



CAROLINA BEACH
TOWN COUNCIL MEETING
MINUTES • FEBRUARY 10, 2015

Council Chambers

Regular Meeting

6:30 PM

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

1. CALL MEETING TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE LED BY PACK 210 WOLVES

Mayor Wilcox called the meeting to order, invocation was given by MPT Pierce and the Pledge of Allegiance was led by Pack 210 Wolves.

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	
Debbie Hall	Finance Director	Present	
Noel Fox	Attorney	Present	
Ed Parvin	Assistant Town Manager	Present	

2. ADOPT THE AGENDA

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

3. SPECIAL PRESENTATIONS

- a. Recognize new employees, employees years of service as well as the first 12 Police Officers that responded to the Carolina Beach Avenue South fires.

(Requested by Kim Ward, Town Clerk)

Brian Stanberry introduced the following new employees:

Daniel Keating, Public Works Supervisor
 Mark Dudenhaver, Building Maintenance

Mayor Wilcox, Council and Gil DuBois recognized Kenny Lewis for 30 years of service in the Public Works Department.

Police Chief Hinkle, Fire Chief Griffin, Mayor Wilcox and Council recognized the original police officers who responded to the fire on December 6th. A specially designed ribbon with the firefighters symbol was given to each of the officers. The following officers were recognized:

- b. Saving Animals During Disaster presentation to the Fire Department

(Requested by Kim Ward, Town Clerk)

Jeannie Mintz, President of Saving Animals During Disaster, expressed her gratitude for the work of the firefighters and police officers. One of S.A.D.D.'s main projects this year will be to work with New Hanover County and fill every truck in New Hanover County as well as some of the smaller counties with animal resuscitation

oxygen masks. A donation was made to the Town and Federal Point of three oxygen mask kits. Chief Griffin thanked them for their donation.

- c. Presentation by Chief Griffin regarding the grant award of 250 smoke detectors by the Office of the State Fire Marshal

(Requested by Kim Ward, Town Clerk)

Fire Chief Griffin made presentation. He said in partnering with the American Red Cross and Office of the State Fire Marshall we applied for a grant for smoke detectors to install around town. 250 smoke detectors were donated. The detectors have a 10 year sealed lithium battery and are tamper proof. They will begin a media campaign to let the community know that on February 28th they will be canvassing the community for those in need of smoke detectors. They are asking residents to sign up for those detectors prior to that date. Their goal is to install all of the detectors on February 28th with the help of the Red Cross, firefighters and volunteers.

Mr. Jarvis, American Red Cross, said this is part of a 5 year initiative by the Red Cross. The goal nationwide is to reduce the number of fire fatalities by 25%. Sixty percent of all fire fatalities take place in homes without smoke detectors. Since they began this program, 6 people have been saved since October 1, 2014 because of the installed alarms. On February 28th they will be going out in 4 member teams, door to door, to install the smoke alarms which are free of charge. They will also provide fire education to help plan how to escape their homes and where to rendezvous. They will also take care of documentation requirements. They want to raise awareness for this program and let businesses know if they want to sponsor their own install teams, 4 person teams, it would be a great opportunity for the community.

Residents wishing to sign up can call the fire department and be put on a reservation list. There is also an online registration for volunteers to sign up. If you go on Facebook and search Carolina Beach smoke alarm installation you can reach the site. You can also link to it through the Pleasure Island Relief Fund or the Cape Fear Chapter of the American Red Cross. The Carolina Beach website will also have the registration. No training is necessary for volunteers, they will be trained that morning and provided breakfast. All materials will be provided also.

- d. Special Events for February and March

(Requested by Brenda Butler, Planning & Development)

Ed Parvin gave an update on the upcoming events for February and March.

- e. Presentation of Audit by Martin and Starnes

(Requested by Kim Ward, Town Clerk)

Presentation by Marci Spivey, Audit Partner, Martin and Starnes and Associates. She reviewed the results for the 2014 Audited Financial Statements. We had an unmodified opinion which is the best and only opinion that you would want and means that there was a clean opinion of the financial statements in all material respects. They were presented fairly. It was called an unqualified opinion in previous years. She said Debbie Hall did a really outstanding job as well as staff. The General Fund is the main item. In the current year we had a big change with the Tourism Fund closing to the General Fund so when you get your financial statements you are going to see this big change if you look from one year to the next because everything that was previously recorded in the Tourism Fund is now in the General Fund which she will discuss during the presentation. The Local Government Commission has the report but has not approved it yet. She spoke with them this morning and thinks they are basically finished. The General Fund Fund Balance for the current year increased \$2.9M, the majority of which came from the

Tourism Fund (about \$4M in assets and \$2M in cash). It is very hard to see how the individual small part did with the tourism in there. Fund Balance position in the General Fund, one of the things you talk about is the available Fund Balance which the local government uses as their baseline number to calculate Fund Balance Available. When the Local Government Commission (LGC) gets together and compares you with all of your peers they look at the calculation and say how does this town compare to others of their size. Unfortunately they are looking at just size not where you are located. I suggest that you go into the LGC's website to pick your own peers that you are similar to and do your comparisons from that. I looked at your Fund Balance Available as a percent of expenditures and right now your's is 78.4% and your peers were at 76.9% and that's the overall group so you are right in line with other groups your size. When you look at the Available Fund Balance as a percent of expenditures, which is one year compared to the next, you will see there is a slight increase here as well. Talking about the revenues for the Tourism Fund now showing up in the General Fund, it's also true of the expenses that were normally recorded there. You will see both things increase a lot, revenues and expenses. There are now five classifications: Non spendable- not in cash form, things like inventory; Restricted - external restrictions, like loans and grants (laws, grantor's); Committed - internal constraints at the highest (Board) level-do not expire, require Board action to undo; Assigned- internal constraints, lower level than committed; and Unassigned - no external or internal constraints. When you get your report you can see that your Fund Balance is broken down into these sections. The highest level is your restricted and then it goes down to unassigned. Property tax, you have an increase of about 2% over the prior year and is consistent growth and what I think the board had budgeted. Your collection is right up there at 98.64%, last year 98.34% and is in keeping with your peers. Total revenues in General Fund is about \$10M. I'm going to look at your top three which is 93% of your revenues. Your Unrestricted Intergovernmental is an increase of about \$700,000 of which a good portion came from the Tourism Fund changes. About \$700,000 of this increase came straight from things that would have normally been in the Tourism Fund leaving just a slight increase over the prior year. Sales and Services - also has a lot of the Tourism Fund increase in there, however, Freeman Park added about \$1M in the current year. Expenditures in General Government - increase of about \$1M which also included the Tourism of which you had beach maintenance in there last year of almost \$700,000, parking/marina of about \$400,000 making it a very slight increase. Public Safety - we have the same thing. Some of the things included last year in the Tourism Fund like lifeguards, public safety costs are now included in the General Fund. There was a slight increase in the regular police and fire departments of about \$180,000 due mainly to operations and salaries. That would have been a fairly consistent signal. Next year when you get your comparisons they should be right in line unless you plan for some big change or something that you've budgeted they really should fall more in line. This was budgeted, it's just so unusual from one year to the next. Environmental Protection - primarily all on it's own, not a lot of tourism would go into this. This increased about \$190,000 due mostly to contracted services and salaries in that particular area. Enterprise Funds - all that's left is the Utility Fund. When we compare those they are a little bit hard to see year to year. Your Utility Funds you have big projects that go through that fund so you are going to have grants and loans and things that would kind of skew the way things look from one year to the next. You have a reasonable cash flow from operations. There was over \$9M of new debt in the current year and that's really for those projects so as those assets get added your Enterprise Fund will grow. That's just normal operations. Your unrestricted net position is net investments in capital assets so if you have more assets and more debt that number is going to fluctuate pretty much if you have new debt and just starting on new assets so it's kind of an odd number that when you try to do a comparison next year it might shift a lot again.

Mayor Wilcox - is the book we normally get is that pending waiting LGC approval?

Ms. Spivey - I talked with Melinda Kennedy with LGC this morning and I think she is finished. I thought I would get a note by the end of the day but I left kind of early. I feel sure that within the next day or two they will be done and we can wrap it up and send it to you.

Council Member Friede - you said in the beginning that it was an unmodified opinion and needs to be unqualified which always used to confuse me a little bit. Since we don't have it in front of us I want to ask, there's nothing we should expect, no comments, no concerns that your firm had in going through this. I know the numbers are very different because we did combine two funds for the first fiscal year that ended. Is there anything that you would advise us about other than just the combining of the two funds?

Ms. Spivey - there were a number of findings in the current year which they will be in your report. You've had a couple previously and some of these are repeats. I do expect with Debbie being here and sticking around a little bit, some of that is going to go away, some of it's just because were new kind of things. One of them was draft and financial statements. When your auditor drafts your financial statements, if we don't think there is somebody that could potentially draft them on their own there would be a finding for that and that is really not saying that somebody couldn't put the majority of that report together but it's the last two statements, the gasb 34 full accruals, they are very difficult. They require a little bit more training than a lot of different places do. Some places just have us draft the financials because they are out of time and some places it's more. I don't want to send somebody to training just to do that tiny piece of their job. So that's one of the findings. There were a lot of audit adjustments in the current year but I think that's a big learning curve of what really needs to be done to close out at yearend and you have big projects and the Tourism Fund so there was a lot going on. I wouldn't necessarily expect it not to have.

Council Member Friede - but no big holes or gaps? You don't feel like there was any fiscal irresponsibility anywhere? No huge changes? All of the questions ended up being answered?

Ms. Spivey - you had over budget items and a prior period adjustment, but part of it had to do with the project, part of it had to do with closing and I think as Debbie gets more training that's just something that she will know to advise and say I know that this is going to change and we should do a budget amendment or we should make a change. I think that is something that will be quickly learned.

f. Project Updates by Gil DuBois

(Requested by Gil Dubois, Operations)

Gil DuBois gave updates. He said there is a lot of activity at the boardwalk and the goal is still to have everything done by Easter. EWE has completed the northern section, put all the utilities underground, all conduits are in place and there is a new waterline coming up Harper down to the east side of the boardwalk and will now have 5 new fire hydrants. There is now fire prevention on the beach front to assist with fireworks and any other needs. It has been pressure tested as of today. We also have a new waterline up Canal Drive that will also help with fire prevention to include the business district where there has never been a waterline previous to this project. The concrete starts back tomorrow in front of the Crow's Nest going in an east direction on the Harper side and in the next 3 weeks we should see all the

concrete back - sidewalks between the boardwalk area. There is a new storm drain going in the North Pavilion alleyway that was done away with many years ago which will help prevent flooding. The new lighting design will be implemented in the next couple of months in that one northern block. The plan is to come back after Labor Day next fall and try to complete the rest of the business district on the boardwalk and put all the utilities underground at that time. This project will make everything much better, especially appearance-wise by removal of all the overhead wires, transformers, etc., currently in the boardwalk area. Have been doing a lot of work this week on Canal Drive, weekly updates have been sent out that include new storm drains and had to do some connections on the force mains. We're trying to get everything finished by next Friday so we have everything on Canal pretty much finished - conduits under the road, will be putting down gravel and possibly starting paving in the next couple of weeks on Canal. Then the plan is to close a section on Cape Fear from Lake Park down to Canal so we can finish replacing storm drains, sidewalks. We had a meeting a couple of weeks ago with Duke Power and they are ahead of schedule and we were given a schedule on Monday of this week. Yesterday Sid Liston, Billy and I went out and marked the locations in the boardwalk area on Cape Fear for the streetscape so Billy is putting in conduits right now and falls right into what the contractors are wanting to do to get that section completed. What the goal is with all the changes and unexpected problems with the water and sewer lines and storm drains, is to have everything finished from Canal to Fourth Street no later than the end of March. Then if we need to extend this project like up to Fifth and Sixth on Cape Fear to the end of that project area, we want to do that last until we clear up all the business districts first. I think all of you have received the schedule of what's been planned on Phase I and we're trying to integrate 2 or 3 other projects. The fire station is moving along and we're making some progress there. There are a lot of things going on in Town, a lot of development, sewer taps, water taps. I have a meeting to work with the attorney tomorrow regarding obtaining some easements and get things squared away for other projects.

