



CAROLINA BEACH

TOWN COUNCIL MEETING

MINUTES • JUNE 14, 2016

Council Chambers

Regular Meeting

6:30 PM

1121 N. LAKE PARK BLVD.
CAROLINA BEACH, NC 28428

1. CALL MEETING TO ORDER WITH INVOCATION BY PASTOR DAN KECK OF KURE MEMORIAL LUTHERAN CHURCH

Mayor Wilcox called the meeting to order. Invocation was led by Pastor Dan Keck of Kure Memorial Lutheran Church followed by the Pledge of Allegiance.

Attendee Name	Title	Status	Arrived
Dan Wilcox	Mayor	Present	
LeAnn Pierce	Mayor Pro Tem	Present	
Steve Shuttleworth	Council Member	Present	
Tom Bridges	Council Member	Present	
Gary Doetsch	Council Member	Present	
Michael Cramer	Town Manager	Present	
Ed Parvin	Assistant Town Manager	Present	
Debbie Hall	Finance Director	Present	
Kim Ward	Town Clerk	Present	
Noel Fox	Attorney	Present	

2. ADOPT THE AGENDA

Mayor Wilcox made a motion to adopt the agenda. Motion carried unanimously.

3. SPECIAL PRESENTATIONS

- a. Crawl for Pawz presentation to the Carolina Beach Police Department

(Requested by Kim Ward, Town Clerk)

Wayne Rouse and Tim Morrison presented a \$3,000 check to the Carolina Beach Police Department Canine Fund.

- b. Committee Update by the Arts and Activities Committee on Kiosks

(Requested by Kim Ward, Town Clerk)

Steve Klem presented update on wayfinding kiosks. He previewed style, map, signage and location concepts and costs. The Arts and Activities Committee could be responsible for placing updates of signage. Sponsorships could be investigated. Staff will work with the committee on kiosk and sign structures and resources and bring it back to Council.

- c. Presentation of the Marketing and Advertising Committee Budget by James Allen

(Requested by Kim Ward, Town Clerk)

James Allen, Marketing Advisory Committee, reviewed the budget of \$415,280 less 10% giving \$373,752 which includes a projected increase of \$69,000 by the County Commissioners based on a five year trend data of Room Occupancy Tax (ROT) collections. An overview of the recommendations of expenditures was given. Marketing/advertising strategy was reviewed and shown to be effective in increased

ROT revenue since 2009.

Council Member Shuttleworth said the ROT was originally set up at an 80/20 with 80% going to a sand fund and 20% going to marketing. We now have no federal funding in the future for beach nourishment and funding is tighter and at some point, we need to look at changing that allocation or we will be looking at tax increases.

Mayor Wilcox said we, the Town, and the committee need to carry the message back to the county that we are not doing enough to collect ROT and sales tax on a lot of the private rentals.

MPT Pierce said to the public, if you rent your home as a short-term vacation rental you need to contact New Hanover County or Michael Cramer. You are probably subject to ROT and sales tax and if they find out you are not paying it they will fine you for it.

Mayor Wilcox made a motion to approve the requested budget of \$373,752 for the Marketing and Advertising Committee.

- d. Brenda Butler will give an update on the June and July Special Events

(Requested by Brenda Butler, Planning & Development)

Brenda Butler presented the special events for June and July.

- e. Project Update by Gil DuBois

(Requested by Gil Dubois, Operations)

Gil DuBois gave a project update. Currently have 5 projects that we bid, 3 of them, the low bidder was T.A. Loving who is doing contracts for the EQ basin and the discharge pipe at the wastewater treatment plant, and the Phase B utility and infrastructure project. Herring Rivenbark had the directional drill for the lake discharge and Sandy's Backhoe Service and General Contractor had the contract for the lake emergency discharge directional drill. We will have pre-construction meetings with contractors late June and would like to start projects in July. I've worked with Jerry Haire on the multi-use paths on Cape Fear and the Greenway projects and working on wrapping up Cape Fear. We are implementing a lot of changes to promptly address and monitor Canal Drive due to high water events and permanent long term solutions.

- f. Manager's Update

(Requested by Kim Ward, Town Clerk)

Michael Cramer presented updates:

Bond issuance and credit rating. The Town received a AA3 rating from Moody's, which is the fourth highest. This will lower interest rates on bonds. We are looking at selling bonds on Thursday at approximately \$31,664,000. \$20M of that would be for new projects and approximately \$9.1M would be refinancing. Part of it would also be the underwriting fees, etc., and postponing payments to an interest only payment during construction. Principal payments will be due in June and we will start up in 2017 and go through 2041. Interest is semi-annually in June and December starting December 2016. Anticipating interest rate of 2.90% over the life of the bonds. We anticipate the refinancing will save us approximately \$150,000 over the life of the loans. Debbie Hall and I will meet with our financial advisors tomorrow when we give them a verbal on what type of structure and rate we are wanting to accept.

Council Member Shuttleworth asked staff to bring back what our new utility rate

revenue projections would be prior to August.

