

CAROLINA BEACH

Regular Town Council Minutes
Tuesday, January 9, 2018 @ 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, January 9, 2018 at 6:30 PM at Council Chambers.

PRESENT: Mayor Joe Benson, Mayor Pro Tem Tom Bridges, Council Member Steve Shuttleworth, Council Member LeAnn Pierce, 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. MEETING WAS CALLED TO ORDER WITH INVOCATION BY PASTOR DANNY KECK WITH KURE MEMORIAL LUTHERAN CHURCH FOLLOWED BY THE PLEDGE OF ALLEGIANCE

2. ADOPT THE AGENDA

ACTION: Motion to adopt the agenda.

Motion: Joe Benson

Vote: UNANIMOUS

3. CONSENT AGENDA

a. Consent Agenda

The following items were approved under the consent agenda:

Set public hearing for February 13, 2018 to consider a text amendment to Article VII, Chapter 14 and Article 1, Chapter 18 to allow for a commercial pedal car. Applicant: Tina Bell

Consider setting a public hearing for February 13, 2018 to review non-profit funding requests from the Room Occupancy Tax Fund.

Minutes from the December 12, 2018 Council meeting.

ACTION: Motion to approve the consent agenda.

Motion: Joe Benson

Vote: UNANIMOUS

4. SPECIAL PRESENTATIONS

a. Employee Recognition

Ed Parvin introduced Andrea Deopp-Norris from the planning department.

Ed Parvin recognized Jeremy Hardison for 15 years of service with the planning department.

b. Donation to the Parks and Recreation Department on behalf of the Michael McGowan Softball Tournament Fund Raiser

Parks and Rec Director Eric Jelinski presented a check to the Town from the Michael McGowan Softball Tournament in the amount of \$3,163.59. 50% goes to Cape Fear Community College and 50% go to the Carolina Beach Parks and Recreation Department.

c. Manager's Update

Michael Cramer presented the project update and the manager's update.

Phase B Project is nearing completion. Sewer and stormwater work will begin next week. The project is on time and on budget. The project should be complete by March 1.

The Island Greenway project will start construction on January 22nd.

The Cape Fear Multi-use project has gone out for bid. The pre-bid meeting will be January 11th and the bid opening will be January 23rd. Construction should start in April. It should be a 3 month project.

Lake Dredge Contract - The contract has been terminated. Staff is looking for ways to complete the project. There is a possibility of placing the material on Town property by the Coast Guard Loran Station. That could take several months. There will be boats in the lake doing testing.

The council retreat is January 18th at the fire department.

The budget kickoff is coming up. Dates have been established and will be held in the Council Chambers.

Council Member Garza asked how staff communicates with residents for the Phase B Project.

Mr. Cramer said that staff will go door to door before the project gets going and during the project. There is also information on the website.

Council Member Garza asked if staff had a rough estimate on what it would cost to build a road to the town property off of River Road.

Cramer said that he does not. He wants to make sure you can get back there first before he spends

money on engineers. There would also have to be easements on the Coast Guard property. That could take a couple of months.

Mayor Benson mentioned there is a meeting with MOTSU on Thursday and is hoping to expedite their commitment for allowing an additional 10,000 cubic yards of spoils.

Council Member Garza asked if it would be beneficial to get a cost to establish a road to this property.

Mr. Cramer said it would be in the \$50-75,000 range if the Town timbered it. That is a staff estimate. The Coast Guard may have certain requirements such as fencing.

5. PUBLIC COMMENT

Elaine Terrill, 502 Fern Creek Lane mentioned that the public restrooms are frequently locked and inaccessible and would like to see them upgraded.

Mr. Cramer explained that the bathrooms are locked around 9 pm and are locked during unseasonable weather. He said that he would follow up.

Council Member Pierce mentioned that tourism tax money may be able to be used to upgrade the restrooms.

6. PUBLIC HEARINGS

- a. Public Hearing to consider a Conditional Use Permit to redevelop the Federal Point Shopping Center located at 1018 N Lake Park Blvd. & 1001 Saint Joseph

Mayor Benson- We will now move to a public hearing to consider a Conditional Use Permit to redevelop the Federal Point Shopping Center located at 1018 North Lake Park Boulevard and 1001 Saint Joseph Street. All individuals intending to testify must come forward and be sworn in by the Town Clerk. The Clerk will administer the oath.

Council Member Pierce - Hello Senator Lee, we appreciate you being here. I know you are under a different hat tonight but we appreciate our local Representative being here.

The following speakers were sworn in by the Town Clerk:

Jeremy Hardison

John Lennon

Tom Terrell

Gordon Kolb

Brian Byrd

Vin Wells

Sam Franck

Denis Cronin

Richard Wallace

Sherman Sprague

Marnina Queen
Keith Costenoble
Michael Lee

Mayor Benson - Everyone has been sworn in, so Noel will present an overview.

Noel Fox– At this time we will open the evidentiary hearing. Generally, for those in attendance and also a reminder for those on the Board, this is a quasi-judicial matter. That means it is an evidentiary hearing, much like you would have in a court. That means that Council must follow specific procedures required by law when making its decision tonight. Specifically, your discretion is limited. You must base your decision on competent, relevant and substantial evidence that's in the record. If you are a witness or if you are speaking as a witness, please focus on the facts and standards not personal preference or opinion. If you intend to testify, please do not offer unsupported opinions or speculation. The Council cannot consider this testimony. Please limit your testimony to relevant, competent, substantial and material evidence. Before we begin, does any member of Council have any partiality to disclose and recusal to offer?

All Council Members replied – None.

Noel Fox - Does any Council Member have an ex parte communication to disclose?

Council Member Garza- I had a resident send me something social-media-wise. I did not answer and referred it to the Town Attorney and Town Clerk.

Noel Fox– At this time, based on those disclosures, is there is any member of Council that has an objection to any member of the Board participating?

Council members replied - No.

Mayor Benson – So we have a staff presentation that Mr. Jeremy Hardison will give.

Mr. Hardison – Mayor, Council, good evening. This is a Conditional Use Permit to redevelop the Federal Point Shopping Center. The existing use is, I believe to date, there are 10 active businesses located at the shopping center and 4 vacant units. Also, a cinema that has been vacant since 2010. The plan is to demolish the shopping center sometime in the spring or the beginning of the summer.

