clarification of the 15 year extension. The way it is written now is that it begins the year the authorization stops. That means we would only make it until 2029. We are being held accountable for study time. The goal is to get that changed so that the 15 year clock doesn't start until the BRER is accepted. There are federal, state, and local dollars to get to the 2019 project. The BRER study needs to be complete by 2020 so that we can compete for funds in 2021. The Corps of Engineers is doing the study. Currently, projects are funded 65% federal, 35% non-federal. The future projects will be 50/50.

b. Short Term Rental Discussion

Michael Cramer gave a brief introduction on short term rentals and stated this was not a formal presentation but an introduction for discussion on where Council would like to take this. This topic stems from the trend of vacation rentals on websites such as airbnb and VRBO. There are hundreds of these sites on the web. In November, Carolina Beach had 1,214 listings. There were 684 units which means each unit was listed on more than one website. There is no clear definition of short term, it is usually under 30 days.

The concern with this is the change in character of a neighborhood. Other concerns include parking, noise, trash, and ROT tax collection.

Council Member Garza would like to see a list of positives, not just the negatives. He would also like to see the citations that have been issued as a result of short term rentals.

Council Member Shuttleworth mentioned that it is a private property rights and is a little leery of telling people what they can and can't do with their private property. However, some will view it as a business operating in a residential area.

MPT Bridges mentioned that the wedding house was retrofitted to host 100 people but only had 4 parking spaces.

Mr. Cramer mentioned that the County is responsible for tracking room occupancy tax. They are looking at a system to help them identify where people are staying and going after the ROT tax.

Council Member Pierce stated that the residents don't care about the room occupancy tax, they care about their quality of life.

Mr. Cramer said this is a nation wide issue. There are a couple of vendors that help with some of the issues. Some vendors have programs that help collect ROT efficiently. There are also devices that measures noise inside the home. Some of these services that are out there can help educate the homeowner and the renter.

Ms. Fox mentioned that Ocean Isle hired someone to come and identify the short term rentals in their area and send them a letter stating that they are aware that they have a short term rental and gave them the information on collecting taxes and sent them a copy of the ordinances.

Council Member Shuttleworth mentioned that ROT dollars may be available to assist with these expenses.

Council Member Garza said a good starting spot would be to use the Town's website and Facebook page. Those are beneficial tools that are already available.

Ms. Fox said that many communities are dealing with this and in the meantime, enforce your ordinances.

Mr. Cramer said the purpose for bringing this item to Council was not to create an ordinance banning them but to get ideas on how to address them. He summarized that Council wants to explore ways to limit impacts, educate the owners, and work with the County on the room occupancy tax.

Council Member Shuttleworth said that he is interested in the program that identifies where these rentals are. He also thinks the Town should send them a letter "welcoming them to the neighborhood" and give them the rules.

Mr. Cramer said that he will bring this item back to another meeting for more discussion.

c. Bathrooms on the Carolina Beach Boardwalk

Mr. Cramer brought this item to Council to get recommendations on what they would like to put in the 18/19 budget for restroom upgrades.

The bathroom at the boardwalk is non-conforming. It is past the development line. You can not rebuild at this location. The only thing you can do is upgrade the current building.

Council Member Shuttleworth suggested to clean it up and look for other locations as a long term project. He suggested new tile, new paint, new windows, and new light fixtures. He suggested the same thing for the restrooms at Hamlet Avenue.

Council Member Bridges mentioned that the TDA gave money to Kure Beach for their bathrooms.

Mayor Benson mentioned that it is not consistent with the world class boardwalk that we have.

Council Member Pierce said that she and Mayor Benson can present the request at the next TDA meeting.

Mr. Cramer mentioned that the Town has made incremental changes but now needs to make major

cosmetic changes.

Council Member Shuttleworth asked if you could add 50% of the square footage without applying for a CRC variance.

Mr. Cramer said he would look into it.

3. NON-AGENDA ITEMS

- a. Council Member Pierce asked about the gravel and no parking signs between Bert's Surf Shop and HopLite.

Mr. Cramer responded that the Town put out no parking signs because a rash of traffic accidents. He is not sure who put out the gravel.

Council Member Garza asked about blinking lights at this location.

Mr. Cramer said that on March 26th Jonathan Guy from Kimley-Horne will be here at the workshop to present some traffic improvements for Lake Park Boulevard.

Council Member Shuttleworth asked that staff put this information on the website and Facebook.

Council Member Bridges asked when the speed limit signs will be put up on North Lake Park Boulevard.

Mr. Parvin said that NCDOT sent the forms yesterday. It will be on Council's agenda next month for final approval.

Council Member Garza asked about providing free WiFi for the Town.

Council Member Shuttleworth said he would like staff to look into it.

Council Member Shuttleworth said that he wanted to discuss the opportunity to have more informal greetings at the workshop. He suggested maybe having them at the Rec Center. He would like to have more interactive conversations with the public and is looking for suggestions on how to facilitate that.