Canal Drive flooding issue. Concerns were on short term response, long term improvements, and education. Operations department has started cleaning all of the infrastructure in the Canal area starting with Canal Drive, Carolina Beach Avenue North and all the side streets cleaning catch basins, the pipes and the outfalls. They have completed about 97% and expect to finish by the end of the week. They have removed a total of 430 cubic yards of material increasing capacity for water. A condition assessment of the catch basins was also done during this process for later analysis of overall stormwater system. The Operations Department will be the first responders for flooding issues with the Police Department as backup and the Fire Department as backup to them. Short term goal was cleaning out the infrastructure which was accomplished. Another short term goal will be adding additional barrels and signage and an emergency plan that would take into account when we have high tides that go over five feet. We will slow people down until the water covers the centerline of the street and shut streets down in strategic areas when it covers the centerline and expand as necessary. A medium goal is to get 3 or 4 gate arms instead of barrels at Oyster Shell, Starfish, Sandfiddler and possibly Pelican where a 5 ton could be used. Long term, looking at where we need bulkheads at end of streets, a complete survey of Canal Drive showing high and low points and infrastructure that could be improved. This presentation will be given to the Citizen Advisory. We are waiting to receive half of the signs. The gate arms and so forth will come in the next fiscal year. They will be purchased and hopefully by August it will be in place. The point person is Brian Stanberry, Assistant Operations Director. He also does this for the lake flooding. Strategic and specific dates have also been listed. The gate arms will funnel people up the side streets to CBAN. The residents can get to their homes by going down the side streets to Canal. We will have people on staff to watch and communicate with people as it happens and will determine if they live or are staying there. Once signage is in place, enforcement can be done. Putting flooding postings on the Town website, Facebook, sunshine list, press releases with location and time frames was discussed as well as use of digital sign.

4. OLD BUSINESS

None.

5. PUBLIC DISCUSSION

None.

6. PUBLIC HEARINGS

- a. Amend Article IX. Sec. 40-261 Development standards for particular uses. Manufactured housing, appearance criteria. The amendment will modify appearance standards on Manufactured Housing.

(Requested by Jeremy Hardison, Planning and Zoning)

Jeremy Hardison presented his review of manufactured housing/mobile home standards - They must meet standards of NC Department of Insurance; roof standard of Class C; must have a HUD sticker; must have stairs and porches, entrance platform with a minimum of 24 sf; meet siding requirements; meet appearance standards established in 2000; located in mobile home district. Modular homes must meet NC building codes. The appearance standards for residential established in 2002 were repealed in 2007. He reviewed State regulations to include the bill passed in 2015 prohibiting local governments from adopting design and aesthetic regulations; DOT maximum width regulations, and building codes. Three options: (1) eliminate the appearance standards; (2) keep some appearance standards (as stated); or (3) keep all appearance standards as is. Planning and

Zoning approved option 2 but requiring the removal of towing apparatus, wheels, axles, transporting lights, and requiring a masonry foundation for mobile homes.

Mayor Wilcox opened the public hearing.

James Addy, 610 Glenn Avenue, is trying to follow the rules and would like to place a 15.6' mobile home on his property.

Mayor Wilcox closed the public hearing.

Mayor Wilcox made a motion to approve option 2, eliminate eave, roof pitch, width requirements and length ratio and require removal of the towing apparatus, wheels, axles, and transporting lights and require a masonry foundation. This is only in the Mobile Home District. It is also consistent with the Land Use Plan. Motion failed 1-4 with Council Member Shuttleworth, Council Member Bridges, MPT Pierce and Council Member Doetsch voting no.

- b. Text Amendment – Amend the Town Code to Implement a Business Registration process. Applicant: Town of Carolina Beach

(Requested by Abby Lorenzo, Planning and Zoning)

Abby Lorenzo presented a recap of the proposed business registration system, the purpose of which is to create a database of brick and mortar businesses open to the public in Carolina Beach and to be used for annual/biannual health and safety inspections. Implementation process was reviewed, explanation of grandfathered businesses, exclusion of home occupations, applications, and cost estimates. First year income would be approximately \$4,300. We would be utilizing the same fiscal year based software as for privilege licenses. If approved, letters would be sent to businesses with notification of change as well as an application. A fine of \$50 would be imposed on those businesses not registering (see Section 14-8).

Mayor Wilcox opened the public hearing.

No one spoke.

Mayor Wilcox closed the public hearing.

Council Member Doetsch made a motion to amend the Town Code to implement a business registration process so described in the presentation. Motion carried unanimously.

- c. Consider Adopting the 2016/2017 Town Budget

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox called for a 5 minute break.

Mayor Wilcox called the meeting back to order.

Michael Cramer presented and gave an overview of some of the adjustments that were made in the budget during the workshops. Cost of living changed from 1% to 2%; merit adjustments 0% to 3% based on performance; health care benefits - no change for dental, vision or life; health care insurance negotiated rate increase from 14% down to 1.4%; ancillary state retirement changes which included approximately 21% increase. Overall the budget requests 7.33 full-time employees and part-time interns or research fellow type positions. General fund capital purchases total approximately \$1.7M which included mostly replacement or new vehicles or capital

improvements for water/sewer/stormwater system. Total budget for 2016/2017 with both the water and sewer fund and general fund combined is \$21,443,025 to include personnel benefits, maintenance and operation, capital and debt totals. This budget will adopt rate and fee changes for the following: solid waste fee, 2.6% increase; building permits now include a change of use permit, modifications to minor and major conditional use permits, modification to language of Schedule A; Planning - adoption of rate and fee schedule for business registration; rate changes for water/sewer and stormwater - 11.5% increase for water availability, volumetric and irrigation rate, 11.5% increase for sewer availability and volumetric rate, \$2 per ERU adjustment for stormwater utility fee; parking penalties - lengthened time for payment of fines and due date (after 7 days \$10, after 15 days \$25); Public Works - changes to grading and filling permit fees, fine for failure to obtain permit; Wireless Telecommunication rate and fee schedule changes. Taxes are not increasing.