I want to give a brief history of the complex. It was approved in and built in 1984. It was an 81,138 square foot shopping center with a movie theater. It included out parcels. Something was in the design phase that was unheard of in this area in 1984 and that was a stormwater pond. It still has one today. It was approved with 423 parking spaces. The traffic improvements that were approved were to install a stop light on Lake Park Boulevard. That is still existing today. Some of the existing businesses in Carolina Beach got their start in this shopping center like Food Lion, Island Tackle and Hardware, CVS, Maxway (they are still there as the lone survivor), Pizza Hut had a buffet, and Michael's Seafood. There has been an array of different offices and retail that have come and gone. What is being proposed tonight is a shopping center in the Highway Business Zoning District. It is a 13 acre track including the parcel that the movie theater is on. Shopping centers are

approved by Conditional Use Permit by Town Council. There are 4 existing access points that they will maintain and use for ingress and egress that are private drives and are owned by the Federal Point Shopping Center.

Let's go through the adjacent uses. There is property to the adjacent south that is a vacant lot on the corner of North Lake Park Boulevard and the private drive that is zoned Commercial Highway Business. There is also a residence that was built in 1936 before we had zoning but it is zoned Commercial. Behind that is the Ryder Lewis Park that was donated to the Town in 2000. We are in the construction phase of putting a public park there. Adjacent uses along North Lake Park Boulevard include the ABC store and also Wings that was constructed in 1996. To the south, there was a site that was approved for Commercial. Also, to the rear which is zoned Residential is Carolina Beach Village. That was approved in the mid 90's. The site plan for the shopping center will house a grocery anchor store of 51, 469 square feet with a pharmacy. There will be some multi-tenant space and also two future multi-tenant buildings. The proposed height of the shopping center will be 45 feet.

There are 7 standards that the applicant must make provisions for including:

1) Ingress and egress to property and proposed structures, automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Traffic improvements to this area - I met with DOT and they are looking at this as a redevelopment of an existing use. They are not proposing any new driveway cuts, they are using existing ones. They would not require any traffic improvements to North Lake Park Boulevard since it is a DOT street. Therefore, their plan before you does not have any turning lanes although the applicant would like to put in a turning lane. He is meeting with the adjacent property owners to see if he could put that in. They will be providing a sidewalk along North Lake Park Boulevard on the Town's property where we have the storm water pond on the vacant lot at the corner of North Lake Park Boulevard and the entrance to the site and retail space. The ABC store has an existing 5 foot sidewalk. They also will construct a 5 foot sidewalk along North Lake Park Boulevard that will connect the site to provide pedestrian access through the shopping center to Saint Joseph Street where they will also install a 5 foot sidewalk. Bike racks will be provided. One of the ingress and egress elements of the property is inter-connectivity. Staff recommends inter-connectivity to provide safe ingress and egress between the commercial sites to lessen the congestion on a major corridor in a convenient matter. Staff recommends on the north properties they provide inter-connectivity to the vacant lot as mentioned before and also to the residents as well as to the Town's Ryder Lewis Park. To the south property, they are not proposing inter-connectivity. What I have before you is their proposed plan. If you look on the south property line, there is an existing driveway cut there now that they will be closing. As a note, there was a Conditional Use Permit for that commercial site. It serviced what used to be Jubilee Park on that vacant lot. In April, 2017, there was a CUP that was approved for 3 inter-connective driveway cuts. One to access the stop light and also to accommodate loading commercial vehicle trucks for their drop offs.

Shuttleworth - When we approved the CUP in April, 2017, what were the uses on the big buildings?

Mr. Hardison - A grocery store.

There are also internal, existing driveway cuts that will remain - one that services the ABC store and the Wings site.

2) Off-Street Parking

They will meet the requirements. 403 spaces are provided, they were required 390 for the use. Four loading spaces are also required.

3) Refuse and Service Area

They are proposing trash containers and a compactor for the shopping center.

4) Utilities with reference to location, availability, and compatibility

They will need to upgrade the water and sewer services. Drainage will be captured on site for stormwater infiltration. There will be four fire hydrants that were approved by the Fire Chief.

Council Member Shuttleworth - Are they planning to use the two existing stormwater ponds? Are they going to be cleaned and shaped up?

Mr. Hardison - Yes, they are going to redevelop those stormwater ponds to meet the needs of this facility.

Council Member Shuttleworth - We had some residents back there that were alarmed that there would be future development. So what I think you are saying is potentially all of those trees could come down and those ponds would be drained and reshaped.

Mr. Hardison - Correct.

Council Member Shuttleworth - So it would be wide open. There would be some buffer but mostly open.

Council Member Pierce - Does that include the parking for the Ryder Lewis Park, where will that parking be located?

Mr. Hardison - The Town will have its own parking on site for that.

Council Member Pierce - So we would have enough of our own parking so they would not be parking at the shopping center but would have access through it.

Mr. Hardison - Yes.

5) Screening and Buffering

The requirement is for a 10 foot landscape buffer on the adjacent property line. They are maintaining and will have a 30 foot adjacent landscape buffer along Carolina Beach Village. The applicant is asking for a landscape waiver for the entrance of the existing shopping center that they will maintain, but it does make it difficult to provide landscape buffer along those entrance ways because of how narrow they are.

Council Member Pierce - So will there be a fence or landscaping against Carolina Beach Village?

Mr. Hardison - They will have a 6 foot fence along with a 30 foot buffer.

Unfortunately, there is a large oak tree on the site and that is where the footprint of the building is going so they will be removing it. Because of that, they are going to beef up their landscaping with larger trees.

Council Member Shuttleworth – Have you talked to them about moving that tree like they did at the store on Market Street?

Mr. Hardison – I have but they did not see how that would be feasible.

Council Member Shuttleworth - They said that about Market Street, but they moved those.

Mr. Hardison - That would be a good question for the applicant.

6) Signs

The existing Federal Point sign will be removed and they will be installing a new sign for the Federal Point Shopping Center.

7) Required yards and other open space

They do meet the setbacks for North Lake Park Boulevard and Saint Joseph Street. They do meet the lot coverage requirements.

Council Member Garza – I have a question as the new guy, something is throwing me off. At the beginning of last year we approved the CUP for a grocery store.

Mr. Hardison – In April Town Council did.

Council Member Garza – Now we're looking at the possibility of another one. Do we know why that other one has yet to start construction?

Attorney Noel Fox – I would encourage Council to focus on the application that is before the Board.