Mayor Wilcox said he appreciates all the work that is going on, thanked staff and thanked the citizens and business owners for their understanding. It's been a huge undertaking and there have been some glitches, outages, broken pipes and things of that nature but it has gone extremely well considering the complexities.

Council Member Shuttleworth thanked Gil for his leadership in getting a complete project done.

g. Manager's Update

(Requested by Kim Ward, Town Clerk)

Michael Cramer presented. The 3 topics to be covered are parking revenues, the operations center RFP and our budget calendar. Last year we implemented operations with a new parking company, SP Plus. One of the goals was to improve our efficiency, add additional meters, parking lots, locations for parking activities and improve our technology to see an improved revenue stream. We have accomplished that and SP Plus has been a large part of that. Last year we raised our total income for parking revenue by \$254,000+ of which approximately \$142,000 was in meters and on street parking because of a lot of additions of technology. Part of the SP Plus contract included them giving the Town 2 pay stations and 60 single spaced meters that would accept credit card transactions. Along with that the Town added an additional 100 single spaced meters with the same technology which gives a complete automated system. Meters and parking lots now accept coins and credit card transactions increasing the revenue significantly and compliance. We also added 2 additional parking lots this past year - the Harbor Master lot and the north pier lot which is a 50/50 revenue share with the property owners up by Freeman

Park off of Canal. These 2 lots added an additional \$35,000 worth of revenue and approximately 78 parking spaces. In general we had better and more consistent enforcement which increased our revenue for penalties and citations by about \$17,000, but our main objective was to make it easier for people to access and use the parking facilities. At Freeman Park we had an increase in the number of transactions at the pay station by the gate by approximately \$35,000. We also had permit sales increase, mostly annual permits, of about \$72,000. This is attributed to the change in the fees we established last year, not the new ones for this year, and encouraged people to buy an annual pass instead of just buying daily passes. The number of people going to the park also increased. With our police presence out there we did increase our fines and that revenue. All told for revenue on Freeman Park the increase was approximately \$112,000. With our current contract with SP Plus we did add in an incentive clause so if they were able to increase our efficiencies and revenues they would receive a 15% incentive fee for that because of the additional \$255,000 in revenue this year we will be awarding them approximately \$38,000 in incentives. In March we will do a budget adjustment that transfers those funds from revenue to expense to pay that incentive. We will also present to Council some recommendations on how to use some of that revenue to continue to better the number of parking spaces across the community. At present we have 2 additional lots we are looking at upfitting and making into Town lots that could add another 75-80 parking spaces.

The RFP request for proposal for the operations center was put out January 16, 2015 to contractors for a design/build request for service for an operations center in the back of Town Hall. The operations center was part of the conversation we had regarding Waste Management and how to manage operations crews more effectively. With this project we are looking at developing a 4,000 square foot warehouse building and a 2,000 square foot office building on the back of the one remaining undeveloped lot we have at the Town Hall. We ended up with 3 proposals back which were reviewed by staff and determined that only 2 were responsive bidders. The range of costs for the design/build portion would have been anywhere between \$320,000 for the low bid to \$455,000 for the high bid. The lowest bidder is the one non-responsive bidder. Staff has recommended R. A. Casper Construction for the design/build contract at \$340,460. Over the next month we will be negotiating, doing some fine tuning and negotiating on that project and adding in things like our site plan development as that is not part of this design/build. At this point the site plan development is somewhere in the \$10,000 range. The current operations facility we use 1,213 square feet in office area and approximately 200 square feet in staff supply area which will provide much needed office space for supervisors as well as meeting/training areas. At the March council meeting we will bring back the budget and the authorization for the contract. Now that we have better and more information on where it's going to go and the impact I am definitely going to reach out to the neighboring community and talk to them about trying to get a meeting with their HOA. I don't know about a public hearing but my thought was that we would have dialogue with them and talk to their HOA. It can be in the form of a public hearing.

Mayor Wilcox said whether it's a public hearing or not we can invite them to speak on the issue.

Mr. Cramer said I am expecting about 2 months worth of lag time to order the building and have it come in and then another 2 months for installation. We are hoping for an August completion. At that same time, once we start moving staff out of this building we'll also be, with that same project, retrofitting the existing office space back into a multi-purpose room for training and community events.

Budget calendar highlights - tonight, because of time constraints, we will have presentations from Pleasure Island Chamber of Commerce and CBDI regarding ROT funding. Then at the next council meeting on March 10th we will have all other non-profit organizations present their requests. We also have scheduled 3 council workshops separate from our normal workshops we hold during the month - March 20th, April 23rd and May 7th. Department heads will be giving you presentations of their budgets and capital improvement items associated to those. They will be held in the conference room typically from 9:00 am to noon. We are expecting to have a completed budget for council to adopt on June 9th.

Council Member Shuttleworth asked about the pothole program, Brian sent out some updates but for the benefit of the public can you explain what we're doing on the short term? I understand we're doing a long term street assessment but there have been a number of people asking about North Carolina Beach Avenue and a couple of other over on Cape Fear.

Mr. Cramer said you should be able to drive down virtually every street in town and see an orange tick mark on the pavement somewhere. Over the last 2 weeks we have had staff going around and identifying every single pot hole, dip in the road caused by a utility cut or any other significant defect to put on our list. At the present we have almost a 10 page list of items and we intend on going out for bid for those items. The current contract is not up to date and does not have standards on repairs. We're expecting to see this work done in the summer and hoping to use this current year's money for pot hole filling for Powell Bill.

MPT Pierce said for the public to know we have made it clear that it is a top priority to patch these pot holes. Do you have somewhere you would like for people to report problem areas?

Mr. Cramer said we are currently working on an application on our website where people can report pot holes. Until then they can call the town hall and make a report. The more information you can give us the better. If it's in front of a house, give us the house number and we'll make sure it's on our list.

4. OLD BUSINESS

No old business to report.

5. PUBLIC DISCUSSION

Ron Butler, 318A Charlotte Avenue, said during the fishing tournament and I do not blame you, Mayor, and you, Ms. Pierce, for doing what you did about taking down tents but I was obligated to have a tent and if I take these glasses off I can't see y'all and I have to have people help me fish and I have an enclosed fire pit. We have a bunch of knot heads that come down here and dig holes in the sand and build a bonfire and leave beer cans all over the beach and I do not blame y'all. I would have fined them and showed them the exit across the bridge but us old people who fish in these tournaments, we don't know when we're going to have another one. I don't blame you but I would do this if there is another fishing tournament have each camper pay \$25 a piece and make sure they have an enclosed fire pit and when they leave that beach, they leave it the same way that they found it. It's reasonable, makes everybody happy, you get the knot heads out of here.

Council Member Shuttleworth said are you talking about the Surf Fishing Tournament this past year that was held on the beach strand and everyone that was camping out there and had fires and tents and sleeping overnight?

Mr. Butler said yes.

Mayor Wilcox said I assume you've talked with the manager and kind of know there was a sequence of events that kind of grew over the years leading into last year that some things got miscommunicated, some things were done that shouldn't have been done, some of it wasn't the tournament's fault, some of it was our fault. I certainly am in favor of the fishing tournament and I think the manager and police chief will work hard this year to give us some definition of what's allowed, where it can be and work with the fishing tournament to make sure that we clean everything up and everybody knows what's expected of them.

Mr. Butler said I had no idea that you and Ms. Pierce had come down there and found out what you did that was no where near us and the police officers came down and advised me what was going on so I had to take down my tent and I'm in the fishing tournament. These people were just down drinking from UNCW or some place like that.

Mayor Wilcox said we got calls from residents down there at 2:00 in the morning concerned about the fires and the wind was blowing into the grass and moving it up to their residences. At 2:00 am we got out of bed and looked at it because we got those complaints. The other thing is part of what was either approved or quasi-approved or whatever it was were inconsistent with our existing ordinances so we have to make sure we're not approving something that was already inconsistent with the ordinances because no one has the power to do that. I think we learned some lessons last year and we'll be able to get that coordinated very nicely this year.

Patrick Boykin, 712 Glen Ave., said the topic of my discussion is the solid waste center. I was encouraged to hear that with the plan for the operations center you are going to talk to the neighbors and get them involved. I wish you had done the same thing with the solid waste center. As a neighbor of the solid waste center I was never informed that anything like that was going to take place and I would have certainly been more vocal at that point if I had known up front what was going on so I applaud the town manager for getting in touch with the neighbors for the operations center. Also, it appears that the solid waste center now has become the storage facility for port-a-johns and trash barrels and everything else and what was a somewhat decent looking site is now lined with port-a-johns so I can only imagine what odor that's going to bring to the already existing problems that we have with trash. Now we've got human waste that we'll probably be having to deal with as well. If visitors coming to the post office when they're here in the summer to mail post cards back home or whatever, the first thing they're seeing is a line of port-a-johns along the fence there. It's not very appealing for anybody as well as the residents of Carolina Beach to be seeing it. That's what it looks like to me, it looks like big barrels stacked up almost to the height of the concrete wall of the solid waste center, the ramp. The situation continues to deteriorate and I expressed my concern that this solid waste center either needs to be moved or eliminated. I think that as part of that it needs to be on old business and an update provided each month to let us know as the residents of Carolina Beach when something is going to take place or what progress is being made on eliminating it or moving it.

Mayor Wilcox asked if he has had a discussion with the manager in the last 60 days regarding that? (Mr. Boykin said no.) Mr. Manager, could I ask you to reach out to him to update him? This council did vote about purchasing another piece of property to move the solid waste to and the intent was to move that waste facility out of there, make room inside that fence for operations storage and things of that nature that would generally be pretty much not seen. It's not perfect but it would be a storage facility. We are having some difficulty with those negotiations, we're trying hard and I will get the manager to

update you on that. We haven't forgotten about it, we've been working on it. We talk about it every month when we meet and then the attorney and manager go and try to do more work on it. That effort is in process and that is all I can tell you at this time. We appreciate your comments. The manager can probably clarify it for me but I would doubt very seriously that any port-a-johns are being store back there with human waste in them or any trash cans being stored that aren't washed out.

MPT Pierce said the manager can comment on this but we are planning on putting the freezer down at the marina for the fish which will not go there, correct?

Michael Cramer said that is correct. Currently what I have been updating everyone on with my monthly updates has been progress to purchase a fish freezer, put it down at the marina area, fence it in and make it so all of our fish waste goes into that freezer and Waste Industries comes to dispose of that and thus it won't necessarily be anywhere on the island itself. They will take it directly off the island. We're expecting it to be about 2 months to finish that up. They should start pouring concrete in the next couple of weeks depending on weather. As for the port-a-johns and barrels, yes, we do have barrels and will continue to have barrels stored on that facility because that is the way that we use to pick up trash along the beach strand, on Freeman Park and our parks. Currently they are stored right next to the existing compactor and underneath the sight line of the fence, or at least that's where they're supposed to be. As for the port-a-johns, they are empty and are there just as temporary storage until we get everything aligned on the property so we can put it more towards the back of the property. Those port-a-johns also typically go out during the season for all of our events and they are not typically parked on the property for very long. I think we had one set that was a revolving set over by CVS, the rest of them were all out and used. At the current time that is where we're at with the operations center over there and the solid waste component and I will definitely get up with Mr. Boykin and try and give him an update on the rest of it.

Mr. Boykin said, again, I would just ask that you look at the barrels and the top of the fence line.

Mr. Cramer said I will. I don't think I have been over there in about a week or so and I will take a look at that.

6. PUBLIC HEARINGS

- a. Public Hearing to consider changes to Article IV Section 11-53 entitled "Sec. 11-53. - Camping."

(Requested by Michael Cramer, Town Manager's Office)

Mayor Wilcox called the meeting back to order.