Mayor Wilcox opened the public hearing.

No one spoke.

Mayor Wilcox closed the public hearing.

MPT Pierce made a motion to approve Budget Ordinance 16-1008 for a total of all operation budget for 2016/17 in the amount of \$21,433,025 as presented. Motion carried unanimously.

7. CONSENT AGENDA

Council Member Doetsch made a motion to approve the consent agenda. Motion carried unanimously.

The following items were approved under the consent agenda:

Approval of Resolution number 16-2129 to authorize the writing-off of uncollectible utility accounts for a total write-off of \$67,576.55.

Budget amendments and transfers as presented by the finance director.

Approval of Resolution number 16-2130 to declare the cost, exclusive of costs incurred at street intersections, and ordering preparation of preliminary assessment role and setting a public hearing for July 12, 2016 to adopt a resolution confirming the assessment role and levying assessments for paving Annie Drive.

Setting a public hearing for July 12, 2016 to consider a Conditional Use Permit for a hotel located at 205 N. Lake Park Blvd. And 209 N. Lake Park Blvd.

Setting a public hearing for July 12, 2016 to consider Conditional Use Permit for a Planned Unit Development request at 303 S. Third Street.

Setting a public hearing for July 12, 2016 to consider amending Chapter 40 Zoning to adopt a development line for oceanfront properties.

Minutes from May 10, 2016, May 24, 2016 and May 25, 2016.

8. NEW BUSINESS

a. Annual Committee Appointments

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox reviewed the ballot process for committee appointments. Ballots are public record and can be viewed. Ballot results were read and the following committee appointments were made:

Arts and Activities

Lorraine Woodard - newly appointed with a term ending 6/30/2019

Kyle Highberg - newly appointed with a term ending 6/30/2019

1 vacancy remaining one remaining vacancy with a term ending 6/30/2018

Board of Adjustment

Jeff Lesley - reappointed for a term ending 6/30/2019 (3rd term)
Noel Stevens - newly appointed with a term ending 6/30/2019

Freeman Park

Ruby Freeman - reappointed for a term ending 6/30/2019 (4th term)
William Freeman - reappointed for a term ending 6/30/2019 (4th term)
Hope Combs -reappointed for a term ending 6/30/2019 (3rd term)
Fred Grady - newly appointed with a term ending 6/30/2019

Harbor Commission

Frank Grady - newly appointed with a term ending 6/30/2019
Fred Grady - newly appointed with a term ending 6/30/2019
David Pierce - newly appointed with a term ending 6/30/2019
Keith Green - filling a vacancy with a term ending 6/30/2018

Marketing Committee

Miles Bielec - reappointed for a term ending 6/30/2019 (2nd term)
Jeff Hogan - reappointed for a term ending 6/30/2019 (2nd term)
Mark Sblendorio- newly appointed with a term ending 6/30/2019
Amy Hooker-Kidd - newly appointed with a term ending 6/30/2019
Christine Higgins - filling a vacancy with a term ending 6/30/2017

Operations Advisory

Mark Goddard - reappointed for a term ending 6/30/2019 (1st full term)
Tom Elicson - reappointed for a term ending 6/30/2019 (2nd term)

Planning and Zoning

Jerry Kennedy - newly appointed with a term ending 6/30/2019
Nan Toppin - newly appointed with a term ending 6/30/2019

Police Advisory

Deb LeCompte - reappointed for a term ending 6/30/2019 (1st full term)
Lawrence Shotwell - reappointed for a term ending 6/30/2019 (3rd term)
Melanie Boswell - newly appointed for a term ending 6/30/2019

For those not reappointed, we would like for you to put in an application and get you on another committee. Thanks were given to all committee members.

Below are the votes of council by written ballot:

Mayor Dan Wilcox

Arts and Activities- Lorraine Woodward, Kyle Highberg
Board of Adjustment - Jeff Lesley, Noel Stevens
Freeman Park - Ruby Freeman, William Freeman, Hope Combs, Matt Bryant
Harbor Commission- Fred Grady, Frank Grady, David Pierce, Wayne Hartsell
Marketing- Miles Bielec, Jeff Hogan, Amy Hooker-Kidd, Christine Higgins, Mark Sblendorio
Operations- Mark Goddard, Tom Elicson
Planning and Zoning- Tammy Hanson, Jerry Kennedy
Police Advisory- Deb LeCompte, Lawrence Shotwell, Melanie Boswell