Mr. Hardison - The permit must meet specific standards and general conditions. The proposed is in general conformity with the 2007 Land Use Plan. The desired future use of the land use for commercial 1 includes a continued use as a Highway Business corridor. Transportation and traffic improvements are encouraged. Retail and services are desired in that area. The requirement that Planning and Zoning recommended for approval of the project (passed 5 to 2) was the Land Use Plan. They also recommended the same condition that staff did to provide inter-connectivity or a stub out to the adjacent south commercial property when it's developed. They are providing inter-connectivity to all of the other adjacent properties. Their site plan does not show inter-connectivity on the south side. Also, as part of the grant agreement, the applicant said that he would be glad to work with the Town to grant a utility easement to maintain the sewer and water mains and also access Ryder Park with an easement.

Council Member Shuttleworth – Can you elaborate a little bit on the water/sewer easement? Do we currently have a water/sewer main that runs through that parking lot or in that general area?

Mr. Hardison – Correct and we do have an existing easement on that site that will need to be modified.

Council Member Shuttleworth – I know that our Town Attorney reminded me that there were actions taken in the past where we closed roads and did not retain the right easement. We just need to make sure we have an easement that works for Gil in the Operations point. Is the applicant willing to work with us on where that needs to be?

Mr. Hardison – yes, sir.

Mayor Benson – At this time I would like to make a motion to open the public hearing. Motion carried unanimously.

Mayor Benson – The applicant may now present evidence and legal arguments in favor of their request.

Attorney Tom Terrell - I am here with my partner Brian Bird with Smith, Moore, Leatherwood Law Firm on behalf of the applicant, GHK Cape Fear which specialized in high end retail all across 6 southeastern states. Here tonight with GHK is Vin Wells and Gordon Kolb Jr. This project presents an exciting opportunity for Carolina Beach and it is an opportunity for the potential investment of several million dollars in this community. Here tonight to address the four standards is Mr. Gordon Kolb Jr.

Gordon Kolb Jr, GHK Cape Fear from New Orleans, LA (applicant) - As Tom mentioned, I am here on behalf of GHK Cape Fear along with my business partner, Vin Wells out of our Wilmington office. As Jeremy mentioned, our proposed plan is a grocery store anchored center of the existing Federal Point Shopping Center. It is in major need of redevelopment. This could be a generator for greater development for surrounding markets. If the plan is approved, our plan is to close on the property this spring and start demolition shortly thereafter. We plan to tear down the entire center which includes the movie theater that sits vacant right now and start fresh with new construction. From the day we start construction, it usually takes us about 10-12 months to complete and be open for business. The project could possibly bring 1,000 construction jobs to this area. A store this size generally employs between 100-125 people. Our tenant is actively growing in this greater market. A couple of other highlights about our tenant is they believe in getting involved in the community. They have a long history of giving back and supporting organizations that focus on youth, education, reducing hunger and alleviating homelessness. If we were to get approved tonight, I can assure you that they would definitely be open arms and willing to help in the community. Our site plan has a 51,000 square foot grocery store with 8,400 square feet of retail attached to it. Our plan allows for another 8,000 square foot multi-tenant building, and finally a 10,000 square foot building where the old movie theater is. We currently do not have tenants for those yet. Our plan meets all of the Town and State requirements such as stormwater, parking, photometrics, designs, and much more. We are only asking for one variance and that's the one Jeremy mentioned about the 10 foot landscape yard which I will address in a few minutes. We are rotating the whole development layout where we will have the front of our development facing North Lake Park Boulevard. There is an existing stormwater pond that was built in the 80's. It does not meet the overall quality and quantity that NCDEQ requires. As part of our new development,

we will be installing two new retention ponds in the rear. These ponds are much greater than what is there now and in excess of what is needed by the State so it can hold plenty of water. We always believe in doing high end landscaping on our projects. This plan meets all of the landscape requirements other than the 10 foot setback yard in certain areas. From the day that we install material, we plan to upgrade all of the materials. If the project calls for a 1.5 inch caliber tree, we will do a 3 inch caliber tree to make for a mature look from the day it is opened. We are planning on leaving the 30 foot strip in the rear where the current trees are. I believe there will be plenty of screening as well as required fencing that we will be installing in front of the pond.

Council Member Shuttleworth – What are the two green areas in the parking lot?

Mr. Kolb – These are the pervious and impervious areas that we are required to meet with the stormwater requirements for the site. That will be a grass area to hold rainwater and permeate through the concrete.

Council Member Shuttleworth – Would those be landscaped or open dry drainage?

Mr. Kolb – These would be landscaped islands with trees around it. All of the retention is being served in the rear through these two ponds.

Council Member Pierce – Will you build these multi-tenant buildings at a different date or will you build them all at the same time?

Mr. Kolb – The two tenant buildings I believe we would build those as needed. If we needed an 8000 square foot building for tenants, that's when we would plan on doing those. The footprint that's attached to the actual grocery store will be happening from the get-go.

Council Member Garza – It appears our soil here is very unique versus a lot of other places. So wanting to dig that stormwater, what is the contingency that you have if you need special permits because of the issues we're having with our lake? Is that a question we can ask?

Attorney Noel Fox – The lake project is separate than this.

Council Member Garza – I'm not asking about the lake I'm asking about the soil in general if it's currently next to a pond.

Attorney Noel Fox – There is a stormwater retention pond.

Council Member Garza – The soil in that pond matches similar tests in what we have at our lake is what I'm getting at.

Ed Parvin – One of the conditions of the Conditional Use Permit will be that they have to get all federal, state, and local permits that will include state stormwater permitting, so they will have to go do that.

Mr. Kolb - This is our exhibit showing our proposed cross access. We plan to grant cross access to the Wings property, the ABC store, the Wallace property, the Bordeaux property and the Town of

Carolina Beach property in the rear. We do believe in inter-connectivity when feasible but our tenant will not allow inter-connectivity with a direct competitor such as a grocery store.

Council Member Pierce – I want to ask a question about the interconnectivity. If it was not a grocery store, would you allow connectivity?

Mr. Kolb – Absolutely. It's nothing personal, it's just business between our tenants.

Council Member Shuttleworth – We don't care if it's personal we just want to know the answer.

Mr. Kolb – National retailers have a strong formula for figuring out their internal volume estimates for a store.

Council Member Shuttleworth – As someone who does this all the time, what is the likelihood that we will see two new grocers right next to each other with a third one already here?

