



CAROLINA BEACH
TOWN COUNCIL MEETING
MINUTES • DECEMBER 8, 2015

Council Chambers

Special Meeting

6:30 PM

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

I. CALL MEETING TO ORDER

Mayor Wilcox called the meeting to order. He recognized County Commissioner Skip Watkins, Chance Lambeth, Deputy District Director for Congressman Rouzer, Mayor Elect Emilie Swearingen and Council Elect Joseph Whitley.

Attendee Name	Title	Status	Arrived
Dan Wilcox	Mayor	Present	
LeAnn Pierce	Mayor Pro Tem	Present	
Steve Shuttleworth	Council Member	Present	
Sarah Friede	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	
Tom Bridges	Council Member	Present	

II. INVOCATION

The invocation was given by MPT Pierce followed by the Pledge of Allegiance.

III. ADOPT THE AGENDA

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

IV. OLD BUSINESS

None.

V. SPECIAL PRESENTATIONS

a. Manager's Update

Michael Cramer presented the update. Project updates - we have been working on the boardwalk utility project for last couple of months and currently have the water, sewer, stormwater and utility conduit in on South Pavilion to the area around Olde Salty's. It has been tested and will most likely start construction in putting down the concrete for the sidewalk by end of week. Next phase will be going from the intersection at Carolina Beach Avenue and South Pavilion towards the gazebo. Staff and I will review how much of that we will be working on during the holiday season and its schedule and bring it back to you. Phase D1, Cape Fear extension project going from Sixth Street to Dow with utility improvements, is going very well. About 80% of stormwater infrastructure is in with a few catch basins left to go. Work on installing two 36" pipes underneath Cape Fear in the 600 block is going pretty well. Carolina Beach crews are looking at rehabbing a section of sewer line between Eighth

up to Dow. It is still under evaluation. Hopefully the utility crews, State Utilities, will be able to start with the construction of the sewer main portion of that project next week. Last month council awarded a contract for Annie Drive and received notice it will begin January 4th. We are working with the contractor to schedule out the construction schedule in order to turn over this street improvement as soon as possible so builders can start issuing building permits for building on the lots. Update on the boardwalk extension project and variance process recently completed - November 17th CRC granted the town a variance petition for the extension of the boardwalk from Harper to Pelican Lane. Since that time, we have been working on updating construction drawings with a deadline completion date of December 21st, and updating our bid package information and started moving forward with the drawings. We expect to see a decision letter from CRC no later than December 18th and will be sending in our permit application for the project a few days after that. Somewhere between January 4th and 15th we will be going out for bid. There is a 21 day advertisement period for this project. We will have a pre-construction meeting about 14 days before the bid opening which should be between January 25th and February 6th and hoping to award a contract with council either February 9th or the March 8th council meeting. Soon after that we will sign contracts and start the process. Some of the considerations looked at during the process - we did promise we would not do extensive work on the boardwalk during the season from May through September; also, we will be doing a beach nourishment project this fall and that portion of the project in front of the boardwalk extension we're expecting to be under construction in the March/April time frame, depending on weather. Total construction time is between 90 and 120 days, depending on weather. We're expecting the Hampton Inn to have their project completed and looking for CO's in July and they are looking to open sometime in September. At this point we are looking at the potential for an estimated construction start date in the August/September time frame and construction completion date in February/March 2017. We are also looking at doing an alternative for the bid package so we can start the project around the Hampton Inn in the spring and finish that portion before the season and possibly start the remainder of the project in the fall. I will be giving you updates as we move forward.

Council Member Doetsch said he would like for us to be a little more flexible on that. If we do have the time from the March period on and it looks like we have a window large enough to possibly get that completion of the boardwalk, I would like for us to keep that possibility.

Mr. Cramer said one of the considerations we're looking at is seeing how far we can get in the spring before the season starts up and one of those is the Hampton Inn but we could also see how far we could get on the rest of the project.

Mayor Wilcox thanked everyone involved with bringing that project to a final approval including Noel Fox, Michael Cramer, Jerry Haire, Ed Parvin and others for a job well done.

b. Recognize Council Member Friede for her Service

Mayor Wilcox, MPT Pierce, Council Member Shuttleworth, Council Member Doetsch and Town Manager Michael Cramer thanked Council Member Sarah Friede for serving four years on council and presented her with a plaque.

c. Administration of Oaths of Office

Town Clerk Kim Ward administered the Oath of Office to re-elected Mayor Dan Wilcox, re-elected Council Member Steve Shuttleworth and newly elected Tom Bridges.

The new council took their seats on the dais.

d. Election of Mayor Pro Tem

Council Member Doetsch made a motion to appoint LeAnn Pierce as Mayor Pro Tem. Motion carried unanimously.