Mayor ProTem Pierce

Arts and Activities- Lorraine Woodward, Kyle Highberg
Board of Adjustment - Noel Stevens, Mike Hoffer
Freeman Park - Ruby Freeman, Hope Combs, Fred Grady, Brad Bradley
Harbor Commission- Patrick Boykin, Frank Grady, David Pierce, Wayne Hartsell
Marketing- Miles Bielec, Jeff Hogan, Amy Hooker-Kidd, Christine Higgins, Mark Sblendorio
Operations- Mark Goddard, Tom Elicson
Planning and Zoning- Tammy Hanson, Jerry Kennedy
Police Advisory- Deb LeCompte, Lawrence Shotwell, Melanie Boswell

Council Member Shuttleworth

Arts and Activities- Lorraine Woodward, Kyle Highberg
Board of Adjustment - Jeff Lesley, Mike Hoffer
Freeman Park - Ruby Freeman, William Freeman, Hope Combs, Fred Grady
Harbor Commission- Fred Grady, Frank Grady, David Pierce, Keith Green
Marketing- Miles Bielec, Jeff Hogan, Steve Casey, Brad Bradley, Mark Sblendorio
Operations- Mark Goddard, Tom Elicson
Planning and Zoning- Matt Bryant, Nan Toppin
Police Advisory- Deb LeCompte, Lawrence Shotwell, Patrick Boykin

Council Member Doetsch

Arts and Activities- Lorraine Woodward, Kyle Highberg
Board of Adjustment - Jeff Lesley, Noel Stevens
Freeman Park - Ruby Freeman, Hope Combs, Fred Grady, Brad Bradley
Harbor Commission- Frank Grady, Keith Green, Matt Bryant, David Pierce
Marketing- Miles Bielec, Jeff Hogan, Amy Hooker-Kidd, Christine Higgins, Mark Sblendorio
Operations- Mark Goddard, Tom Elicson
Planning and Zoning- Jerry Kennedy, Nan Toppin
Police Advisory- Deb LeCompte, Lawrence Shotwell, Melanie Boswell

Council Member Bridges

Arts and Activities- Lorraine Woodward, Kyle Highberg
Board of Adjustment - Jeff Lesley, Noel Stevens
Freeman Park - Ruby Freeman, William Freeman, Fred Grady, Matt Bryant
Harbor Commission- Fred Grady, Frank Grady, David Pierce, Keith Green
Marketing- James Allen, Miles Bielec, Jeff Hogan, Christine Higgins, Mark Sblendorio
Operations- Mark Goddard, Tom Elicson
Planning and Zoning- Jerry Kennedy, Nan Toppin
Police Advisory- Deb LeCompte, Melanie Boswell, Howard Nivens

- b. Consider awarding storm debris removal contracts

(Requested by Kim Ward, Town Clerk)

Gil DuBois presented staff recommendation for awarding storm debris removal contracts along with cost estimates:

Disaster Response Phase II Vegetative and C&D Removal 2016-2017

Primary: Four Points Recycling, LLC/Rhem Insulation Inc.
Secondary: A&J Transport, Inc.

Disaster Response Sand Debris Removal 2016-2017

Primary: Four Points Recycling, LLC/Rhem Insulation Inc.
Secondary: Southern Disaster Recovery

Mayor Wilcox made a motion to award contract for sand removal to Four Points Recycling, LLC/Rhem Insulation Inc. As primary and Southern Disaster Recovery as secondary and to award contract for vegetation removal to Four Points Recycling, LLC/Rhem Insulation Inc. As primary and A&J Transport, Inc. As secondary. Motion carried unanimously.

9. NON-AGENDA ITEMS

Council Member Doetsch discussed putting a stop light at Ocean Blvd. With DOT and they will start the study to make sure it meets all the requirements but funding of about \$250,000 would probably be needed.

Council Member Bridges asked about removal of sign redirecting traffic at Ocean Blvd. To Dow. Michael Cramer will look into it and get back to Council.

Council Member Doetsch asked about activity with Harris-Teeter. Staff has been working with them on sign permits. Greenway progress?

Michael Cramer said when we get the agreement from MOTSU then we can bid the project. We have all the permits. He will check on it again.

Council Member Shuttleworth asked about other proposals on MOTSU property.

Michael Cramer said MOTSU said they will not approve any expansion of infrastructure or easements onto MOTSU property until a land use plan process takes place which takes a year and includes other municipalities.

Council Member Shuttleworth requested this be addressed at Council's next workshop and go to the next level. Council agreed to place this as the first item on the agenda.

Mayor Wilcox would like Council to have discussion about our stormwater on the charging of fees for people who have their stormwater infrastructure and that rationale. Before the next contract for the mooring field comes up, have some discussion on two things - does it make any sense what we're doing as far as the charging and that process, possible use of honor system, and allowing residents the use of the mooring field when not in use but not overnight.

- a. Jeremy Hardison will provide an update on the Land Use Plan Classification Map

(Requested by Jeremy Hardison, Planning and Zoning)

Ed Parvin presented the following updates:

Staff is doing major CAMA permit reviews with regard to Land Use Plan consistency. Council was in agreement with staff doing those reviews.

Regarding the rezoning request from last month and widening the rezoning, the applicant withdrew the application and does not want to move forward. Council would still like staff to move forward with changing the boundaries and the process for that rezoning.