Mr. Kolb – All I can tell you is that we are here today and we want to do this project. We are ready to move forward very quickly. I can't speak for Harris Teeter, but I can certainly speak for us that we plan to move forward if we can get approval without having the inter-connectivity.

Council Member Shuttleworth – I understand that. My other question had to do with the connectivity and the sidewalks. Jeremy had mentioned that you guys were interested in a turn lane? Where would that be?

Mr. Kolb – It is coming in my presentation. We would like to change the motion that interconnectivity or stub-out be provided by the property at the south when it is developed so long as the intended use is not a grocery store. That is directly coming from our tenant and unfortunately that is the line in the sand on where they are if we want to proceed forward with this project.

Council Member Pierce – So you're saying that's a deal-breaker.

Mr. Kolb – It is, yes ma'am. Unfortunately. For me, I wish I could say it wasn't but that's what we're getting from our national tenant. The tenant has asked that if the inter-connectivity is required regardless of the type of store that their motion be retracted and that the matter be worked out by the two property owners as commonly practiced.

There are a couple of areas that are not able to provide a landscape yard. It could probably be in the 5 to 8 foot range. Those are the constraints that we have.

Originally, the future road improvements plan included a left turn lane. We have been working with the Town, the ABC store, and the Wallace family to get the necessary right-of-ways approved. Unfortunately, after several attempts with Wings, we could not get them on board in time to get the necessary right-of-way needed for the improvements to the right hand side of the drive aisle. That's why we went back to NCDOT. They approved the design as it is currently with the last TIA. They see it as the same use as it is right now. We are actually shrinking the square footage of what is out there now. In order to help the Town and DOT get the turn lane, we've been having

conversations with the ABC Board and the Wallace property which agree to enter into an agreement that in the future, if Wings gets on board, they will provide the necessary right-of-way. We can go ahead and put that in writing now so that the Town is not stuck in this same situation years down the road if Wings were to come on board. We've also conveyed to the Town that if we are able to get Wings on board prior to the issuance of a building permit, we are happy to do this significant work. It's about \$300,000 worth of work that we are willing to do, subject to not having to go through this whole process.

Mayor Benson - What is the last communication you've had with Wings?

Mr. Kolb - After the Planning Board meeting, we wrote them and told them if we didn't have an agreement by January 9th, we would have to change our plans. That's been a discussion we have had with Town staff since day one.

Council Member Pierce - Just for our new Council Members and not to speak for Wings but they have never cooperated with any other request for a right-of-way. I hope that's OK to say Ms. Attorney.

Ms. Fox - I think Wings has counsel here that may want to introduce evidence at some point during the hearing.

Council Member Pierce - We would love to hear that.

Mr. Kolb - As would we. In lieu of road improvements, we are going to provide a 5 foot sidewalk beside the Town property, the Wallace property, and the Wings property in the right-of-way. There is enough room there to do it without going on their private property. We are also providing a sidewalk by the movie theater on Saint Joseph Street. A neighbor asked if we could continue that sidewalk past our property. If there is enough right-of-way, we would be glad to continue to Lighthouse Drive.

Council Member Shuttleworth – How about internal sidewalks on the site? You have that long road that comes all the way through. Can you help us understand where you would have pedestrian access on the property?

Mr. Kolb – The green landscape area would be a sidewalk, cutting across and staying on our property by the Wings parcel and then providing a crosswalk to the ABC parcel as well.

Council Member Shuttleworth – I would like to see if we can provide some sort of sidewalk from Saint Joseph Street to your main anchor building. Will you be re-surfacing and paving that parking lot?

Mr. Kolb – We are bringing in about 20,000 cubic yards of fill to meet the Town requirements for the flood elevation. They will need to elevate the entire property and, therefore, will be resurfacing the existing parking lot. The current elevation has been around since 1980. We really want to do this redevelopment. The architect tried to capture the coastal charm by adding a metal roof and shutters along the primary facade. We are open for business if you see something you don't like, we are happy to make any adjustments as possible. We recognize this is your back yard and want

to make it what y'all want it to be. Thank you for letting us be here, there are a lot of people here tonight. If approved, we would like for you to consider our request for needed changes to the Planning Board's approval regarding inter-connectivity. This would allow our tenant to keep moving forward with this development. I wish we could do it another way but that is the line in the sand for our tenant. Harris Teeter has owned this property for nine years and it is still vacant. We want to do this project and are ready to proceed.

Council Member Pierce – I think you may have addressed this. Where it says Pleasure Island Plaza to close their driveways off N Lake Park Boulevard in close proximity to the light. Did you address that?

Mr. Kolb – Vin Wells had a conversation with the shopping center across the street at one point in time. There may have been some confusion there. At first we were thinking the recommendation was to close all their drives and have inter-connectivity all the way through the hardware store but after the last Planning Board meeting, they might be willing to keep one of the big cuts open for inter-connectivity, but I'll leave that to Mr. Barnes.

Council Member Pierce – What arrangements have you made or discussed with the tenants that are in that property now?

Mr. Kolb – We've had some conversations after the Planning Board meeting with some of them. We felt it was somewhat premature until we could see if we could get approval here tonight. We do plan on sitting down with all of them and discussing several options. We do have a center that we don't have any tenants for right now other than our grocery anchor. We'd be more than happy to discuss possibly relocating and amending that space at that time. We plan on really diving into those conversations here shortly.

Council Member Pierce – Ok great because I've heard a couple of them say they didn't know who to contact. Maybe they are just a little bit scared about their business and their investment.

Mr. Kolb – I know that they received letters from the property owners stating that the process is happening now and that with approval there will be further conversation.

Council Member Shuttleworth – I just want to make sure I understand a couple of things before moving forward. One is, if you were able to get some modifications to the turn lane situation, you'd like to have the flexibility to make those without going through the approval process, so I would want to hear from staff how we can make changes with a minor amendment. If we approve it one way and they do a minor change, is that considered minor? And the second is, I'd like to also understand at what point we would see a documented revision that showed some kind of internal sidewalk. Not a major change. I just want to make sure that we're not setting it up where you would have to come back, but I want to be clear on what that would be limited to and what would trigger that.

Ed Parvin – I think access from the store to the right-of-way would be a building code requirement, so we would need to add that in as Saint Joseph Street to the store. I think that is a good condition to add on for the pedestrian access-way. As far as the turn-lane going into the store from Lake Park Blvd. I think we can do that as a minor modification because it would be just an improvement that

would not change the ingress and egress points to the store.