VI. CONSENT AGENDA

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

The consent agenda included:

Set a public hearing date for January 12, 2016 to review what is required on a final as-built survey.

Set a public hearing date for January 12, 2016 to review site plan requirements.

Set a public hearing date for January 12, 2016 to review north end parking.

Approve financial auditor contract with Bernard, Robinson and Company, LLC.

Budget amendments and transfers as presented by the finance director.

Minutes of the October 27, 2015 workshop.

Minutes of the November 10, 2015 council meeting.

VII. PUBLIC DISCUSSION

None.

VIII. NEW BUSINESS

a. Appoint Council Members to serve as liaisons to Town Committees

(Requested by Kim Ward, Town Clerk)

Arts and Activities Committee, no liaison.

Board of Adjustment, no liaison.

Boardwalk Improvement, as needed, Mayor Wilcox and MPT Pierce.

Freeman Park, Council Member Doetsch.

Harbor Commission, Mayor Wilcox.

Marketing Advisory, Council Member Shuttleworth.

Operations, Council Member Bridges.

Parks and Recreation, Council Member Bridges.

Police Advisory, MPT Pierce.

Appointments to outside agencies:

Cape Fear Council of Governments, Mayor Wilcox.

Carolina Beach/Kure Beach Regional Sewer Authority, Council Member Shuttleworth and MPT Pierce.

New Hanover Tourism and Development Authority, Mayor Wilcox.

New Hanover Transportation Advisory, Council Member Doetsch.

North Carolina Resort Towns Association, Council Member Bridges.

Ports, Waterway and Beach Commission, Council Member Shuttleworth.

Senior Citizens Advisory, Council Member Doetsch.

b. Appointment to CBP3

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox appointed MPT Pierce to fill the vacated position in the CBP3. Motion carried unanimously.

c. 1781 : Financing New Fire Engine and Burying of Power Lines in Boardwalk District

(Requested by Debbie Hall, Finance)

Michael Cramer presented. He said BB&T gave the best interest rate for financing the purchase of a fire engine and the burying of power lines in the boardwalk district. He recommended going with them for both of those financing packages.

Mayor Wilcox made a motion to adopt Resolution No. 15-2114 approving financing terms for the fire engine and Resolution No. 15-2115 approving financing terms for the burying of power lines.

IX. ADJOURNMENT TO RECEPTION

Council Member Doetsch made a motion to adjourn the meeting to the reception. Motion carried unanimously.

Kimberlee Ward
Kimberlee Ward, Town Clerk

1-12-16
Date Approved

Resolution Approving Financing Terms

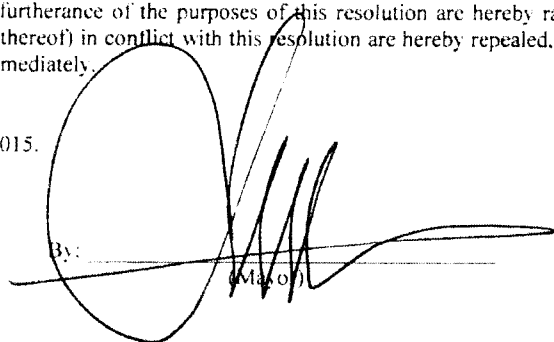
WHEREAS: The Town of Carolina Beach ("Town") has previously determined to undertake a project for the financing of a Power lines project, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated November 30, 2015. The amount financed shall not exceed \$388,050.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.71%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 8th day of December, 2015.

By: Kimberly Ward
(Clerk)

By: 
(Finance Officer)



RESOLUTION 15-2114

Resolution Approving Financing Terms

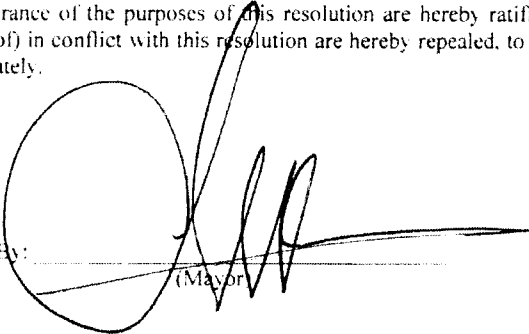
WHEREAS: The Town of Carolina Beach ("Town") has previously determined to undertake a project for the financing of a 2016 Rosenbauer Custom Side Mount Pumper with Commander Chassis Equipment, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated November 30, 2015. The amount financed shall not exceed \$475,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.28%, and the financing term shall not exceed ten (10) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 8th day of December, 2015.

By: Kimberly Ward
(Clerk)

By: 
(Mayor)