We may have a joint workshop with Planning and Zoning to discuss allowances for food trucks, date will be explored. Specific outline is requested - what some of the proposals are, what other communities are doing, previous discussions pro and con.

Update on Flood Zone Map, revisions were submitted and beginning in August, staff expects to receive the map for a 30 day review. After that the effective date will be

6 months out during which the Town will adopt a new Flood Zone Ordinance and Maps.

b. Amicus Brief by Noel Fox

(Requested by Kim Ward, Town Clerk)

Noel Fox presented. Request was sent from Nags Head to all town managers/attorneys regarding a case that came out of the Court of Appeals and now been appealed to the Supreme Court of North Carolina that involves the public's future right to access the dry sand beach (Emerald Isle case). The Court of Appeals unanimously supported the public's right to access the dry sand beach. Twenty-one towns are being asked to contribute to a brief that is being prepared on behalf of coastal towns for the argument that public trust rights should include the dry sand beach.

Council Member Shuttleworth made a motion that the Town of Carolina Beach supports the Amicus Brief on the rights as described by the town attorney and contribute \$2,000. Motion carried unanimously.

10. CLOSED SESSION IF NEEDED

a. Closed Session to discuss a personnel matter in accordance to NCGS 143.318.11(a)(6)

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox announced that council will go into closed session to discuss personnel matters in accordance with NCGS 143-318.11(a)(6).

No action taken.

11. ADJOURNMENT

Kimberlee Ward
Kimberlee Ward, Town Clerk

7-12-2016
Date Approved



Resolution # 16-2129

**Town of Carolina Beach to Write-Off
Certain Uncollectible Utility Accounts**

WHEREAS, The Town of Carolina Beach has adopted a policy to review and write off uncollectible accounts; and

WHEREAS, The Finance Officer has determined that a list of utility accounts totaling \$67,576.55 which is attached hereto and made a part hereof by reference should be written off as bad debt; and

WHEREAS, diligent efforts have already been made to collect the amounts shown on the attached list; however, said accounts are uncollected and further efforts at collect are not possible either due to statutory limits or not being cost effective and

WHEREAS, the Finance Director and Town Manager met and reviewed the listing and recommends writing off said accounts as bad debt; and

WHEREAS, continuing to include such amounts in the financial records of the Town could result in a distorted balance sheet;

NOW THEREFORE, BE IT HEREBY RESOLVED THAT:

The Town of Carolina Beach direct the Finance Director to write off the accounts shown on the attached list totaling \$67,576.55 as uncollectible bad debts in the financial records of the Town of Carolina Beach.

The Town does not waive any rights it may have to collect any of the attached accounts receivable in the future.

Adopted by the Town of Carolina Beach Town Council on the 14th day of June
2016.

Kimberly Hand
Clerk

[Signature]
Mayor



Resolution



Town of Carolina Beach
Town Council

RESOLUTION NO. 16-2130

RESOLUTION DECLARING COST, EXCLUSIVE OF COSTS INCURRED AT STREET INTERSECTIONS, AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ROLL.

WHEREAS, the improvement made to Annie Drive are authorized to be conducted and paid through property owner assessments under Sess. L. 1973, C. 376, Art. IX, § 9.1; and

WHEREAS, the undertaking of the said project was ordered by Resolution of this body duly passed on the 09th day of December, 2014, and has been completed therewith; and

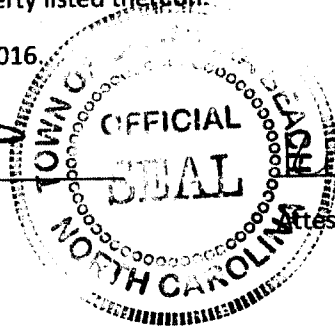
WHEREAS, the cost, exclusive of costs incurred at street intersections, has been determined;

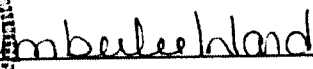
NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Carolina Beach, North Carolina:

1. That the cost of the above described improvement, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be \$129,342.
2. That the Town Clerk is hereby directed to prepare a preliminary assessment roll, in accordance with G.S. 160A-227, showing the individual assessments upon properties benefited by said improvement.
3. That the Town Clerk is hereby directed to make available during regular office hours, in the Clerk's office, the said preliminary assessment roll for the purpose of inspection by the public from this day through July 12, 2016.
4. That this Town Council will hold a public hearing in accordance with G.S. 160A-228, at 7:00 p.m. or soon thereafter on July 12, 2016 at the Carolina Beach Municipal Building, 1121 N Lake Park Boulevard, Carolina Beach, NC for the purpose of hearing all interested persons who appear.
5. That the Town Clerk is hereby directed to issue public notice of the above described public hearing, to be published on June 29, 2016, and to secure publisher's affidavit certifying the advertisement of said hearing.
6. That the Town Clerk is hereby directed no later than 10 days before the public hearing to mail by first class mail copies of the notice of hearing on the preliminary assessment roll to the owners of property listed thereon.

Adopted this 14th day of June, 2016.


Dan Wilcox, Mayor




Attest: Kimberlee Ward, Town Clerk

Town of Carolina Beach
Resolution No. 16-2130



ORDINANCE NO. 16-1006

Amend Chapter 14 Licenses and Business Regulations to incorporate Business Registration requirements.