Council Member Shuttleworth – I have one final observation. This is a commercial site, correct?

Mr. Kolb -Yes.

Council Member Shuttleworth – And you're looking for two feet of fill?

Mr. Kolb – Possibly, yes sir.

Council Member Shuttleworth – About how big of a site is this?

Mr. Kolb – Pretty big.

Council Member Shuttleworth – Pretty big?

Mr. Kolb – It's a huge site.

Council Member Shuttleworth – Would it handle 70,000 cubic yards?

Mr. Kolb – How contaminated is it?

Council Member Shuttleworth – It meets the commercial requirements.

Town Manager Michael Cramer – That's the wrong answer.

Mr. Kolb – We would love that.

Council Member Shuttleworth – If it works, we would make it very cheap. The price would be very right.

Mr. Kolb – I will go on record and say that we will certainly check into that.

Council Member Shuttleworth – In all seriousness, we do have material that we will be getting rid of. It does meet requirements to be allowed to be in fill, especially if you're capping it with asphalt. It would be an extreme cost savings to you and it would be a benefit to the Town.

Mr. Kolb – There's no doubt about that. I appreciate that.

Council Member Pierce – Our attorney looks awful nervous over there.

Council Member Shuttleworth – I would like to give our Marketing and Advertising Committee Chair credit for pointing that out to me.

Mr. Kolb – That's excellent. Thank you. Any further questions for me? Thank you so much again. I really appreciate it.

Mayor Benson asked if the applicant had any other witnesses to call.

Tom Terrell – Council Member Pierce, let me add by tomorrow we will get you direct personal cell numbers and email addresses for principals of GHK Cape Fear so that you have very direct contact.

Council Member Pierce – That is perfect and we appreciate that.

Mayor Benson – Does the applicant have any more witnesses to call?

The applicant responded that they did not.

Mayor Benson – Does the Board have any more questions? Steve, you took my question. In all seriousness at 53,000 cubic yards it would save a trip on Thursday maybe.

Mayor Benson opened the floor to others who would like to speak.

Attorney Noel Fox – If you have not sworn in, please see the Town Clerk so that you can be sworn in prior to providing testimony.

Mayor Benson – Before Mr. Wallace, who had signed up? If you've been sworn in you can approach.

Richard Wallace 801 NC Avenue and 1100 Lake Park Boulevard – We are in favor of the project and the access easements and also the turn lane. The information Mr. Kolb conveyed to you about the easement is correct.

John Lennon 6319 Merrywood Drive in Wilmington, NC - I am a representative of Wilmington Holding Corp who is the current owner of the property. Wilmington Holding Corp has been in business for 60 years. We are here to support GHK's project. We have been in discussions with the owners of the Harris Teeter property for 12 years. Our first discussion with them was in 2006. We are now ready to move on to a project that will be built. This is now the fifth time that I have stood before you in support of a grocery store on the parcel adjacent to the Federal Point Shopping Center. Since obtaining that approval, we have seen little to no action on the part of Harris Teeter including the lack of a driveway permit from NCDOT much less even the application for one. Additionally, their traffic impact analysis has now expired. As recently as November, I received emails from Harris Teeter personnel saying they knew they were putting us in a precarious position as they continued to kick the can, and going on to say that they were ready to say goodbye. We are ready to move on to a project that will get built. Our interaction with GHK has been very productive as they've worked through not only the Town's requirements but other state agencies. They were proactive in reaching out to adjacent property owners not waiting until after approval to obtain agreements for right-of-ways for roadway improvements. The first time we came, no property owner's had been spoken to regarding right-of-way so we had to come back again to have the project resubmitted because they couldn't get the right-of-way. GHK has taken the initiative to do this ahead of time. It's also ironic to me that in both submittals on the adjacent parcel for a grocery store, that Harris Teeter was adamant to not allowing access to what is now Jersey Mike's previously the Brew Thru. It was vacant during the first submittal and Jersey Mike's was moving in

during the second. Harris Teeter was adamant with the Town that if that cross access was required, they would walk. DOT indicated no improvements are required, yet GHK has been talking with property owners about procuring right of way to put the left turn lane in.

Council Member Garza - Were they adamant because it was Brew Thru which could be a competitor?

Ms. Fox - Reminder that you can only consider substantial and competent material evidence.

Mr. Lennon - The indication that I got from their development representative was they were concerned about the acreage on the other side of the Brew Thru. Our concern is that the project not be approved without undo conditions that no grocery store will be built and the Federal Point Shopping Center's redevelopment will be indefinitely delayed. We are ready to move onto this project. We will be glad to answer any questions. We request that you approve this project. 12 years is enough.

Michael Lee, Lee Law Firm - representing Harris Teeter and is with Keith Costenoble from Harris Teeter.

Mr. Lee - We are actually here in support of this project. Hearing the recent testimony, I feel the need to correct some of the record. A lot of this was delivered in a public hearing recently. I appeared before you all in 2015, 2016, and 2017. Mr. Lennon is correct, this project started in the late 2000's. I believe a subsidiary of Harris Teeter purchased the property in 2009 and then we had the economic down turn. As we were coming out of the down turn, they prepared a Conditional Use Permit because that is required. That was granted in 2015. The reason we have been here a lot is because of traffic. Lake Park Boulevard has some significant traffic mitigation needs to the extent that you are going to have new development. [Mr. Lee reviewed Power Point slides of the approved project layout] You can see the inter connectivity between the two parcels that was a condition and was required by the Town as part of its policies of inter-connectivity. It was required under this project and we felt that was the appropriate policy and that's what was done. We are here in support of this project, provided that a portion of the site plan can have this inter-connectivity between the parcels. Necessarily, if you approve an adjacent property that has no connectivity to this property, you essentially eviscerate what was done just eight months ago. The reason we had to come back in 2015 and 2016 was to modify traffic improvements due to the mitigation needed off of Lake Park Boulevard to get to the site. That required us to obtain some right of way from several parcel owners. We had an indication from the parcel owners that we could obtain that right of way. We couldn't. We had to completely re-design all of the traffic improvements on Lake Park Boulevard to what you see today. That's why we were before you in April of last year modifying the plan to get that approved. Each time we modified those improvements, we had to come back before you for a major modification. When I was here less than a year ago, the delays had pushed back the capital outlay date and the opening date of the store because there are certain windows that things have to occur in. Later this year, Harris Teeter plans to move forward with this project. We support the adjacent center, even if they want to do a Publix or whatever they want to do. We think that the policies of the Town under Item 4 of the requirements as was outlined in our application should also apply to the adjacent property owner. TRC recommended approval of our project and staff recommended approval of our project.