Michael Cramer, town manager, made presentation. He said we've had multiple discussions over the past 3 or 4 months regarding this. Council voted in a 4-1 vote back in November to change the parameters on Freeman Park on camping. Basically what was requested at the time was to only allow camping against the dunes and to be able to charge a fee for camping and also have a reservations system. In doing that at that meeting, what I was tasked with was coming back with an ordinance that adopts that regulation. That is what's before you tonight. Last month, January 13th, we started out our conversation about the items dealing with the camping regulations and we had a lot of spirited discussion and you asked me to go back and kind of tweak some of those items. The 4 items that you have in front of you here on the screen are the items that you basically asked me to look into and try and adjust per the comments that were made at the last meeting. What you have in front of you is an ordinance which basically stipulates these same 4 facts. So what I

would like to do is go through them and explain to you the items and also give you some examples of what we're looking at doing for implementing the camping regulations this year. First and foremost, I have identified in the first one the location of where we are going to be camping. You will notice that the ordinance will state overnight camping or sleeping in a vehicle is permitted at Freeman Park all year long with the following restrictions. The first restriction is from April 1st through September 30th camping and sleeping in vehicles will be allowed only in designated areas, reservations are to be made on a first come, first serve basis and a fee will be charged for that. If you remember the last conversation we had is that would be a \$10 charge for the reservation of the camping for each site, each day. All camp sites will be established between marker 4 and marker 26 on the dune side of the beach only. That was one of the other requirements in the initial vote was that we try and extend the area where people could camp so we could get more camp sites in. Currently the existing camp locations start at marker 6 and go to 26 so we're adding 2 additional zones to that. The second stipulations is from October 1st through March 31st camping or sleeping in vehicles is allowed anywhere on the beach including the ocean side of the beach between marker 4 and marker 26. No reservation or fee is required. One of the conversations that we had at the last meeting was about how we would go and enforce during the off season when we have less manpower out on the beach and how we would enforce the action of people going out camping or sleeping on the ocean side. After reviewing it with the police department and our solid waste staff we came to the conclusion that although the data we would receive from having a registration and knowing how many people have gone out and camped during that time is valuable that we believe that it is not so valuable that it wouldn't create additional burdens on us in trying to collect that information, meaning that we would need to have enforcement out on the beach strand when we normally don't have a large portion of enforcement from October through March 31st. So what we're suggesting is that we break it into 2 seasons for the camping regulations, that we reserve camp sites and pay for those on the dune side during the high season for the tourists between April 1st and September 30th and then after that it goes back to the same operations that we have had for years in the off season which is you can camp and day camp out by the ocean on the ocean side. One way that we're intending on getting the data or trying to make sure that we at least have some insight to the number of people that are out there using the beach at that time is from more anecdotal information. We'll keep track from the fact that we have police officers that drive out there on their regular shift and they will typically just end up counting the number of individuals that are out there and the number of campers or tents that they saw. Same thing for our solid waste folks where they pick up the trash along Freeman Park during the off season they will do the same thing and collect that type of information so we'll still be able to capture the information about the usage of the park during that time but we really target the camping regulations only at the on-season period of our beach. Before I go on and talk about the other ones, are there any questions specifically about that aspect of it.

Mayor Wilcox said yes. The second bullet point of camping pretty much anywhere between the proper markers during the off season. It doesn't say anything about tents. Are the tents still required to camp back against the dune but the vehicles can then camp along the water's edge?

Mr. Cramer said basically we're saying that similar to our current regulations where camping, meaning having a tent and pitching it and staying there overnight, whether you are staying overnight in a tent or a vehicle, would be had throughout the entire area during that time frame. So, yes, you still could use tents. You would not be required to be in the camping area, the designated camping spots.

Mayor Wilcox said so unless it's in the full ordinance somewhere I don't see that language in here.

Council Member Shuttleworth said I'm reading where it says camping or sleeping.

Mayor Wilcox said in vehicles.

Council Member Shuttleworth said sleeping in a vehicle or camping.

Mayor Wilcox said camping or sleeping in a vehicle.

Council Member Shuttleworth said camping.

Council Member Friede said I was going to ask if we could switch it to sleeping in a vehicle or camping. I think that clears up the confusion.

Noel Fox, town attorney, said I think that is perfectly fine.

Council Member Friede will the gates be down in off season?

Mr. Cramer said no.

Council Member Friede said so people could go out there now without a pass, they don't have to pay for it, they can drive out there because the gates are up. Right?

Mr. Cramer said currently the regulations state that you have to have a pass to be on Freeman Park with your vehicles. I was out there last week, people drive up and purchase their day pass like they're supposed to. Do we do extensive enforcement in the off season to catch every single one of those? No. We do ramp up and focus more so in the tourist season.

Council Member Shuttleworth said Michael, thank you for that modification on the off season. Council agreed.

Mr. Cramer said at least for that portion of it we're talking about switching the language to state "sleeping in a vehicle or camping" is allowed in each one of those locations.

Council Member Friede said I think that language might be good language to have any place we have the other phrase where it now says "camping or sleeping in a vehicle".

Mr. Cramer said we will make that correction. The second item was a conversation we had about duration. The duration of how long you can stay out on the beach in a camping setting, whether you're camping in a tent or whether you're sleeping in a vehicle. It is my understanding that the intent behind this was directed at trying to lessen the likelihood of long term habitation at that portion of the beach and also to deter vagrants and so forth from camping out and making their home on the beach. That still applies in this situation and thus I am not looking to make any changes to that. What will end up happening is for the April through September season, and there is a charge for that, you will limit the number of individuals that want to stay out there for long periods of time because of the cost of it but in the off season you still have the regulation that you can't be out there for longer than the 14 days and at that point the typical way that we enforce on that is our enforcement officers go out and know who is out there at any given time and are able to track and keep

count of how long they've been out there. In the past, some people have argued that all they have to do is move from one site to another. That's not the case. Actually this is a park wide regulation, not a specific section regulation. So in the entire Freeman Park you are not able to stay for more than 14 consecutive days no matter where you are camping in that time frame.

Council Member Friede said I thought we were going to have some language that says something like 14 days in any 30 day period or something like that because we did discuss that people could leave for 24 hours and then come back and they have broken that 14 consecutive day chain and they could start all over again.

Mr. Cramer said I understand where you are coming from in that but if you are looking at it from a 30 day perspective they could do that. They could break that chain and come back. In the off season that becomes more of an enforcement issue for the police department because they have to catch that and stop it. In the on season where we're actually charging for it you are going to get much less likelihood of people doing that because of the cost associated with staying for 30 full days. In our minds because we split up the camping regulations the way we did it was unnecessary to put in there the 30 day codification.

Council Member Doetsch said I think we should discuss all this and get this straightened out but we need to bear in mind, too, that this is our first attempt at trying to get this corralled in and if we see things down the road, and I think we can certainly apply that to next year's changes or rules...

Mr. Cramer said and this is existing language that we have in our ordinance that would not change. The reason I highlighted it here is because we did talk about it and I think it has a bearing on some of the other things we've talked about.

Council Member Friede said is it clear when people buy passes that that 14 consecutive day is a park wide limitation and not site specific or can we make it clear?

Mr. Cramer said I think we can make it more clear on the passes themselves and in our literature but that's definitely the intent that it is when you read the Freeman Park ordinance as a whole it is inclusive of the entire park and not just certain sections.

Council Member Friede said I would like to eliminate the lean-to's and other structures that we had there last spring and summer.

Mr. Cramer said yes. The other item is day visits. We had an extensive conversation on how we would handle day visits. In this case the ordinance would state day tents, canopies and other similar devices are allowed all year long on the ocean side of the beach beginning at marker 1 and extending to the north until the end of the park. So basically the way that it is set up now where you can have a day camp set up and have a canopied tent there and spend your day at the beach. Same thing applies with this, no real difference with this part of the ordinance.

Council Member Friede said this is consistent with the beach strand south, right, that they can't remain overnight?

Mr. Cramer said yes. It is consistent along the beach strand also.

Mayor Wilcox said we don't allow tents on the beach strand.

Mr. Cramer said these are various ways of terming the same thing. We're talking about a canopy or a popup sunshade that you're using during the daytime for your shade structure. Right now on the beach strand you cannot leave those up overnight. The ordinance states nightfall. In this case we are suggesting that all the tents and canopies and other similar devices in the area must be removed prior to 11:00 pm. The reason why we adjusted that for Freeman Park compared to the rest of the beach strand is the fact that we do have such large volumes of people going out to Freeman Park at night and wanting to set up a location and sometimes it's before dinner and they stay there and have dinner and have their fire and their little day camp so to speak and then they may stay later on, watch the sunset and take off later on in the afternoon. So because of the actual dynamics of the park our suggestion was to hold that off from nightfall to 11:00 pm. That also coincides with the normal routine of our police officers out on the beach and when we started this past year counseling people about being quiet and respectful.

Council Member Shuttleworth said is that going to mirror the same as Section (a)(2), as far as October to March? In other words, we said in (a)(2) from October to March we're not enforcing the camping so would we not also say under (c) that. Does that apply year round because that kind of is in conflict with those two.

Council Member Friede said one of the problems that happens when people, let's say they put up a tent or canopy or whatever and they leave it overnight they're not camping or actually staying. It could become a wind born...

Mayor Wilcox asked what was the conflict?

Mr. Cramer said the conflict was that under the day visits it does not tell you whether or not that is something is allowable only in April 1st through September 30th or if it is allowable October 1st through March 31st. The intent was that it would be allowable for both and the regulation would carry for both and we can break it out that way if that is something you would like us to do.

Council Member Friede said I think it should be consistent. If we're not going to enforce a camping regulation off season then people should not have to take down tents off season. We've got in there tents and camping equipment must not be left unattended it says in a designated camp site during the reservation period. I think that covers it for my concern which would be that would be setting up some sort of tents, canopies or whatever you want to call it and then leaving and not keeping an eye on it to make sure it doesn't become windborne. So as long as I think we have the ability to keep the entire area secure and not have flying tents I'm good with that.

Mr. Cramer said the day visit section and also the removal of equipment are very similar to what we have on the rest of the beach strand and basically the only differentiation between that is because of Freeman Park and the dynamics of it, the time for the day camps changes and when you have to have them down and we added in there the piece about the camping equipment and you can't leave your camping equipment. Broken equipment is what we usually find in a campsite after your reservation.

Council Member Doetsch said and I think what we want to emphasize here is any equipment needs to be gone when the person who is using it leaves and that, to me, should be year round.

Council Member Friede said pack it in, pack it out. Leave the beach cleaner than when you found it.

Mayor Wilcox said I don't see anything in here about fires and what you just said. It seems to suggest that fires are going to be allowed at these canopies along the beach strand, no problems with that, they don't have to be in a campsite, correct?

Mr. Cramer said yes, that's correct. At the present time the way that the ordinance reads is that camp fires are allowed from marker 6 through 26. The only change that I can see us making is to try and make it consistent from marker 4 to 26 but that isn't anything that is associated to this section of 11-53.

Mayor Wilcox said okay, thank you.

Mr. Cramer said we touched on item number 4 a little bit and that is if you leave broken equipment or any equipment in a designated camp location or campsite after your reservation period has expired then you have the potential of us (1) taking that material and (2) getting a fine for leaving that material. As for the rest of the ocean side it stays consistent with the 11:00 pm ruling. So if it is broken and you leave it there after 11:00 pm then, yes, the town has the ability to take it away.

MPT Pierce said you are saying 11:00 pm but the checkout of the campsite is what time?

Mr. Cramer said 10:00 am.

MPT Pierce said so what would you do if that campsite was on reservation for that night and you've said in this ordinance their equipment could stay until 11:00 pm?

Mr. Cramer said no, I think what you're not seeing is the difference between the first sentence and the second sentence. The first sentence clearly states tents and camping equipment must not be left unattended in a designated campsite beyond the reservation period. That is for that designated campsite. The rest of the day tents, canopies and other similar devices have to be removed by 11:00 pm on the ocean side.

MPT Pierce said okay. Still, my question if it's time for that person to leave at 10:00 am and the other people are coming in and it's 12:00 or 1:00 will you remove that equipment?

Mr. Cramer said yes and we have a further slide I go over a few of the other rules and requirements and things that we're planning on doing that aren't ordinance related but are rule related and one of them is a check-in policy of noon. So basically what we're doing is we're establishing a check-out policy of 10:00 am, a check-in time at noon and in that two hour block of time our environmental services folks will go through there and make sure that any of the remaining equipment, anything that's in those sites is taken away and cleaned up and the sites are prepared for the next person.

Council Member Doetsch said in this particular case I want to make sure that we keep extremely good account of who leaves the stuff there and I would like to err a little heavier on the fining side of this thing so that if somebody just arbitrarily leaves and goes home that they receive a bill in the mail.

Mr. Cramer said one of the difficulties that we have is without having people in

registered areas where you can track them it would be very hard to find them once they leave that equipment there. With the designated camping areas we will have all their documented information and credit cards and so forth making it very easy for us to go and send them an invoice or a bill after the fact and say you have been cited for leaving this and a picture along with that and so forth.