Chapter 14

LICENSES AND BUSINESS REGULATIONS*

ARTICLE I BUSINESS REGISTRATION

Sec. 14-3. Purpose

The Town of Carolina Beach requires all businesses that have a physical location within the jurisdictional limits of the Town to register the business annually. Home Occupations, that are not open to the general public, are exempt from this requirement. Registration shall be based on the fiscal year (July 1 – June 30). The purpose of the registration of businesses is to ensure compliance with local ordinances and assist the Town with protecting the health, safety, and security of residents and visitors.

Sec. 14-4. Definitions

The following words, terms and/or phrases, used in this Article, shall have the meanings as defined in this Section.

Brick and Mortar: A traditional business open to the general public with a physical address located within the Town.

Business: Any occupation, profession, or trade required to register with the Town as defined in this Article.

Home Occupation: An occupation for gain or support customarily conducted on the premises by a person or family residing thereon.

Owner: A person or persons in ownership of a business that maintains a business location within the Town.

Physical Location / Physically Located: Having an actual business site and address within the Town.

Sec. 14-5. Business Registration; General

All businesses in operation shall complete a business registration form annually. The business registration form shall be provided by the finance officer and shall contain the following information:

- Name of business
- Address where business is conducted
- Name, phone number, and email of the Owner
- Emergency contact for the business
- Type of business to be conducted at the business location

Sec. 14-6. Due date

- (a) The annual business registration fee is due on July 1 of each year.
- (b) For businesses beginning after July 1, the business registration fee must be paid prior to the opening of the business.
- (c) Each business license issued shall be valid for the twelve-month period beginning July 1 of each calendar year and ending June 30 of the subsequent calendar year. A renewal form will be mailed to all registered businesses by the finance officer prior to the expiration of the current license.

Sec. 14-7. Proration

If a business is begun after December 30th but before July 1st, the tax shall be one half of the amount otherwise due.

Sec. 14-8. Conducting business without license.

- (a) Registration Required.
It shall be unlawful for any person to engage in a business within the town upon which a business registration is imposed by this article without having paid the registration fee as defined in the Town's annually adopted rates and fee schedule.
- (b) Operation without a business registration.
A 15 day notice shall be given to the business and/or property owner to complete and pay for the registration. Should the business owner fail to comply with the notice the Town Official shall fine the business and/or property owner in accordance with the town's annually adopted rates and fees schedule. Each day that person engages in business in violation of this section constitutes a separate offense. Additionally, all zoning, inspections, or other Town permit applications will not be accepted until the business has complied with this article.

Sec. 14-9. One business at separate places

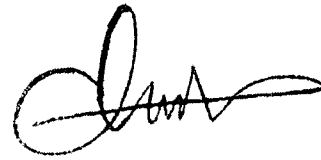
- (a) If a person engages in a business in two (2) or more separate places, a separate business registration is required for each place of business.

- (b) If a business is being conducted in two (2) contiguous locations opening directly into each other, and operating as a single unit, one (1) business license is required.

Sec. 14-10. Change in location of business or ownership

- (a) Should a person who has obtained a business license under this article chose to move the business from one location to another within the Town, a new business registration will be required.
- (b) Should a business change ownership, a new business registration will be required. Additional inspections and associated fees will be at the discretion of individual department directors.

Adopted this 14th day of June, 2016.



Dan Wilcox, Mayor

Attest: Kimberlee Ward
Kimberlee Ward, Town Clerk





Town of Carolina Beach, North Carolina Fiscal Year 2016/2017 Budget Ordinance

Whereas, the Town of Carolina Beach is directed by the North Carolina General Statutes to prepare, adopt and operate by a fiscal budget, and

Whereas, the Town of Carolina Beach endeavors to operate responsibly and efficiently in order to maximize the benefit of all revenues and comply with Federal, State and Local guidelines regarding operation and expenditures of public funds, and

Whereas, the Town of Carolina Beach recognizes the benefits and returns enjoyed by sound financial planning and management of resources,

Be It Therefore Resolved by the Town Council of the Town of Carolina Beach, North Carolina, That;

Authorization

In a regular Town Council Meeting on this the 14th day of June, 2016, a quorum being present, that the following Budget, for Fiscal Year 2016/2017, including Revenues, Unappropriated Surplus, Investment Instruments, Debt Payments, Departmental Expenditures, and Capital Expenditures, be adopted in accordance with the Generally Accepted Governmental Accounting Principles of this State and the Nation, the North Carolina Budget and Fiscal Control Act, and the requisite restrictions and authorizations required by the same.

Planning and Fiscal Management

The Revenues, Expenditures and Message included in this Budget, in conjunction with the Benefit Plan, and Salary Increases constitute the plans and intentions of the Town for sound fiscal management in FY 16/17. The policies of the Town of Carolina Beach, the actions of this Board, and Staff will carry out the plans and fiscal transactions contained within this Budget in order to meet the goals and objectives of the Town with respect to daily operations, development, and provision of services to the residents of this municipality.