Council Member Shuttleworth - Mr. Lee, I don't know that we require connectivity. If we would

have required connectivity, we would have required it from you to the Brew Thru [now Jersey Mike's] and to the vacant spot on the other side. I think that was something that you guys proposed. Our ordinance does not require the connectivity. There was a grade separation and that was the reason you didn't want to do it but there was no connectivity offered by you guys to the large 5 acre track that had the put-put and the batting cages and there was no requirement or mandate by the Town to require you connect over there.

Mr. Lee - Yes sir and during this process there was concern and we discussed that and you are absolutely correct, there is a significant grade separation. Also, if you were to provide pedestrian access to that particular center and move vehicular, you would be crossing in front of the store where everyone walks from the parking lot and the testimony from our traffic engineer stated that it was a safety issue.

Council Member Shuttleworth - I'll give you a pass on the Jersey Mike's portion but you did not offer it to the large 5 acre track to your south. I'll check with staff but I don't believe our ordinance requires connectivity.

Mr. Lee - I believe the Town policies do encourage connectivity which is why there is significant connectivity to the adjacent parcel. You are correct in your statement about the grade issue. That was also a safety issue. You were also correct when you mentioned that good planning practices provide for that inter-connectivity with this adjacent site. Again, we support this adjacent property provided that this inter-connectivity is allowed for. In addition to all of the recommendations from TRC and staff, again I would just reiterate that we went through three years of coming here trying to get the traffic improvements right based on a TIA that was submitted to you all, WMPO, and NCDOT. It was a significant TIA study to mitigate the traffic impacts of 58,000 square feet. I understand the applicant has shown pictures of traffic mitigation. That's not required under the submittal of what's being provided tonight. Harris Teeter plans to move forward the latter part of this year.

Council Member Shuttleworth - Will they move forward without the connectivity?

Mr. Lee - We would have to come back and rezone the property. If you approve the plan tonight, we would have to throw out the Harris Teeter plan. A company that already owns the property on the site that we just got the approval 7 or 8 months ago to be able to move forward.

Council Member Bridges- You did get approved 7 or 8 months ago, what's been the delay? You could have broken ground as soon as you received the approval.

Mr. Lee - We couldn't put it in the capital plan until it was approved. That delayed it for almost a year. Now they are moving forward so that they can hit their 2020 opening date. Again, they own the property.

Council Member Pierce - Being that Mr. Lee represents the property owner, we have allowed him more time to speak. We know the traffic problems that you all went through. We know you are not just stalling. We are not questioning you at all on that.

Mr. Lee - I have one last slide that I want to show you. I am just a lawyer, not an engineer and I'm

not much with art but I had to cut and paste the two site plans together. The one at the bottom of the screen is the one that was submitted by the applicant. If you look at the top left of your screen, you can see the site plan that has already been approved for the Harris Teeter location. You can see how it could be consistent and line up so that you have that inter-connectivity.

Council Member Garza - If I heard you correctly, you said that Harris Teeter is moving forward with this.

Mr. Lee - Yes.

Council Member Garza - Whether the inter-connectivity is there or not?

Mr. Lee - Well, they can't because we would have to re-engineer the site and come back before Council. Instead of extending the TIA, we would have to go through a whole new process. At that point, there would only be one access off of Lake Park Boulevard. Thank you very much, I appreciate your time.

Mayor Benson - Would anyone else like to approach and speak?

Noel Fox - Would the applicant like to rebut any of the testimony offered?

Mr. Terrell - I'm going to quote Mr. John Lennon in two words, "12 years".

Council Member Pierce - Does the applicant own the property?

Mr. Kolb - We are under contract, but it's contingent on the inter-connectivity hurdle.

Mayor Benson closed the public hearing.

Council Member Shuttleworth - I like connectivity. I think connectivity is good planning. 12 years is a long time. I have had so many people ask me why we don't have a Harris Teeter. I am fine with P&Z's recommendation and omitting their requirement for connectivity. I'm leery of putting a condition on there that says you have to provide connectivity if the adjacent property is not developed with the intent of a grocer. Either make the connectivity or don't. Do not condition it on who's going in next door. If they are willing to put in some sidewalks and potentially come back with modification on Lake Park, I think those are all benefits of the community. I believe these guys are ready to move forward. They've got a dilapidated old center that they are ready to upgrade. I would have no problem supporting something that approved their site plan without the condition of connectivity.

Noel Fox - You have the ability to oppose conditions that are reasonable to ascertaining the standards in the ordinance, so a conditional condition is not preferred. Either the condition is necessary to assist the project with complying with the 4 general and 7 specific standards or it's not.

Council Member Pierce - I have always been a property rights advocate. If you meet all of the zoning ordinance requirements, we don't have the right to tell you that you can't build something.

We could tell you that we would like for you to do certain things for our community but I don't see how we can deny that. We don't deny Harris Teeter, they are still coming too. They could break ground before you do. That's for you guys to fight out. That's your competition. That's not our business. I think you have met all of the conditions and I would like to see that property re-developed. I'm fine with it.

Mayor Benson - ...as am I. Eight years ago, I fast stroked out of a helicopter onto that property. We had to get approval from the property owners eight years ago. Just to underscore what Council Member Shuttleworth said and then we landed a helicopter on there a few months later. There are no red flags that I can see. I have heard a lot of people saying that we really want to see that redeveloped. I'm prepared to move forward and approve.

Council Member Bridges - Certainly we are looking at this evidence that is before us. I am also for, if you own a property and it falls within the guidelines and zoning then we shouldn't stand in the way of that. It's free enterprise. If Publix and Harris Teeter want to build in the same center, I don't know how that will work but that's up to them. Our economic system is built on that. There's nothing in this hearing that would say you are not able to build under our pretenses. Obviously, anytime we have inter-connectivity that will help with the traffic on Lake Park Boulevard. Inter-connectivity develops good neighbors. I would hope that would take place with whoever owns the property. I don't have any other questions or concerns.

Council Member Garza - My only issue is, last year we thought Harris Teeter was going to move quick and now there's a stepping stone that's keeping them from doing so. We obviously can't foresee what's going to happen with the owners of this property. I think everything is cool but it's seems the inter-connectivity seems to be an issue for everybody.