Mayor Wilcox said what you don't know is if the campsite next to them moved over there and left it.

Mr. Cramer said there's always going to be a chance for somebody to try and screw up the rules, you're definitely right.

Council Member Friede said in paragraph 4 there do you feel like that language covers us for people who may leave tents in designated campsites when there was no reservation required, in other words, off season and people are camping in designated campsites off season. Does this language cover it or does it look like they would be allowed leave their things after they have left the park?

Mr. Cramer said I believe it does cover it because if you are in the off season and there are no designated campsites any longer and there are no reservations during that time concurrently we would fall back on our current practice of removing everything after 11:00 pm.

Council Member Friede said but our language says day tents, canopies and other similar devices. Are we distinguishing between tents and day tents and canopies?

Noel Fox, town attorney, said yes.

Council Member Friede said it looks like that to me so that people can't leave day tents, canopies and similar devices behind but tents and camping equipment we have must not be left unattended in a designated campsite beyond the reservation period. So if there was no reservation period tents and camping equipment could be left behind?

Council Member Shuttleworth said let's see how often that really happens.

Council Member Doetsch said yes, I think that's what we've got to do.

Council Member Friede said I think we should tighten up the language while we're here. Like a sentence, notwithstanding anything to the contrary no visitors may leave the park without taking all their belongings with them or something like that. Don't leave your camping gear behind. Can't we just say that?

Mr. Cramer said I believe we do and our practice actually dictates that.

Council Member Doetsch said there is one thing about saying it and it's another thing about enforcing it. In the off season you are going to have very little opportunity to enforce it since you have no record of who's where.

Ms. Fox said to Council Member Friede, I think it's covered with the last day tents, canopies and other similar devices or camping equipment left unattended in places.

Council Member Friede said it says other than designated camping areas.

Ms. Fox said there will be no designated camping areas during the off season.

Council Member Friede said won't they be designated? We're going to designate them in the off season they just won't have to reserve them and they don't have to stay there. Right? We'll put the markers up. The markers are going to be up.

Ms. Fox said my understanding is that the intent is during the off season you would be able to camp anywhere not just in a designated camp area therefore it is not a designated camping area.

Council Member Friede said right, but does it become an undesignated camping area?

Mr. Cramer said yes it does.

Council Member Friede asked are you going to take down the markers?

Mr. Cramer said no.

Council Member Friede said okay, so you wouldn't consider it a designated camping area during the off season?

Mr. Cramer said no.

Ms. Fox said I would only consider it a designated camping area if you are requiring people to reserve a spot. That would be my position.

Mayor Wilcox said you could clarify that by saying reserved campsites.

Mr. Cramer said okay.

Ms. Fox said is that better?

Council Member Friede said yes.

Mr. Cramer said so we would change that to "reserved campsites" instead of "designated camping areas" that way it would cover that aspect of it.

Council agreed.

Mr. Cramer said those were basically the 4 main areas of the ordinance change and that basically is what would enact the vote that you had taken back in November. Just to give you sort of a graphic, and I know for those of you in the audience this is going to be really hard to see, on this map of Freeman Park the clear orange boxes that you see all the way along the dune lines equates to all the camp locations that we believe we would be establishing. There are 119 of those camping locations. Each one of those blocks is 30 feet wide by 36 feet long and I will give you a little indication of what that looks like in just a minute. The day camping would be in the blue area right by the ocean where you see the lines. The yellow area that is in between there states, no camping or parking. That doesn't mean that you can't swim, that you can't go out there and sit in the sun. We're talking about these areas, and there's only two of them, from basically zone 11 to zone 15 and from zone 18 to 20 are so tight because of high tide marks that they actually sometimes block access across the beach. In those areas we wouldn't want any camping or anybody parking on the ocean side because that constrains the movement of people all the way out. This past year we actually went and closed the park intermittently

when we had problems with section 18 through 20 and this will just sort of make it so we don't have particular problems with vehicles in those areas or campsites in those areas, we can keep traffic open and I am hoping it will lessen the likelihood of us having to close access because of that. That will change as the year goes on. If it turns out that section 18 through 20 starts building back out again we may establish additional campsites there but it would need to be fluid with the tides and the seasons.

Mayor Wilcox asked, is this map, it's probably not currently online, but can we make sure it's in an area for Freeman Park online when people go to it they can get to the map.

Mr. Cramer said most definitely. I've considered trying to break it up into smaller segments so that you can actually see more of what's on here. Because this is such a long park it makes it very difficult.

Mayor Wilcox said on your computer you can zoom it.

Council Member Friede asked, can you tell us what the wording is between the blue lines?

Mr. Cramer said blue line says day trip visitors only.

Council Member Friede said no, the parallel lines.

Mayor Wilcox said those are property owners.

Mr. Cramer said yes, those are property owner's property boundaries and then each one of the individual owners. One of the things that you will also notice on there is that we have 7 port-a-john facilities out there spread out across the entire park. Then we also have the police substation which will also be the attendant booth which is where that red marker is in the center and that's at zone 6. So that's kind of the way we are envisioning laying this out. We have already done a sample test and, for instance, in section 3 to section 4 we have made a pie shaped triangle out of our posts and our yellow cable to try and funnel people out into the travel lanes away from the camping locations and we've situated two sample campsites there. The first one is the one that we're recommending installing that is 30 feet wide by 36 feet long or deep. As you can see in that picture you can easily get a Jeep or another vehicle on that site with a couple of tents, a campfire and your beverages. The one thing you don't see there is a whole bunch of trash that we'll address a little bit later. And then if you look at the diagram next to that this is kind of what we're anticipating it to look like all along the beach strand. You have the sand dunes in the back, you have the campsites right next to them, you have two lanes of travel back and forth, you have the day trip area and then you have the ocean. That is sort of the idea that we're talking about. In that sample that I told you we put out there we also have a smaller campsite set up or roped off and it's 25 feet by 25 feet. I could definitely go and get more campsites on Freeman Park if I went to 25x25. The problem is once you do that it really starts constraining the area and makes it difficult to get two vehicles and several tents and people on that site. So for the most part we've looked and this and said this is the most advantageous way of setting up a campsite in a location. Some of the other rules that we're talking about - no more than 2 vehicles overnight on a campsite, no more than 12 people sleeping overnight on a campsite. That's generally a good estimate for what we see out there now from observational data from the police department. Will we be running right out there and saying, hey, you've got a 13th person and you've got to get out? We

will be going and educating people with our park attendants as we go through there and saying you're pretty full up in this camping location, these are our rules. At certain points of these rules we'll be doing what we talked about earlier which was the crawl, walk, run type approach in enforcement because these are different changes. The passes will be sold online; at least one adult 18 years or older would need to be accompanying a campsite; check-in time at a campsite would be 12 noon; check-out would be 10:00 am of your day of departure; reservations may be cancelled up to 48 hours in advance of the check-in date and refunds will be processed with a transaction fee. This is one of the things that we struggled with quite a bit over the last month or so is how to handle the individual from Raleigh that decides to book 8, 10, 12 campsites and I'm going to reserve them and I'm going to put it on my credit card knowing that I may not get them all and I might not use them all but I'm going to reserve them so I have my spot. Well, the reason why we have the transaction fee in there is to associate a penalty for doing that, actually trying to squat on a reservation site and hold up legitimate camp locations. We believe this sets up that penalty and makes it so that won't happen. We also talked about only being able to reserve up to 5 campsites at one time.

Mayor Wilcox said we're going to be charging a transaction fee period by the credit card processor so I assume part of that is legitimate in any respect. What is the transaction fee you are proposing out of that \$10?

Mr. Cramer said typically the transaction fee right now for the \$10 charge is \$2 so you're total camping experience for that day is \$12 for a transaction online. Same thing would be true, the \$2 transaction fee would be that penalty so to speak. At this point we don't have any idea on what additional penalties we're going to be placing on that.

Mayor Wilcox said in other words they will automatically lose the transaction fee and you haven't decided what the penalty will be.

Mr. Cramer said exactly.

MPT Pierce said I think you might need to call that a cancellation fee. You might ask the attorney but I think you can't charge a transaction fee for credit card processing. And I like limiting the sites.

Mr. Cramer said I can follow up on that.

Council Member Doetsch asked is there any provision for day trippers and campers in our ordinance right now that says they can't go up and put up markers to designate what they feel to be their spot?

Mr. Cramer said no, there really isn't. We don't have anything in Freeman Park or in the regular beach strand statement about designating areas when you come in. I have seen occasions, more so on Freeman Park than others, where people come, they park their vehicles 2 or 3 of them, they have their day tents and so forth and they actually put a rope across there as if this is their area.

Council Member Doetsch said can we eliminate that problem?

Mr. Cramer said we can definitely go and enforce on that since the only designated camping locations are the ones that we establish. I believe that would be much more in the lines of the crawl, walk, run discussion with people as we go along. The other items on here are pretty much the things that we've talked about already but

the last one gets to the heart of being a good citizen and neighbor when you're out there and that is basically a courtesy provision for quiet hours from 11:00 pm to 7:00 am. Currently we have a section of the ordinance that is similar to this but I'm not real sure how well it's been enforced in the past. This year the police department did a very good job of stopping by and talking to people at 11:00 pm and 1:00 pm and making sure that they kept things quiet but this would be just another one of those things that we would put out and educate people on. I want to just give you a sample of the reservation system. Basically we have currently a reservation system or an early sales system for the daily pass and the annual passes where you can go online to our website and find this link in there for the Freeman Park Express. In this case what we have right now is just the daily and annual passes on there. You can choose a date - pick the 20th of February, that's a Friday. It states that it's a 4-wheel drive location, you go to the site and as you follow along you are able to pick you pass and then it gives you a quantity, how many days do you want to have a day pass out there. What we are basically going to do for this is have in between that daily pass and that annual pass section an area where it says camping permit. Same thing would apply. The enlarged map over to the right hand side, that will be a map similar to the ones I showed you where it will have numbered campsites that you can actually zoom into, designate and say I campsite 1, 2, 3 or 4. If you click back out of that Ed, if you hit add to cart it will take you to the processing center and it will tell you this is how much it will cost you and then you can proceed to check out. So basically what we're taking is the website that we already have functioning for the daily and annual passes and adding on a camping detail on it so that we can process things online. This will also be available for our emergency onsite camping provisions. In the discussion that we had back in November you wanted to have some ability of having emergency sites meaning mom, dad and the kids didn't know we changed the rules. They got down here at 8:00 pm and we're going to camp but, darn it, you have to have a reservation. We'll be able to use the same system on an iPad out at the camp locations and our park attendant will be able to go and look up and see is there an available slot. If there is we can reserve that slot for you and help them through it. If there isn't an available slot, we will have 12 additional emergency campsites available which is 10% of the total for those occasions where we have no campsites available but we still have those types of issues. So we do this as a way of making sure that everybody is accommodated to the best of their ability and still be customer friendly. The last item in that is the police department will always have the discretion of identifying places for people to stay if there becomes an emergency or if there is a police issue associated with it. For instance, out in front of the police substation it's cordoned off to about 60-70 feet. Say there is somebody that was in their day camp area and they had been drinking all day and they fall asleep on the ocean side and we knock on their window and say that we changed the rules and you can't sleep in your vehicles on the ocean side during the peak season anymore and it is evident that that individual is intoxicated. We don't want to send them out on the street. We want to give the police officer that discretion to say, sir, I appreciate that you stayed here overnight, we're going to move you to another location in front of the police substation. You can park there and we'll address your issues with the park attendant in the morning. That way we are able to accommodate those types of activities that we're certain are going to happen, at least in the beginning, and that we have accommodated them and made it so it's still a safe activity. That's sort of how we're handling online reservations and also emergency sites and emergency activities that go on out there at those locations.

MPT Pierce asked how do they get their pass? Do they print it at home?

Mr. Cramer said yes, they would print it at home. It would be multiple different

passes. For instance, the daily pass would be a ticket that you would put in your front windshield on an 8.5x11" sheet that would say daily pass, the number of days and so forth and the vehicle information. For the camping permit it will be an 8.5x11" sheet that will say camping site number 24, paid, here's the dates that you reserved it. That should also be in your window when you come up to the gate but at that point we understand that people are probably going to come and go out of the campsites and they need to have that at least readily available at the campsites so they put it in their tent or something like that.