The Finance Officer shall administer this Budget document, and shall insure that all officials and the administration are provided appropriate and timely information regarding the status of the Town's finances. Further, the Finance Officer shall provide to the Elected Officials all such pertinent information and guidance as is necessary for the daily operation, implementation of this Budget, and advice on handling the financial endeavors (current and future) of the Town.

Rate Summary (Taxes)

In accordance with the Budget documents attached, there shall be levied a tax on such taxable property which exists within the municipality. The rate for said tax shall be, as follows, for each one hundred dollars (\$100.00) of valuation of property:

General Fund – For general expenses incident to the operation of all General Fund departments, capital projects and for the payment of interest and principal on outstanding debts. - **\$.235 per \$100**

Rate Summary (Water, Sewer & Stormwater Charges)

In accordance with the Budget documents attached, there shall be levied a charge for the use of water and sewer services. The water and sewer rates for said services shall be, as follows, for each one thousand (1,000) gallons of water used after the first 3,000 gallons.

Water – For general expenses incident to the operation of all Enterprise Fund departments, capital projects and for the payment of interest and principal on outstanding debt - **\$4.34 per 1,000 gallons. A water flat rate charge for the first 3,000 gallons as identified in the attached schedule of fees.**

Sewer – For general expenses incident to the operation of all Enterprise Fund departments, capital projects and for the payment of interest and principal on outstanding debts - **\$7.38 per 1,000 gallons. A sewer flat rate charge for the first 3,000 gallons as identified in the attached schedule of fees.**

Stormwater – For general expenses incident to the operation of all Enterprise Fund departments, capital projects and for the payment of interest and principal on outstanding debts - **\$11.00 per Equivalent Residential Unit (ERU).**

Other Rates and Fees

Other Rates and Fees will be charged for services as listed and periodically amended in this Budget Document and as included in the Town's Rate and Fee Schedule.

Fiscal Calendar for Revenues and Expenditures/Appropriations

The Revenues and Expenditures detailed in this document shall be available and appropriated for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017.

Distribution

Copies of this ordinance shall be furnished to the members of the Town Council, the Town Manager, the Finance Officer, and all Department Heads.

Be It Further Resolved by the Town Council of Carolina Beach, NC, that:

The following anticipated Fund Revenues, Departmental Expenditures, and Interfund Transfers are approved and appropriated for the Town of Carolina Beach's operations for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017:

SECTION I -- General Fund

Revenues:

Property Taxes	\$3,964,193
Sales Taxes	1,501,516
Freeman Park	1,178,000
Parking	750,000
Solid Waste Fees	1,572,900
ABC Revenue	362,000
Transfer from Utility Fund	600,000
Powell Bill	187,368
Grants	53,461
Franchise Fees	609,019
Room Occupancy Tax	450,000
Building Permits	188,100
Appropriated Fund Balance	1,874,717
Other Revenue	763,496
Total General Fund Revenues:	<u>\$14,054,770</u>

Expenditures:

Non-Departmental	\$417,365
Debt Service	1,022,405
Legislative	268,850
Executive	736,318
Clerk	215,870
Finance	334,713
Human Resources	475,735
Planning & Development	728,210
Public Works Administration	115,380
Police Department	2,436,779
Ocean Rescue	423,330
Fire Department	1,121,215
Marina	168,540
Powell Bill	435,000
Fleet Maintenance	298,915
Parking	273,400
Environmental	3,002,610
Parks & Recreation	641,295
Beach Maintenance	938,840
Total General Fund Expenditures:	<u>\$14,054,770</u>

SECTION 2 -- Utilities Fund

Revenues:

Water Monthly Service Fees	\$1,622,550
Sewer Monthly Service Fees	\$2,762,720
Stormwater Monthly Service Fees	\$931,525
Wholesale Sewer Services	\$366,530
Other Revenue	782,550
Appropriated Fund Balance	922,380
Total Utilities Fund Revenues:	\$7,388,255

Expenditures:

Debt Service	\$1,551,185
Administration	1,144,220
Waste Water Treatment	827,475
Waste Water Collection	1,417,974
Water Distribution	1,287,068
Water & Sewer Fleet Maintenance	208,000
Stormwater	952,333
Total Utilities Fund Expenditures:	\$7,388,255

Total All Funds **\$21,443,025**

SECTION 3 - Ad Valorem Taxes

An Ad Valorem tax rate of \$.235 (twenty three and 1/2 cents) per hundred (\$100) valuation of taxable property, as listed for taxes as of January 2016 is hereby levied and established as the official tax rate for the Town of Carolina Beach for Fiscal Year 2016-2017. The rate is based upon a total projected valuation of \$1,681,173,000 with an estimated tax collection rate of 98.45%. The purpose of the Ad Valorem tax levy is to raise sufficient revenue to assist in financing necessary municipal government operations in Carolina Beach

SECTION 4 – Documentation

Copies of this ordinance will be kept on file at the Municipal Building and shall be furnished to the Town Clerk and Finance Officer to provide direction in the collection of revenues and disbursement of Town Funds

SECTION 5 - Special Authorization

- A. The Town Manager shall serve as Budget Officer.
- B. The Budget Officer shall be authorized to make Interdepartmental Transfers, within the same fund, not to Departmental allocation being reduced. Notification of all transfers shall be made to the Town Council at the next following the transfer.
- C. The Budget Officer may make Interfund Loans not to exceed 10% of the appropriated revenues for a period of no more than sixty (60) days and shall inform the Town Council of the loan at the next regular meeting following the loan of the funds.