Council Member Shuttleworth - It is an issue but I can understand why one would and one wouldn't. I don't see a reason why the adjacent property can't move forward but we can just focus on the evidence for this application. The only thing they are asking for is a minor condition with some landscaping at the entrance based on the fact that they have existing entrance points. With that, I am ready to make a motion.

ACTION: Motion to approve the Conditional Use Permit to redevelop the Federal Point Shopping Center located at 1018 North Lake Park Boulevard and 101 Saint Joseph Street and find that it meets the four conditions required, subject to the one variance to the landscape buffer where the applicant must demonstrate to the Town an internal sidewalk plan.

Council Member Garza reminded Council that they did not ask the applicant about the oak tree.

Council Member Shuttleworth asked the applicant if they would consider saving or moving the oak tree if possible. He stated that he would not make that a condition for approval but would like the applicant to strongly consider it. He said he would trade them some sidewalks on the inside of the parking lot for that and that it might make the dirt cheaper. He stated that he is getting the evil eye from the attorney.

Motion: Steve Shuttleworth

Vote: UNANIMOUS

- b. Consider Amending Article III, IX, and XVIII to allow for Body Piercing in the Highway Business District

Jeremy Hardison presented the request for a text amendment to allow for body piercing in the highway business district. Staff is recommending allowance with a conditional use permit.

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

Betty Phelps, 1711D Surfwatch and owner of CB Fishing Pier is in favor of allowing piercings in Carolina Beach.

Corey Hardison (applicant) 6260 Riverwoods Drive, Wilmington introduced Jesse Gurganus.

Jesse Gurganus (co-applicant) 104 Winner Avenue explained that most tattoo shops do piercings as well. He wants to stop sending that money over the bridge and keep it local.

Council Member Shuttleworth asked Mr. Gurganus if he understood the process he would need to follow should this pass.

Mr. Gurganus was a little unclear but would get with staff on the next steps.

Motion to close the public hearing. Motion carried unanimously.

Council Member Pierce said that she did not have a problem with it and would make a motion.

ACTION: Motion to amend article 3, 9 and 18 to allow for body piercing by conditional use.

Motion: LeAnn Pierce

Vote: UNANIMOUS

- c. Public Hearing to consider amending Chapter 16, Article VI - Schedules, to amend the speed limit on N. Lake Park Blvd. from 45 mph to 35 mph from Dow Rd. to Access Rd.

Jeremy Hardison presented the request to reduce the speed limit on North Lake Park Boulevard from 45 mph to 35 mph from Dow Road to Access Road. Staff met with NCDOT and the furthest that they will consider changing it is 600 feet north of the traffic light at the Food Lion Shopping Center. They will not consider a speed limit change on Dow Road. Dow Road will still be 45 mph as soon as you turn onto Dow from Lake Park.

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

Patrick Boykin, 702-2 Elton Avenue is not in favor of reducing the speed limit. It would be very confusing to drivers.

Patricia Jones, 612 Carolina Beach Avenue North - is in favor of the reduction of the speed limit for safety purposes.

Debra Regentin, 512 Goldsboro Avenue - Feels this is a logical reduction even without golf carts.

Ricky Niec, 702 Clarendon Boulevard is against reducing the speed limit. It will increase travel time for those trying to go to and from work.

Chuck Ohnmacht , 300 South 6th Street is in favor of the reduction of speed limit for safety purposes.

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

Council Member Pierce asked if there was a discussion with NCDOT about reducing the speed limit starting on the north side of the bridge.

Mr. Cramer responded that the Town did request this and NCDOT was not inclined to do that. They do not want to change the speed limit on the bridge.

ACTION: Motion to amend Chapter 16, Article VI - Schedules, to reduce the speed limit on N. Lake Park Blvd. from 45 mph to 35 mph from Dow Rd. to 600 feet north of Access Rd. and adopt Resolution Number 18-2172 to request DOT change the speed limit.

Motion: Tom Bridges

Vote: UNANIMOUS

d. Public Hearing to Discuss Possible Changes to Freeman Park Rules

Michael Cramer presented staff recommended changes to the rules of Freeman Park.

The main concerns for 2017 include:

- * Public Safety
- * Traffic congestion at pinch point
- * Life and safety issues past pinch point
- * Trash / Litter / Port-A-Johns
- * Environmental stewardship
- * Camping effects on dry sand beach

The recommended changes include:

Regulatory Changes:

Establish Additional Ordinance Rules for the Campsites

Identify the number of vehicles that may be present at a campsite

No more than 2 vehicles per campsite

Vehicles must park in campsite

Identify the number of people allowed on a single campsite

No more than 8 people per campsite

Wrist Bands for campers
Campers must check in at booth
Parking Lot Changes
 No Overnight Parking Ordinance Change
 No Showers or Public Restrooms after 9:00 pm
4 Wheel Drive Vehicles Only
No 2 or All Wheel Drive Vehicles
Vehicle Clearance Line

Camping:

No Camping in Zone 2 & 3
Remove All Campsites, Port-A-Johns, Trash Cans, Dumpsters and Ash Cans
All Ocean Side Day Trip Visitors in Zone 2 & 3 must leave the area by 11:00 pm.
Require Pack it in / Pack it out for Day Trip Visitors
Blue Barrels and White Dumpsters are only for Campers or at Exit of Park
Change Daily Access Pass to Day Trip Access Pass
Hours of use from 6:00 am to 11:00 pm
Sales stop daily at 9:00 pm

Operational Changes:

Increase Education on Rules
Signage and Brochures (English and Spanish)
Videos on Rules (English and Spanish)
Remove All Campsites, Port-A-Johns, Trash Cans, Dumpsters and Ash Cans in Zone 2 & 3
Add Campsites, Port-a-Johns and Dumpsters to Zone 1
Add Gate Arms At FP Zone 10 and Close Nightly

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

Chuck Ohnmacht, 300 South 6th Street has several concerns, there are a lot of non-English speaking visitors which causes problems.
The overflowing trash cans are an issue. There are also trash cans floating in the marsh from previous storms.
The trash cans are not conveniently located.

Bryan Veals, 300 South Carolina Avenue and a Carolina Beach lifeguard, mentioned that he sees the problem with the trash. Lifeguards try to educate beach patrons of the rules. He recommends providing more enforcement.

Suanne Hudson, 5414 Gerome Place Wilmington, said that she called Mr. Cramer to ask what can be done about the trash. She recommends more enforcement.