MPT Pierce said I know when everybody gets their little orange stickers you know what they are but how do you stop them from making copies of it?

Mr. Cramer said one of the things that we have for our current receipts that come out on that website is we have barcoding capabilities. Our intent is that we would have a barcode and possibly a QRC code that shows up on there so that we can go and take that and scan it. Can you reproduce that? Certainly you can but it degrades the ability of us to be able to read them and know whether or not it's a forgery.

Mayor Wilcox said but it's for the same site and date so what good does it do to make a copy?

MPT Pierce said well that's only camping, what if it's just a day pass?

Mayor Wilcox said I thought they were separate passes.

Mr. Cramer said they are separate passes. You can currently purchase your day pass online from that website right now. You would end up printing off more than one, one for camping, one for the day pass.

Council Member Friede said if people don't have a printer that they can get to function, will there be the ability... let's say they've done the process, they've done everything they need to do and they just can't print it out themselves. Will there be an ability for them to enter a code or something like that at the gate at Freeman Park so the pass will print out?

Mr. Cramer said no, what we're anticipating is at the bottom of those screens it will have a customer service number where if the individual is having a problem with the site or your printing ability you can call that number. That number will go to our parking office because they are the ones that are managing this for us. They will be able to print it off and tell you that when you arrive, come to the office and we'll give you your pass. They could email it to you. There's a lot of different things we could do.

Mayor Wilcox said under Sarah's scenario they still couldn't print it.

Council Member Friede said I can't imagine we're going to have somebody answering the phone 24 hours a day so if it comes up at 6:00 in the morning...

Mr. Cramer said there is a potential that we will have issues, guaranteed, but we are going to try our best to make sure that we've got them as covered as we possible can.

Council Member Friede said most people these days have a smart phone they can take a picture of it or whatever.

Mr. Cramer moved on to the next slide. He said the attendants that I have talked about currently with SP Plus we have them in the contract for a gate attendant and that gate attendant is typically there from 8:00 am until 10:00 pm, Monday through Sunday during the peak season but that varies as volume requires is very important because during the week we may not need to have somebody there at those hours. But during the weekends or on the holidays we may extend those hours but that is our general starting point for hours at the gate attendant. As for the park attendant, the person who will actually be out at the police substation and roaming around the park, they will be there from 8:00 am to 8:00 pm, Monday through Sunday during that peak time and most likely we will have more than one in that time frame across that area because it is so large. Those attendants, both gate and park attendants, will be performing multiple different duties - greeting visitors, checking for permits, talking to visitors about the rules and regulations, handing out garbage bags so that they can pack it in/pack it out, handing out pet waste bags, trying to collect litter and make sure that the experience is clean and then facilitating any customer needs that we have for the camping portion of the park. That is sort of the things that we have been working on over the last couple of months to detail out how to manage the camping at Freeman Park.

Mayor Wilcox said the day pass, if somebody goes up and purchases a day pass ticket and they go into the park with it. Is there a barcode on that?

Mr. Cramer said right now if you are paying at the pay station there isn't and the reason for that is because we don't ask the person to put in any information so it doesn't identify their vehicle or anything like that, it's you're paying for a day pass. What gives us that differentiator is the color. One year we may have it blue, the next year we may have it black the color of the actual receipt itself so that helps us identify when there are people trying to forge it.

Mayor Wilcox said so the concern about people printing 5 day passes on their computer at home and handing them to their friends and then skipping through the gate is a legitimate one if we have no way to hit this with a bar scanner and say they are legitimate or not. In other words a bar scanner might limit you to only allowing one of the same bar code pass through.

Mr. Cramer said yes and there would be a difference between purchasing the pass at a pay station at the gate where you get your receipt...

Mayor Wilcox said I get it if you are purchasing it there it's color coded and all that but ones you print at home...

Mr. Cramer said each one of those should have different identification on it so that you know this is site number 1 and there's...

Mayor Wilcox said I'm not talking about camping, I'm talking about the day pass and when they go through the gate and no one is checking to make sure that day pass has gone through that gate 5, 10, 20 times.

Mr. Cramer said presently we've sold several hundred annual passes online and haven't had those types of issues. That doesn't mean we're not going to but I will check into it with...

MPT Pierce said so you don't mail them now, you don't mail them the little orange pass that we have?

Mr. Cramer said no.

MPT Pierce said they've been printed all along.

Mr. Cramer said yes, or they come to the office and pick them up.

Mayor Wilcox said now that we've let everybody know about it I see a problem.

MPT Pierce said I'm not sure it takes a rocket scientist to figure that out. I think probably we should have them pick them up, those annual passes.

Mr. Cramer said I understand what you're saying and I will definitely look into what the security mechanism is that SP Plus has in place for this. That's everything I have.

Mayor Wilcox asked those who are speaking to limit their time to 3 minutes.

Chuck Dunlap, 700 block Carolina Beach Ave N., looking at this it said the day passes you have to remove your stuff at 11:00 pm, your tents up front on the beach side but then you can purchase a day pass at 12:01 am. Is that correct and it goes all night?

Mayor Wilcox said between the hours of 11:00 am and 7:00 am you are not allowed to have tents there, anything along the water edge line.

Mr. Cramer said what you're buying when you buy a day pass at the current time is that from the time that you purchase that pass to 8:00 am the next morning you are able to stay on the park.

Mr. Dunlap said so if I show up and buy a day pass at 1:00 am...

Mr. Cramer said you get until 8:00 in the morning but you can't camp.

Mr. Dunlap said so these emergency spots, who decides who gets those? Is it of I like this guy over here and he gets it or it's a group of young people, no, or that's a family - you said family, correct?

Mr. Cramer said a town employee is going to be staffing that and be making those decisions. It will basically be first come, first serve. If there is an available site they will get it, they will be able to go through the reservations.

Mr. Dunlap said this town employee, what if there's 20 girls in bikinis at a site but there's 15 guys at this one. I think this is going to be a big mess.

Council Member Friede said I think it depends on the true emergency.

Mr. Dunlap said I agree that we need to do something.

Mayor Wilcox said Chuck, I think it will take care of itself. When people roll in here who have driven 3 or 4 hours and they weren't aware of the rules there is going to be a need to take care of them. By default I think it will end up being first come first serve.

Mr. Dunlap said the thing about the drunk guys they get those spots, who's going to

drive the truck over? The cops, they don't drive people's cars. They won't drive my car for me I promise that.

Mr. Cramer said it is most likely that the police officer will escort that person over there just like we do when you pull somebody over for a DWI or anything else on the roadway that the police officer follows them to the location where they actually stop.

Mr. Dunlap asked, in a vehicle?

Mr. Cramer said in a vehicle.

Mr. Dunlap said the person drinking on the beach side forgot that he was not allowed to camp here.

Mr. Cramer said I understand where you're going with this.

Mr. Dunlap said my family might be camping, I might be in the spot next to the police thing.

Mr. Cramer said one of the things that our police officers do who are here to protect and serve and they have law enforcement degrees and backgrounds to be able to handle this, I'm sure they can make that decision.

Mr. Dunlap said I'm sure they can, just out of curiosity. Thank you guys for your time. I spoke last time and I do believe you guys are doing a great thing, something needs to be done.

Josh Holder, 203 Florence Avenue, said currently and in the past few years there have been people who have walked out onto the north end to enjoy being out on the beach. Being a pedestrian like that, do you have to purchase a day use pass?

Mayor Wilcox said no.

Mr. Holder said what about the individual who wants to camp? Can they reserve a campsite? It said in the rules to be able to camp you have to have a daily use pass and pay for the camp.

Mayor Wilcox said the town cannot charge people to go out on the beach. The town can only charge when someone creates an impact on the beach and the impact is the vehicle so the only time we can charge is for a vehicle. We can't charge people because there's 5 people in the vehicle or 20 people in the vehicle. We can only charge for the vehicle and most people don't understand that. If you walk your tent out there and you reserve a campsite, you can camp without a vehicle. It would be \$12, \$10 plus \$2 for processing.

Council Member Shuttleworth said we don't get a whole lot of people walking out there and camping.

Council Member Friede said you wouldn't have to buy a vehicle pass if you did not have a vehicle.

Mr. Holder said the web page where you can buy the passes, is it going to have... it had the total pulled up and was like \$30 plus the \$10. Are they going to be able to...

Ms. Fox said yes.

Darrell McGee, 520 Little Pony Trail, I am speaking on behalf of the truck campers. We meet down on the north end 2 to 3 times a year, about 15 of us. The reason for coming, I wanted to make sure that we had to go to the dunes, make the reservations. We're trying to figure out how we're going to meet this year. If we make reservations to camp on the dunes, can we put a tent on the water to save the place that we have to move from because we're going there to fish and we're going there to be on the ocean. We're not going there to be on the dunes.

Mayor Wilcox said you can but as I understand it it has to come down at 11:00 at night and go back up at 7:00 in the morning.

Mr. McGee said, okay, now we know what we've got to do. Another thing and when I was listening to this, that layout going to the dunes from the ocean you have now set up a dangerous hazard if some families are camping here, the traffic is going back and forth here, the people are going wanting to be on the water - how about all the kids going from that camp into the water? That's a big issue. That's all I was wanting to talk about, where we're going to go to camp at.

Scott Sink, 616 Trace Drive, Wilmington, said it seems like the important issues aren't being addressed. I saw the slide show, I saw all the minor points that I kept reading over and over again. He just brought up a really, really important one, children back and forth to the water all day long, 50 yards. I created a petition 4 days ago. I have almost 1,500 signatures so far against the drastic changes that are being imposed here. A huge list.

Mayor Wilcox said Scott, before you go forward, to your point about important issues not being discussed, this is our fourth meeting and I can guarantee you if you had been at those meetings there was considerable detail construction to the point of spirited conversation. We have addressed or at least expressed all our concerns about all the different aspects including the safety and all that so there has been a lot of discussion that some people maybe weren't following or privy to.

Mr. Sink said I just didn't hear any solutions to the traveling back and forth to the water, complaints from people who actually enjoy camping by the water. It just seems like those people might as well just declare that they lost this fight and they're not going to be able to do it.

Council Member Friede said you could move your chairs to the beach side and then pull your truck up to the campsite.

Mr. Sink said yes, you could in competition with the rest of the day campers that are out there in the day camping zone which seems to be the day camping zone is where the majority of the people want to camp. That's the biggest thing to me. I also have some petitioners that are handicapped. I have one petitioner who said I have an artificial leg. Am I going to have to go 50 yards back and forth to the water all day long with my handicap? Is there going to be any accommodations for me? What am I going to have to do and say he has 4 kids on top of that and he wants to fish or any long list of things that go on out there at Freeman Park? I just think there are a lot of issues, minor or large, that just haven't been addressed. To my next point, I organize another event out there twice a year, once in the fall and once in the spring. My fall one might be salvageable because it's outside of the dates that you impose but the spring one in May is going to be destroyed. We have over 100-150 people that come out there. I can't make those reservations. We have to have all our equipment by the water all day long and they are very expensive.

Jessica Hall, 225 Windemere Road, Wilmington, said I come out here to camp on Freeman Park. It's about the only reason that I do come from near Wrightsville Beach to Carolina Beach and I park here and then I go to the business establishments while I'm here and I personally have experience with marketing and doing events and if it's an issue of people picking up trash I would love to volunteer to help with awareness about picking up their trash and making sure they leave no trace behind and things like that.

Mayor Wilcox said we might want to look at a volunteer ambassador program for those kinds of things out there.

No one else spoke.

Mayor closed the public hearing.

Council Member Doetsch made a motion to approve Ordinance 14-967 with the aforementioned changes.

Mayor Wilcox said I am not going to reiterate certain concerns that I have. We've discussed this many times. I had been in objection for having concerns that we're doing too much, too fast but there is no question that the whole council believes something has to be done. Because we believe differently doesn't mean any of us are wrong. We're all trying to do what's best for our community. I will say that my main concerns are the safety of families going back and forth and at least the first year of people many hours and showing up down here, these are people we can't get in touch with and having a lot more than 12 people show up and having no place for them to go, no hotel rooms and if they go anywhere we're sending them back to Wilmington to rent a hotel room. So those are my primary concerns. I will say that I am very pleased with some of the changes staff has made. I know it's not been an easy process. We've had a lot of discussion, they've had to filter through that discussion. I think a lot of what they've done is softening some of the impact. I am going to continue to vote no not because I don't appreciate what they've done and not because I don't think changes need to be made but just to underscore my concerns about the safety aspect and the visitors not having awareness on the first season. Don't take that as we're not all looking for a solution.