SECTION 6 - Restrictions of the Budget Officer

- A. Interfund transfers of monies shall be made only with prior approval of the Town Council.
- B. Capital Reserve funds may not be expended without approval by the Town Council.
- C. A minimum of eight percent (8%) fund balance shall remain in the General Fund.

SECTION 7 - Budget Amendments

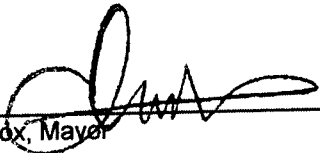
The North Carolina Local Government Budget and Fiscal Control Act allows the Town Council to amend the budget ordinance any time during the fiscal year, so long as it complies with the North Carolina General Statutes. The Council must approve all budget amendments.

SECTION 8 - Utilization of Budget and Budget Ordinance

This ordinance and the budget documents shall be the basis for the financial plan of the Town of Carolina Beach during the 2016/2017 Fiscal Year. The Budget Officer shall administer the budget. The accounting system shall establish records which are in consonance with the budget and this ordinance and the appropriate statutes of the State of North Carolina.

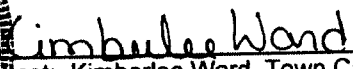
Ordinance No. 16-1008 for Operating Budget FY 16/17

Adopted this 14th day of June, 2016



Dan Wilcox, Mayor





Attest: Kimberlee Ward, Town Clerk



ORDINANCE NO. 16-1010

Amend the Rates and Fees Schedule to eliminate Privilege License Fees and create fees for Business Registration.

LICENSES AND BUSINESS REGULATIONS IDENTIFIED IN CHAPTER 8 OF THE TOWN CODE OF ORDINANCES

Peddling and Soliciting

Any and all violations of the provision shall be subject to a fine not to exceed fifty dollars (\$50). Each day of violation shall constitute a separate violation.

Privilege License Fees:

It shall be unlawful for any person to engage in a business the sale of beer and/or wine, or operate a taxi within the Town without first obtaining a privilege license and paying for such license.

Fees are established by General Statute 160A-211. Violators shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars (\$50.00) or imprisoned for not more than thirty (30) days.

Municipal Taxi Tax. A tax of fifteen dollars (\$15.00) per year shall be paid upon each vehicle operated in the town as a taxicab. The proceeds of the tax may be used for any lawful purpose.

City beer and wine retail licenses.

(a) License and Tax - A person holding any of the following retail ABC permits for an establishment shall obtain from the Town a license for that activity. The annual tax for each license is as stated.

<u>ABC Permit</u>	<u>Tax for Corresponding License</u>
<u>On-premises malt beverage</u>	<u>\$15.00</u>
<u>Off-premises malt beverage</u>	<u>\$5.00</u>
<u>On-premises unfortified wine</u>	
<u>On-premises fortified wine or both</u>	<u>\$15.00</u>
<u>Off-premises unfortified wine</u>	
<u>Off-premises fortified wine or both</u>	<u>\$10.00</u>

(b) Tax on Additional License - The tax stated in subsection (a) is the tax for the first license issued to a person. The tax for each additional license of the same type issued to that person for the same year is one hundred ten percent (110%) of the base license tax, that increase to apply progressively for each additional license. (1985, c. 114, s. 1) **NC § 105-113.77.**

Business Registration Fee:

All businesses in operation with a physical address within the Town shall complete a business registration form yearly and pay a \$10.00 registration fee. New Businesses will be required to pay an initial registration fee of \$20.00, and then \$10.00 annually.

Business Registration Inspection Fee, \$25.00 / inspection See Fire, Building, Zoning, Police, and Utilities for on-site inspection fees.

Violations

Any and all violations of these provisions shall be subject to a fine not to exceed fifty dollars (\$50). Each day of violation shall constitute a separate violation.

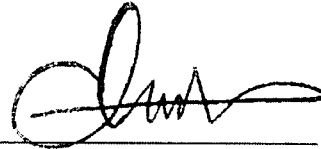
Amusements-Adult Entertainment or Activity:

The privilege license tax for each adult entertainment facility is (\$500) five hundred dollars per year as well as a (\$100) per individual. The penalty for not obtaining a license is classified as a civil penalty in the amount of (\$200) two hundred dollars per violation.

Levying a Tax on Gross Receipts Derived from Retail Short-Term Lease or Rental of Vehicles:

A tax is imposed and levied in an amount equal to one and one-half (1 ½) of the gross receipts derived from the short-term lease or rental of vehicles at retail to the general public. Any taxpayer who fails to file a return on the date it is due determined with regard to any extension of time for filing, shall pay a penalty equal to five (5) percent of the amount of the tax if the failure to file is for not more than one month, with an additional (5) percent for each additional month, or fraction thereof, during which the failure continues, not exceeding twenty-five (25) percent in the aggregate, or five dollars (\$5) whichever is greater.

Adopted this 14th day of June, 2016.



Dan Wilcox, Mayor

Attest: Kimberlee Ward
Kimberlee Ward, Town Clerk