Ethan Crouch, 932 Sea Ridge Lane is concerned about the environment and supports some of the recommended changes but he does not support completely eliminating camping in large areas.

Patrick Boykin, 712 Glenn Avenue mentioned that the trash from Freeman Park goes to the Bridge

Barrier Road site. he is in favor of pack it in, pack it out.

Randy Jewell, 202 Pine Cliff Drive Wilmington suggested tabling any suggested changes of rules so that people can review them. He suggests adding a recycling center.

Garret Adams, CB Jeeps mentioned that there has been 3 beach sweeps since October. They go out every other month to do beach clean up.

Tyler Berry, 113 Myrtle Avenue, feels there needs to be accountability because you know who is at the site. He suggested a community service program. He feels that for what you pay to go out there, it is lacking facilities.

Dorrene Stanley, 1201 St Joseph Street is also with the Jeep club and suggested creating a team consisting of public safety. Enforcement is going to be the answer.

Dave Robbins, 5114 Gatepost Lane in Wilmington asked if there was any discussion of a curfew. He suggested not using a curfew based on time but on the tide. He mentioned that we do not have a unique situation with trash. The town should reach out to other venues that also have a large amount of trash.

James Mathis, 6333 Branford Road Wilmington is concerned about the enforcement. If you have trouble enforcing now and you add more rules, you will need more enforcement.

Brian Cunningham, 2929 Winslow Drive in Wilmington is also with the Jeep club and feels that you can utilize visitors to help police the areas and that would be no cost to the town.

Drew, 609 Glenarthur Drive Wilmington feels it will take education, action, and enforcement. He suggested having staff going up to vehicles and asking for trash. He also mentioned that you cannot read the signs that are out.

Meg Young, 932 Sea Ridge Lane doesn't feel closing down zone 2 or 3 is a solution.

Alex Torres, 310 Spencer Farlow is against closing down areas and feels that nothing should change. He feels that a workshop needs to be held to follow up on these suggestions.

Brandon Williamson, 302 Canal Drive suggested that you plan ahead and double up on staff on busy weekends.

Brian Graybush, 518 Sumter Avenue suggested that Council table this to the next workshop. Machines cannot replace men and you should have two people in the can truck.

Bill Love, 307 N Carolina Avenue feels that you should shut the park down at night for safety purposes.

Jennifer Hester, 1119 Carolina Beach Avenue North is part of a Jeep club and said that the port a potties are always clean and stocked.

Adam Priest, 314 Lumberton Avenue suggested replacing sand at the pier and the sand will shift north. He feels that temporary closures are a better idea.

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

Council Member Shuttleworth feels that it would be best to close zone 2 and 3. It is best environmentally. He also mentioned that the topic of alcohol has not been brought up. He suggested moving the trash cans and ash cans, they are not in good locations.

Council Member Pierce agreed that it is about the environment. They should be listening to police and fire about safety issues. If the public wants more discussion, she is willing to table this to another workshop. She would also like to hear from committees. She requested that staff make the presentation easier to find.

Council Member Garza said he agrees that it needs to be tabled to get more input.

Council Member Pierce feels that the manager needs to have the authority to put safety first and be able to make those decisions at any time.

Council Member Shuttleworth wants to ask Operations why they are not able to get the trash and if he needs more staff then council is willing to spend the money.

Mr. Cramer said that Council will need to discuss adding staff during the budget process. He also mentioned that the difficult part of the implementation of getting the bodies to do the work. It's hard to find people that want to do this type of work.

Council Member Shuttleworth suggested having another pay study.

MPT Bridges said that he feels things have improved on Freeman Park over the past few years. He is not interested in making a lot of changes but is most concerned with safety. The pinch point is problematic.

Council Member Pierce clarified that Council is not saying it is any individual group causing the problems.

Council Member Garza suggested having a few workshops on this topic and get the Police Advisory Committee and the Operations Advisory Committee to bring suggestions.

Mayor Benson announced that no action would be taken on this item tonight.

7. ITEMS OF BUSINESS

- a. Presentation from the Marketing Advisory Committee related to Roll over Funds

Miles Bielec presented the Marketing Advisory Committee budget request.

The Marketing Advisory Committee requests that the Town Council authorize the use of \$38,750 of Rollover Funds for additional programs. They would like to boost their Facebook exposure for \$20,000. They also would use \$3,500 for promoting Facebook posts. Instagram has become a great awareness campaign. They would like to use \$5,000 for Instagram and \$250 for Instagram live feed. All of the programs are targeted for the spring roll out. All of the marketing dollars are focused on the spring and fall.

Miles encouraged council members to attend the Marketing Advisory meetings.

ACTION: Motion to approve the marketing budget as requested.

Motion: Steve Shuttleworth

Vote: UNANIMOUS

b. Update on the WWTP Outfall Pipe Protection Project

Mr. Cramer gave an update on the outfall pipe project.

ACTION: Motion to approve the protection project and the adoption of budget ordinance 18-1073 for \$262,800.

Motion: Joe Benson

Vote: UNANIMOUS

c. Resolution Accepting a State Revolving Loan Offer for the Northend Water Project

ACTION: Motion to approve Resolution No. 18-2171 accepting the State Revolving Loan offer for the Northend Water Project.

Motion: Joe Benson

Vote: UNANIMOUS

8. NON-AGENDA ITEMS

Council Member Pierce welcomed Assistant Manager Ed Parvin back from serving in the US Coast Guard.

Council Member Pierce asked when the next beach town's breakfast would be.

The Town Clerk responded that Carolina Beach will hosting the meeting sometime in March.

Council Member Pierce asked Council if they would be interested in establishing a north end committee that focuses on flooding. They can do the legwork and make some recommendations to Council. All members were in favor but would like to continue to have public forums.

Council Member Bridges said that he would not be able to attend the April 18th meeting. He will be in Disney World.

Council Member Garza suggested staff put the community garden on a upcoming workshop.

Council Member Shuttleworth asked the Manager if he was going to contact the Federal Point CUP applicant if they are interested in fill dirt from the lake dredge materials.

Mr. Cramer said that he would contact them.

9. CLOSED SESSION

- a. Closed Session to Discuss a Real Estate Matter in Accordance to NCGS 143-318.11(a)(3) & (5)

10. ADJOURNMENT

ACTION: Motion to adjourn at 12:20 am

Motion: Joe Benson

Vote: UNANIMOUS

Adopted at the February 13, 2018 meeting.

Recorded by: Kimberlee Ward