Council Member Friede said I certainly didn't look at all the comments on my petition but I looked at at least 100 of them this morning and I know that as the mayor said there are a lot of people who are coming late to the issue, not aware of all the meetings that we've had and I understand that. Citizen involvement, interest makes a democracy better every time so that's why I took the time to read through as many comments as I had time to read through. Most of the people who commented were not from Carolina Beach. I suspect that most of the people who commented had no idea that we had a meeting that lasted for hours several months ago which we heard from people both on island and off island. We have people who live up on the north end who cannot access their homes on the weekends in the summer. When we get phone calls from people saying I just gave up. I'm actually turning around and leaving for a few hours in the hopes that in another few hours the lines at the north end will be short enough that I can get home. To me that perspective, that voice, that person, that needs to be something that we take very seriously. We don't want to impinge on anyone on the island. For those of you who have been here for the entire meeting as I think most of you have been, you heard on us vote on a significant amount of town funds to go to the Chamber of Commerce because we love the events, we love the tourists. We spend \$300,000 a year or more on

lifeguard salaries because we want to keep the people who come here safe. We take it seriously. We live here because we love the beach and we love the town. We provide the police, the fire, the rescue, the lifeguards, the showers, the boardwalk, the beach access, everything else for the entire beach strand for free to the people who come here. Those are state beaches, they belong to the people of North Carolina and the Town of Carolina Beach provides all those services because we want people to come here and enjoy the marvelous town that we have as much as we do but when our police chief comes to us and tells me that he has stepped up patrol so he doesn't have 4 police officers with a crowd of 10,000 on the north end on Memorial Day weekend, that he stepped it up to 8 officers for 10,000 people on a weekend when he has 800+ campsites and 8 officers and there's one officer charged with patrolling 100 campsites. That, to me, is too much. So I do hope that those of you who haven't been here to hear all of the conversations and the frustrations on everybody's end, I hope that you will take those remarks that I just made and think about them and realize this is not an easy discussion, this is not been something we have jumped into. This is something that has been a long time coming. The people of Carolina Beach cannot absorb the kind of costs that it would take to keep Freeman Park open and nearly free and accessible to everyone. We don't have enough people here to do it. We would if we could. We do it for the entire beach strand. We just cannot do it for the north end. That's really all that I have to say. I appreciate everybody's hearing enough about Freeman Park to take the time to look at the petition, express their comments. The people who came here tonight to be here. I don't think it's going to change my vote because I have heard so much already from the people of Carolina Beach and from the police department but we do value you. It may not feel like it when you hear my vote but I am sincere in that. Carolina Beach loves people from everywhere who love the beach as much as we do.

Council Member Shuttleworth said I have consistently voted for this, I will continue to do that. I appreciate staff hearing loud and clear and council hearing loud and clear from many of our residents that we have a fall fishing crew that have come down here and it's different. It's just different in the after season. This primarily is focused in the high season when we have so many people. I go out there a lot during the summer and frankly I see a lot of people camping along the dune with kids so I understand the distance between the dune and I have small children. I understand that distance and I understand what's happening on the dune. I think we started with a couple of things and I would remind those who are in opposition to what we are talking about, we had the largest public forum that we've had on any subject since I've been on council which was on Freeman Park a couple of months ago. There were a number of local residents who came and said go to \$200, close the park, no alcohol, no camping, close it at 10:00, close it at 11:00. So whether you can appreciate these rules that we're implementing or not, believe me when I tell you it is a compromise from some of the people on the island that just said, we don't want it, let's just go back to what it was 15, 20, 30 years ago - no you can't camp, you can't have a fire. We can do the same thing they did at the south end. This is one of the few places that I can find in research that you can actually drive your vehicle and camp on the beach. You can't do it at Topsail, Wrightsville, the south end, Holden Beach, you can't do it at Oak Island. So we have to do something. The compromises that staff came up with is were going to do this from the high season until the end of September. In the off season and those that have the jet skis, I get that. I know the water is a little cold in the spring but I don't know where you were doing it 5 years ago. We just can't continue to bear that kind of pressure on the environment and for me I have been consistent telling you it's 2 things - it's a safety issue and it's an environmental issue and we get there and that's where we're at. It has been a compromise. I know some people think these are very restrictive. I assure you, we refer this as the north end or Freeman Park.

The Freeman's showed up at the meetings and said we don't want any alcohol out there. You can't drink on the rest of the beach strand. I know people do it, but our ordinance says you're not supposed to drink on the beach. At Freeman Park we allow that. What we said is we're not going to deliver alcohol, please don't dig holes, don't jump off the pier and, by the way, we're going to start enforcing some kind of camping regulations.

MOTION CARRIED 4-1 WITH MAYOR WILCOX VOTING NO.

- b. Consider a CUP request to open a tasting bar for on premise consumption of wine and beer at a specialty retail shop.

(Requested by Jeremy Hardison, Planning & Development)

Mayor Wilcox gave a summary of what council's function is regarding conditional use permits (CUP). Council basically deals with two types of decisions. We have legislative decisions which are ordinances, town policies and things of that nature and we have quasi-judicial decisions which are decisions we have to follow a different process. The legislative and the policy decisions are things we can use, are decisions we can make as long as we follow the statute we can decide from our heart what we think is best for the town. We can arbitrarily, so to speak, determine what we want, what we think is best for the town. For the quasi-judicial we have to follow a due process which is very similar to when you go to court of law where you have a judge that sits, listens to the evidence of both parties. The judge brings his legal expertise and he basically weighs his decision based on the evidence presented by the two different parties. We do something very similar to that in this process so we are required to only consider material and competent evidence. Things like hearsay, for instance you can get up and tell us that you are here representing 20 people in your condo unit - we don't have a problem with you saying that but under the law we can't consider those 20 people if they are not here to be cross-examined. So we have different rules that we follow and I just wanted to kind of make that clear as we go through. Some people don't understand the difference between them. We also have to swear people in who want to speak on this.

The following were sworn in: Ed Parvin, Jeremy Hardison and Bryan Parker.

Jeremy Hardison, senior planner, presented. He said the applicant, Bryan Parker, has applied for a CUP to for an establishment called Island Beverage. This is going to be in the Crossbridge Shopping Center. The former use was an insurance agency and prior to that was an architect's office. It is a unit down from Michael's Seafood. They are proposing within the 1,200 square foot unit packaged foods, specialty beverages that will consist of wine and beer off-premise that you can purchase and also he would like to add in a tasting bar to sample products that you can purchase. And this would be on-premise of wine and beer. He is not proposing any liquor. Before you are the required findings for the zoning ordinance that he has met. Along with those regulations are also four general conditions for a CUP that staff has addressed. He is going through a CUP because he is wanting to have the on-premise of alcohol and by our ordinance that classifies him as a bar and he would have to meet the bar regulations which means he has to be 200 feet from an established church or school and 200 feet from any residential district. He has met those standards.

Mayor Wilcox said for clarification, I guess that he has to meet the bar rules it may be a moot point, but it says he plans on serving tastings of beer and wine. So is the intent also to serve regular sized glasses of beer and wine like a bar if somebody wants to order them?

Mr. Hardison said the approval would give him that ability, it wouldn't limit him on his alcohol.

Mayor Wilcox said so basically it's a bar.

Mr. Hardison said it would meet the approvals for a bar. I think his business plan is to be more, sample the product and you could purchase...

Mayor Wilcox said he's going to lean another way with it but if he decided to change he's still going to follow the bar rules.

Mr. Hardison said the approval is for a bar at this location.

Council Member Friede asked what are the requirements for a bar?

Mr. Hardison said 200 feet from a church or school or from a residential district.

Council Member Friede said since this meets the criteria for a bar or tavern OR is 200 feet from an established church or school.

Mr. Hardison said that was out of the ordinance. He would have to meet, if you are drinking in any establishment he needs to meet the conditions of a bar because it's not a restaurant or a standard...

Council Member Doetsch asked how far from the Presbyterian church is that?

Mr. Hardison said it is across the street, 350 feet.

Council Member Friede asked about the daycare center.

Mr. Hardison said it is 274 feet from the church and from the daycare it is 398 feet. The closest point is the residential district from the rear of the business is 201 feet. So it was close there. He is not proposing any type of outdoor area for the activity of the use. It's all being contained inside.

Council Member Friede said so if he came back later and wanted to have a patio out in the back that wouldn't be permitted, right, because that would put him within the 200 feet?

Mr. Hardison said it would be close and there are parking spaces out there and it could be a modification to his CUP for which he would have to come back through.

Mayor Wilcox opened the public hearing.

Bryan Parker, Island Beverage LLC, applicant, lives at 502 Seafarer Drive, said I had a big speech planned about how we were happy to be in the community now but I will save all that in an effort for time. I am basically going to be what has kind of spread out through the state with the growth of craft beer and fine wine is sort of a new hybrid bar. It is a bar because I will be serving wine and beer by the glass but my business plan calls for 80% retail, 20% on-premise. The whole concept of my tasting bar or bar is to facilitate people to explore different wines and beers so they don't have to purchase in blind and also to expand their palettes and these things are very popular in other parts of the state and Wilmington and at other beaches as well. I have a background in beer and wine wholesale. I was the regional sales manager for a statewide distribution so I have some background in it. I plan to carry

all appropriate ABC permits as well as insurance that they would require. We plan on doing some structured tastings like more pay tastings for people who are wanting to get more educated on wine and beer, bringing in wine makers and beer makers and also some other various events to do with beer and wine.

MPT Pierce asked will you only serve the beverages that you will also carry in the store?

Mr. Parker said I will have drafts with beer, for example. A lot of craft beer only comes in kegs or specialty kegs that you can't get in bottles. You can do growlers now by law so that's an option too. Everything I serve on-premise will definitely be available if it is in package form to go in a closed container.

Council Member Friede said you won't be selling kegs or mini kegs of the specialty beers?

Mr. Parker said yeah, per ABC rule. You do have to buy a travel permit now or fill out a travel permit so that keg is tracked from the store to where it is going and that kind of thing. That is kind of a newer law that came into effect a couple of years ago. You are able to purchase a keg for a party or event. Same thing with the wine by the case for weddings and things like that. We also can host events at our shop as well.

Council Member Friede asked are there any restrictions on the hours of business in that shopping center? What are your proposed hours?

Mr. Parker said I haven't totally put down my hours, I want to be a little fluid with that especially between the two seasons. I'm going to be open year-round but we are definitely not going to be a typical bar and stay open until 2:00. I've got kids and want to have a life and that kind of thing. That's really not what I'm proposing. I imagine the off-season and again I am just speculating, maybe 9:00-10:00 would be the latest we would be open and then maybe on the weekends or in the off-season maybe until 11:00 but never past that. There are no restrictions. I do have support of all my neighbors there. All the businesses there are supporting what I'm doing and know exactly what I'm doing as well as our landlords who are here in attendance, Jim and Lisa Wilkins. So everyone in the plaza is on board and excited about what I am proposing.

Mayor Wilcox said for anyone wanting to speak in favor or in opposition to this.

No one spoke.

Mayor Wilcox closed the public hearing.

Mayor Wilcox asked if there was a TRC review?

Mr. Hardison said yes.

Mayor Wilcox said I didn't see any comments so I guess they didn't have any, right?

Mr. Hardison said they recommended approval.

Mayor Wilcox made a motion to approve the request based on TRC's recommendation, specific requirements 1-7, and general requirements 1-4.

Council Member Friede asked do we need to say subject to the 8 conditions?

Mayor Wilcox said I don't see any conditions.

Noel Fox, town attorney, said pages 27 and 28 have a draft order granting the CUP for your consideration.

Mayor Wilcox said I'll include the 8 staff conditions.

MOTION CARRIED UNANIMOUSLY.

Mayor Wilcox thanked the applicant for coming to the town and asked when he will open.

Mr. Parker said hopefully around March.

- c. Pleasure Island Chamber of Commerce request for ROT funding.