Council Member Garza suggested that Council Members create events on their personal Facebook pages inviting their friends to Council meetings.

Council Member Shuttleworth would like to challenge Council to come up with new ideas.

MPT Bridges said that when he gets hot topic emails he encourages them to attend Council meetings.

Council Member Garza said they should be more proactive and not wait for hot topics.

Ms. Fox stated that it would be an official meeting and you would have to have the Manager, the Attorney, and the Town Clerk at all of those meetings.

MPT Bridges suggested rotating 2 Council Members at these meetings. He is concerned about the logistics.

Council Member Shuttleworth prefers to have everyone there. He would like to try it and be cautious about certain topics due to legal matters.

Council Member Garza asked about the Community Garden. He requested a Google map that shows all Town property outlined in red.

Council Member Garza mentioned that he would like to conduct an employee satisfaction survey.

Mr. Cramer stated that he does not think this should be a topic in an open meeting.

Council Member Bridges responded that Council does not typically get involved in personnel matters.

Council Member Shuttleworth does not have a problem directing the Manager to conduct a survey and relaying the information he receives back to Council but he is very cognizant of what MPT Bridges is saying about Council not getting involved in day to day personnel matters.

4. CLOSED SESSION

- a. **Mayor Benson made a motion to go into closed session to discuss an Attorney/Client and Real Estate matter in accordance to NCGS 143.318.11(a)(3)and (5). Real Estate Location is 0 Freeman Park, owned by Richard Burnett Jr. et al, for the purpose of park space. Motion carried unanimously.**

Mayor Benson made a motion to return to open session. Motion carried unanimously.

Special Counsel Steve Coggins reported on the action that was taken in closed session.

Mr. Coggins: I would like to read Resolution 18-2178 for Council's consideration.

RESOLUTION NO. 2018-2178 - A Resolution Authorizing the Town to Obtain Title to Eight "Freeman Park Area" Tracts by Either Voluntary Acquisition or Condemnation

WHEREAS, Chapter 40A of the North Carolina General Statutes authorizes each municipality to acquire by purchase, gift or condemnation any property, either inside or outside its boundaries, for the public purposes that include, but are not limited to, (1) establishing, enlarging, or improving parks, playgrounds, and other recreational facilities; (2) engaging in or participating with other governmental entities in acquiring, constructing, reconstructing, extending, or otherwise building or improving beach erosion control or flood and hurricane protection works, including, but not limited to, the acquisition of any property that may be required as a source for beach renourishment; (3)

establishing access for the public to public trust beaches and appurtenant parking areas; and (4) for any other public purpose authorized by law; and

WHEREAS, the Town of Carolina Beach (“Town”) desires to explore acquisition and proceed to acquire, title to eight separate real property tracts in the general vicinity of Freeman Park (the “Tracts”), the Tracts being within the extraterritorial jurisdiction of the Town, and which are generally located at (a) the north end of Carolina Beach, (b) south of the public trust beaches along Carolina Beach Inlet, (c) west of the public trust beaches on the Atlantic Ocean, and (d) east of the U.S. Army Corps of Engineers Intracoastal Waterway eastern right of way line and public trust beaches east of Myrtle Grove Sound, the Tracts being identified by New Hanover County Parcel ID #s, their respective owners (hereinafter “Owners”), and New Hanover Registry Deed Book and Page ##s as follows:

Parcel ID#	Owner(s)	Deed Book & Page
R08500-006-990-000	Freeman Beach, LLC	5996-2735
R08500-006-008-000	B & F Enterprises of Calabash, LLC	5589-2181
R08500-006-007-001	Carolina Freeman, LLC	5947-2278
R08500-006-007-000	Carolina Freeman, LLC	5957-2314
R08500-006-006-000	Carolina Freeman, LLC	5957-2314
R08500-006-005-000	Carolina Freeman, LLC	6095-1836
R08500-006-003-000	DRDK, LLC	6101-457
R08500-006-002-000	Winnie Everett Futch Heirs	85-361

WHEREAS, it is in the best interest of the Town and public for the Town to acquire the Tracts, whether by voluntary acquisition or by condemnation, for the public purposes set forth above; and

NOW THEREFORE, BE IT RESOLVED, that the Town of Carolina Beach is authorized to take actions to obtain the Tracts, either (i) by voluntary acquisition or (ii) by eminent domain pursuant to Chapter 40A of the North Carolina General Statutes and other applicable law authorizing the Town to condemn and acquire title to the Tracts.

WITNESSED this the 27th day of February 2018.

Mr. Coggins: To underline what's not covered in this resolution is the property that is owed by members of the Burnett family. That is track number R08500-006-004-000.

Mayor Benson made a motion to approve Resolution 18-2178. Motion carried unanimously.

5. ADJOURNMENT

Adopted at a regular meeting on March 13, 2018.

Submitted by Kimberlee Ward, Town Clerk