(Requested by Kim Ward, Town Clerk)

Greg Reynolds, Pleasure Island Chamber of Commerce, said he is here to make a request for ROT tax dollars, mostly for fireworks, movies on Sunday nights and event support for the Chowder Cook-Off, the Beach Music Festival and CB Blues and Jazz. All the funds are tourist tax, they are not property tax. A lot of people feel like the fireworks are being purchased by and on the backs of the citizens. They really are on the backs of the tourists. He showed a slide of the functions that we have. Last year at the Chowder Cook-Off and everyone came early. The line was about 2 blocks long. This year we're going to have 2 gates coming in. We had over 3,000 people. It will be held on April 11th. The Beach Music Festival we have had 3 straight years since we reformatted it. The lines were fairly long also. With the new boardwalk we have a plan in gear for alleviating those lines. Seafood Blues and Jazz continues, our 22nd year is coming up. We had 10,000 over a 2 day period. Those 3 festivals have been very successful. With fireworks and movies we have 15 weeks of those. We appreciate the Town of Carolina Beach for over 10 years of supporting this with ROT tax. One thing a lot of folks have asked recently is what does the chamber do with the money from the 3 events. If you are a member of the chamber you pay \$200 a year in membership that doesn't even come close to covering the operational costs that we have. What we do with these 3 events, not only do we fill hotel rooms and restaurants in shoulder seasons it allows us to support the chamber, keep our dues low and to give back to the community. Review of what happened last year and the money that we did redistribute to the town: The chamber donated \$16,000 and change to the community and our foundation donors \$7,375 for a total of \$23,432. Where it went: Carolina Beach Inlet Association - \$2,500; Island Women - \$3,250; Youth Baseball - \$600; commemorative swing on boardwalk - \$2,750; Help Center - \$1,500; Parrot Heads - \$1,000; Fire Relief Fund - \$5,000; Firemen's Association - \$600; Island Day - \$1,000; Carolina Beach gazebo stage - \$1,250; Nourish NC (Backpack Buddy Program) - \$1,000; plus a number of others for a total of \$23,432 the chamber and foundation gave back to the community. The task at hand tonight, the total fund request is \$87,040 from the ROT tax. The breakdown is: Independence fireworks - \$10,000 same amount as last year. This year it will be on July 2nd, a Thursday. The 4th of July is on a Saturday this year and we plan on having a large crowd as usual. CBDI will be having their music on Thursday night also. Summer fireworks - \$46,000, we're \$6,100 above last year. A couple of reasons, for the first time in about 5 years our fireworks vendor has gone up \$200 per show and we also have 16 weeks vs 15 weeks plus more signage. Outdoor summer movies - \$23,000, which is \$2,940 above last year. The vendor went up \$100 per show, again for the first time in about 5 years and we also have an

additional 16th week. We also asked for event support of \$8,000. Most of that money goes to out of area radio and TV marketing - Raleigh, Charlotte, Durham. It's a total of \$9,000 for the increase. This is from the 2nd half of the 2nd 3%. Overall we estimate that a total of 73,000 see and enjoy the events. With the town's support this is a win-win between the town and local business community and hope the town agrees that these programs are a responsible investment of ROT funds.

MPT Pierce said to clarify for the public, the increase in the 2 activities is because there are 2 additional weeks?

Mr. Reynolds said we usually have 15 weeks during the summer, this year we have 16 weeks with an additional movie and fireworks. Next year that number should go down as we will only have 15 weeks. Memorial Day is early and Labor Day is late.

Council Member Friede said we constantly come around to this issue, not with the chamber but when we're talking about TDA and where our Marketing and Advertising Committee is asked to make decisions on where the best investments are for our ROT funds, what's the best media? Is it social media, is it print, is it TV, radio or whatever? Can you give us maybe a snapshot how the chamber decides what media? I'm not trying to put you under the microscope, just trying to gather a little information because we do need to have this conversation soon and we are having this conversation soon about how we decide how the funds, where we get the best bang for the buck?

Mr. Reynolds said the funds we're talking about just so the public knows, we're talking about activity funds vs marketing funds but the chamber, when it comes to marketing, we have found... one thing the ROT funds do not do is local purchases. The majority of our marketing dollars go to local radio stations and local TV stations. Unfortunately, with the size of our programs and our limited budget, the Raleigh and Charlotte market areas are very, very expensive. We do have some dealings with some radio stations. For Beach Music Raleigh is one of our big draws. We'll sponsor the weather on one of the radio stations in Raleigh. Typically we stay in market whereas your MAC committee funds do not stay in market. We have a guerilla marketing mindset that we just flood the market and make sure that everybody knows that it is happening. It's been successful for us because all of our programs with the exception of the Greg Allman year with Seafood Blues and Jazz have grown every year. We do print ads in Encore and they give us a great deal. Being a non-profit helps a lot.

Council Member Friede said I think that that is vital because we do have limitations on where we get to spend some of the ROT funds. Some of them do get forced out to these other markets so I like that we have some of the local marketing, TV and radio, and hear an advertisement for our events and I think it does draw in a good local crowd. Thank you for that.

Mr. Reynolds said we have done work with CDBI on their campaigns, we group together some funds. They've negotiated some really good deals on local radio.

Mayor Wilcox said both the chamber and CDBI, the marketing they're doing is generally very targeted. It's event specific and it does do a lot of local but it also gets double play because the CVB actually takes the marketing that we're doing, a lot of it, and uses it for the outlying marketing, the overall vacation destination market.

Council Member Shuttleworth asked is it fair to tell us who the headliner is for the Seafood and Jazz?

Mr. Reynolds said we have offers out right now and a deadline of the 15th. We will have a press release and local TV stations. As you know and CBDI will say the same thing, we have contracts we need to enter and that's why we need a decision tonight.

Mayor Wilcox opened the public hearing.

No one spoke.

Mayor Wilcox closed the public hearing.

Mr. Reynolds said we have to ask permission to use the lake on April 11th and the beach strand on June 7th.

Mayor Wilcox said the mayor will make those approvals.

Council Member Shuttleworth made a motion to approve the request from the Pleasure Island Chamber of Commerce for \$87,040 for the ROT funds for the 2015 events as outlined.

Council Member Friede said that's from the existing budget, correct? Next year's budget, so it has to be subject to the...

Mayor Wilcox said it's reimbursable and they've always reimbursed it before and I had a discussion with Kim Huffman with CVB the other day and she brought up the CBDI events and the chamber events and her comments were, these programs are poster child for where this money is supposed to be sent. They highly support it because, again, they take all of that information and they do press releases, get it on their website and they get it out in all the outlying market areas and they consider it the absolute best use for the funds.

Council Member Shuttleworth said I think if it's going to come from our 2015/2016 FY budget (Michael Cramer said that is correct) so this approval has to be subject to our approval of a new budget that includes this?

Mr. Cramer said no, it doesn't. Because the TDA's operating year starts before our operating year does it has to go through their approval first, that's why we're doing this so early in the budget cycle. Because these are funds that are reimbursed typically when Pleasure Island Chamber of Commerce or the CBDI expend the funds they then go and request for reimbursement and that is usually in our future fiscal year 2015/2016 so having us put those funds in the budget basically what we're saying here tonight is, yes, we're promising that we will put those in the budget as part of next year's budget and that we will pay those out of reimbursement.

Council Member Friede said that's the intention but it's not in this year's budget. I think the way we have done it before is to say we needed to make some mention in the language of the motion about that it comes from next year's budget.

Mr. Cramer said it is subject to the adoption of the 2015/2016 budget.

MOTION CARRIED UNANIMOUSLY.

Council Member Shuttleworth said he has had a number of people ask me what the community is doing, what is council doing, what the town hall is doing as far as potentially looking at economic development and as we start to look at those things then we heard from Mayor Saffo what Wilmington is doing, what the county is doing. So much of our economy is generated from tourism and the Chamber of Commerce does a tremendous job and I would like to thank Gail and Greg and all the people active in the chamber because that is so much of our economic development. These 5 programs right here are demonstrable of what you guys have accomplished and it brings people to this town and so many of our residents rely on the tourism business during the season and you guys have been tremendous with supporting all the new businesses. So I just want to say for economic development-wise, great job.

Mayor Wilcox said Councilman Shuttleworth and I attended the State of the City address last night that Mayor Saffo gave that was excellent. Not everything he said translates to us but if you get the chance I would encourage you to go watch it because the trending of many items and growth rates come back to the economy and a lot of that is translating to us and we're going to see a lot of that same growth potential in the future.

Mayor Wilcox called for a 5 minute break.

d. ROT Funding Request from Carolina Beach Downtown Initiative

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox said last year when you came before council I excused myself for part of the request. In speaking with the town attorney, she doesn't think that is appropriate and I will let her speak to that.

Noel Fox, town attorney, said in order to be excused from voting you have to demonstrate that you have a financial interest in connection with what is appearing before the board. You have a duty to vote and in the event that you are not excused from voting then your vote is cast as affirmative in your absence. Unless you have a direct financial interest or substantial financial interest from the motion that is before you, or not the matter that is before you then there is no duty for you to ask to excuse yourself from voting.

Mayor Wilcox said the request before us is to fund CBDI. What CBDI does with those funds, who they hire and such is who they hire.

Ms. Fox said you are funding an organization here that has the potential to have a direct financial interest on any member of council who would make application for use of those funds but as I understand it they are not guaranteeing you, Mr. Mayor, use of those funds.

Mayor Wilcox said it could change but we did look at a 3-year contract. But you did pose that at the last meeting.

Ms. Fox said you were excused from voting on that contract last year and it was posted in accordance with Chapter 14 and at that time you had determined that there was a direct financial interest.

Mayor Wilcox said the same thing we do for like Dennis Barbour's hardware store where we buy things from them and things of that nature when he was on council, those disclosures were made and made a matter of record. Correct? Oh you weren't here. That's what was done.

Ms. Fox said I wasn't here but yes. If there is anyone on council that thinks you do have direct financial interest and they can certainly bring that to the attention of all the other council members and they can vote to ask you to recuse yourself.

Mayor Wilcox said and if you do council I assume CBDI can separate those funding requests.

Council Member Friede said I think my only question would be whether you have a contract with CBDI already to provide these services. If you don't then...

Mayor Wilcox said I have a commitment to them to provide under a certain cost. They don't have to use me.

Brett Keeler said last year we had separate requests and the sound was separated out and we had three separate bids and Mr. Wilcox's company won that bid because they were the least expensive handling it at a seven year history at that time. So I bulked those together for this request because council had said we will fund that three year contract with whoever you decide, however, Council Member Shuttleworth said we don't care who you use because you're going to be a good steward of the monies.

Mayor Wilcox said let me clarify it this way. I don't have a contract with CBDI. What I did was they said what would you charge us for three years each year and I said if I do the work this is the maximum amount I would charge you. They have the right each year to decide who they want to work with.

Council Member Friede said that would be the only condition if he had that contract and they were obligated to use him then that would create the conflict. In other words without that then he needs to stay up there and vote, right?

Ms. Fox said I can say it a different way but I think it comes down to if there are members of council that think that he has a direct financial interest then you should bring that to the attention of the board. The Mayor has determined that he does not have direct financial interest on this and has not asked for the board to excuse him from voting and he has a duty to vote.

Mayor Wilcox said it is council's pleasure.

Council Member Friede said I am fine with it because of the discussion.

Council Member Doetsch said I'm confused.

Council Member Shuttleworth said here's where I'm at. In fairness to Dan and propriety, at the end of the day if they hire your company, great. Just for transparency I would say just step back. I don't see a problem with the vote, it just becomes awkward for you and everyone else if we say...

Mayor Wilcox said I personally don't have a problem with that but I didn't want to excuse myself because under the statute I have to vote unless I have that direct influence.

Council Member Shuttleworth made a motion to vote to excuse the Mayor from voting.

Mayor Wilcox said you're going to separate those, the sound from the rest of the funding.

Council Member Shuttleworth said honestly I think it's a moot point for the vote, Dan. I don't have a problem with that, I'm just going to help you with...

Ms. Fox said there is a motion to excuse the Mayor from voting.

Mayor Wilcox said all in favor of excusing me.

MOTION CARRIED UNANIMOUSLY.

Council Member Shuttleworth made a motion to approve the CBDI request.

MPT Pierce asked the applicant did he want to present? I haven't heard your numbers, I want to hear them too. I do not have them in front of me.

Council Member Friede said they came in a separate email.

MPT Pierce said I don't have that so why don't you tell me and the public so we'll know.

Brett Keeler, representing Carolina Beach Downtown Initiative, said I am here to ask for allocation of ROT funds for FY 2015/16, the next budget year. Last year we requested an allocation of \$42,950 and this year we are requesting the \$42,330. Outlining what was presented to you our capital purchases in the amount of \$3,900 - last year \$4,450. That's for \$250 for new fixtures. Every year throughout the season there are things that break and we need to purchase them to replace them in the boardwalk area. \$2,000 for planting - members of our team have communicated with the town manager and Brian Stanberry regarding the wonderful work the Boardwalk Committee has done in a lot of the different additions and also reconfiguring the plantings that are down there in the planters and also putting new planters in there so we have budgeted \$2,000. Again, if we don't use those monies then we don't get reimbursed and most of the time we over budget and under use to be good stewards of money. We have \$1,200 in lighting. We have purchased over the years lighting for the stage and because of the sea air and the elements they begin to rust so we have \$1,200 in there just to replace some of the stage lighting to make our show better on those Thursday nights and those lights are also used down at the lake for Island Day and Salty Paws and other island events that are free of charge. \$450 for Rubbermaid chairs because of wear and tear. Those are also lent out to other non-profit organizations throughout the year. For the Tuesday night Family Night there are 16 weeks this year as opposed to 15. Last year we asked for \$6,000 and this year we are asking for \$6,680 for marketing that includes advertising materials, marketing, radio print advertisement and insurance. The same as what we have asked for the last 8 years. We asked for \$7500 and most of the time we come in around between \$6,000 and \$6,500 that we actually get reimbursed for - about \$150 in admat, \$300 in posters, \$700 in re-skinning the 4 or 5 big things that are on the stage that say what the bands are and what the activities are. About \$3,200 in radio which is probably about \$7,000 if a private business were to go to the radio stations because we get non-profit rates and preferential rates because of the fact that they want to support Carolina Beach. And then about \$1,800 in insurance. For Thursday night, again, we have 16 weeks as opposed to 15 last year. We're asking for \$800 a week and last year we asked for \$11,750 for the 15 weeks. This year it's \$13,300. Again, the sound and lights which we talked about last year at \$550 an event, that comes out to \$8,250. For the

Christmas By the Sea allocation, \$2,500 and that's for building materials, ponies, different things that added to that event that has been a collaboration with the Town of Carolina Beach, Island Women, chamber, a bunch of town organizations. One note that I will add regarding the Tuesday night Family Night is that we have entered into a partnership with parks and rec to continue to run the program however with assistance from town staff so that they can steer it in the right direction and that it continues to run... it's something that is a work in progress and we haven't decided how it's going to end up but we just thought that the town and parks and rec had expressed interest and so we met 2 weeks ago and finalized that after the funding was granted we would hammer out the details on how everything would work out. That's a total of \$42,330 for 2015/16 funding request.

Council Member Friede said I have a few questions which I'm sure will not surprise you. The fixtures and the planting and the lighting and what not, are those things not already being absorbed by the work that the town staff has been doing down there because they have been doing a lot of work.

Mr. Keeler said from my understanding in conversations with Mr. Cramer and Mr. Stanberry is that work they are going to take apart the benches, repaint, pay for the paint materials but the one thing that they weren't sure of is that there is a lot of the plantings that are too big now that are going to be replaced and possibly put in the berm area but we need to find new plantings. Over the past 8 years when we've gone through and finding plantings we've gotten preferential pricing that is maybe better than the town going and seeking those out. And that's the same with parks and rec with Tuesday night that the program continue to go through us we get a little bit better pricing than if the government goes to some because they see dollar signs when they see government money.

Council Member Friede said the fixture and lighting, are they not on the new gazebo already?

Mr. Keeler said there are things that pop up and we just put it into the budget. If we don't buy those materials and have receipts for them then I don't go to Debbie or Sheila and get reimbursed for it. I would think that if Debbie when back through over the past 8 years out of the requested allocations we've probably only redeemed 85%-90% of what was allocated.

Council Member Friede said the \$500 requested to set and store chairs, new locks, etc., can you explain a little bit more about that.

Mr. Keeler said even last year we had that in the budget and haven't redeemed it. The setting and storing of the chairs is burdensome on a lot of volunteers and we can't ask the sound crew after they bust down everything so that basically comes out to about \$10 a week so that we have somebody that we give them \$10 to make sure that the chairs are orderly, put back and because of the elements there are different locks and different things that go with taking care of those chairs and locks and making sure they are secure that we just put it in there for the budget so if we do make those purchases we can be reimbursed.

Council Member Friede said but they're being stored now in the gazebo, right, and that should be something that the town is already paying for.

Mr. Keeler said if those locks are busted because they are electronic and battery powered, if something happens like that then just so we have a little bit of money that we can potentially use.

Council Member Friede said where does the money go for the sponsorships, for the banners and the signs or whatever they are on the gazebo?

Mr. Keeler said those dollars go into the CBDI general account and with those monies those are things that we use to continue the program outside of what we do with ROT monies with Tuesday and Thursday. But also it goes when Crawl for Paws began, their \$500 beginning balance for their organization for their checking account underneath of PIRA, that came from the general fund. And the Island Arts and Cultural Alliance began under PIRA, that's where the \$500 came from. When we took the farmer's market from the town and then when they went back to the town they had that \$500 that started their bank account. When we started the adult softball and kick ball league, that's how we started their bank account, same with youth baseball. There are different things that we put that money towards that are outside of our normal programs that we ask for funding from you. I can get a detailed listing of where that is. Also, we do have a reserve just in case there is something that comes up. Last year with the gazebo we donated I think \$2,500 towards the gazebo construction. There are plenty of different things that come up that we use those dollars for.

Council Member Friede asked does CBDI or PIRA make any financial contribution to Family Night or the Thursday night music events?

Mr. Keeler said for Family Night, yes, because the free giveaways like when Lynn and Dava are up there they give away things and we give away stickers and candy or toys and things like that. Those are all things that I don't have \$80 or \$100 given to Debbie. For the Family Night I only get reimbursed for the main acts, for No-Sleeves Magic Show and Dave and Lynn.

MPT Pierce said and Lynn is paid out of those funds and the magic show.

Council Member Friede said you're paid out of PIRA funds?

Mr. Keeler they are paid out of these ROT funds but the other things that go to support that, just like the bouncy house that we purchased was purchased out of funds that were donations and all those supplies we purchase and we don't get ROT funds for it.

Council Member Shuttleworth said you guys continue to do a great job and I continue to have the same concerns I've always had which is as our ROT dollars become more and more sought after, especially the activity dollars, and as we start looking at potentially having to fund sand and knowing where those dollars come from and now having to have a \$30,000 contribution for the inlet, at some point when the CBDI, what I'm going to call the boardwalk activities can start to supplement some of their costs because when you guys raise a bunch of money and give a bunch of money away and I appreciate the fact that you give \$500 here and \$500 there but a lot of that is from your bingo raising and...

Mr. Keeler said those are different dollars.

Council Member Shuttleworth said the dollars you give away?

Mr. Keeler said there are different dollars that are taken out of the general fund and taken out of the bingo fund.

Council Member Shuttleworth said what I am going to suggest to you is that I have no problem supporting the seed capital and funding and if you came to us and said guys, it costs \$40,000 a year to do the boardwalk activities we would probably generate \$20,000. We need you guys to cover \$20,000 or \$25,000 but to ask us to continually do the \$40,000 or \$42,000 when that's 100% of the cost and then you turnaround and raise money to give to other entities. At some point that's going to be a dangerous proposition for the community for supporting beach nourishment and we're looking at those dollars. Everybody's looking for those dollars. I'm not going to have a problem supporting it this year, I'm just asking you it's no different than we did with the farmer's market, it's no different than we did with the big block art event which is if you need seed capital to get started, that's great, but at some point when you become closer to being self sufficient or can offset some of those costs with monies that you generate, whether those be bingo or raffle tickets or things that you sell for promotional activities down there - I'm not expecting you guys to cover all of it but at some point, as you get 100% year after year from the town and then generate a bunch of money it's difficult for me to take our ROT dollars, have you raise a bunch of money and give it to other non-profits. Which I appreciate you guys doing but at the same point those ROT dollars become more and more precious to us. Again, I'm not going to have a problem this year. I'm just telling you long term start thinking about that structure where there becomes an equilibrium there or some participation out of the money that you generate on those weekly events whether it's Family Night, whether it's the raffle, whether it's bingo, whether it's the advertising you sell. I don't think you guys can support all of it but I don't think you need to continue to rely on the town every year from here on out for 100%.

MPT Pierce said I understand Steve's comments and I think that's part of the reason for us bringing on the rec center for Tuesday night to handle Family Night and we all said we wanted the town to partner with us and we really thank Eric and Michael for taking that responsibility.

Council Member Shuttleworth said as we do that we see no reduction in expenses.

MPT Pierce said they're still paying for them.

Council Member Shuttleworth said we also said several years ago when we started to see that where we're starting to pay for more activities, Christmas By the Sea, which you guys still carry the lion's share of. I get that. I'm just saying let's start to think about that.

MPT Pierce said and that should apply to every non-profit across the board we fund with these ROT funds, too.

Council Member Shuttleworth said I'm just saying think about it because those dollars are becoming... Gary cautioned us that the MPO is looking at those dollars so when we start making a case to TDA and the CBD that we want to use our ROT another way and they say wait a minute, is there something else you can do. Again, I'm not going to have a problem this year. We've voted for it every year. I'm just saying, think about it. That's all I'm asking.

Council Member Friede said I think that when the town is providing the money for Thursday Night Fireworks, honestly when I hear the ad it sounds to me like it should be brought to you by the Town of Carolina Beach and CBDI instead of brought to you by CBDI because, yes, the volunteers of CBDI are doing it, the paid staff at CBDI - the guy stacking chairs, the sound crew, whoever. I don't mean CBDI itself is getting paid. There are volunteer hours that go into it, no question. There are

people getting paid to be there. The town is covering all of that. It's the ROT that is covering it. I would like to see the Town of Carolina Beach to get higher billing as 100% funds sponsor.

MPT Pierce said we can do that.

Council Member Shuttleworth said it's not who gets the bragging rights. I appreciate what you guys are doing. I understand it's a lot of volunteer work and paying a guy \$10 to pick up all the chairs doesn't hurt my...

MPT Pierce said I'll pay him \$10 to pick up the chairs so I don't have to do it.

Council Member Shuttleworth said my point Brett is that as you generate a bunch of money on bingo and raffle tickets and selling advertising space down there, start using that money to offset \$40,000.

Mr. Keeler said we do. It's the overall expenditures. I'm meeting with the accountant tomorrow. I'll have a 2014 total expenditure on that.

Council Member Shuttleworth said for the gazebo stuff is more than \$40,000?

Mr. Keeler said yeah, there's a lot of nickel and dime type stuff that adds up over the course of the year. It's not a huge amount but it's probably an additional \$8,000.

Council Member Shuttleworth said here's the problem we're going to have Brett if you want to bring that up. We've asked in the past to show us that and you have told us it's none of our business.

Mr. Keeler said I sat down with Rochelle 3 days prior...

MPT Pierce said all right guys, that's good. Is my motion on the table motion still good?

Ms. Fox said we need to open the public hearing.

MPT Pierce made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

No one spoke.

MPT Pierce made a motion to close the public hearing. MOTION CARRIED UNANIMOUSLY.

MPT Pierce said I just want to say thank you. I know you put in a lot of volunteer hours and so have a lot of other people in this town and it's a great asset to the community and it has to be funded and I understand what you're saying Steve. We need to look at our ROT funds carefully but it is a service to the town and it does bring people here and that's exactly what ROT funds are for.

Council Member Friede said and that's why we vote for it every year. They have great events. It is great. It makes me so excited to go to the boardwalk and see it so incredibly vibrant. We're not trying to say that CBDI volunteers don't bring enormous value because they do but Steve is right, when we're fighting for every dollar we can get from ROT and we're giving all of the money to an organization that raises money and then gives it's money away I think it does become more of a

complicated argument that we need ROT funds for this function when apparently there are funds that are already generated.

MPT Pierce asked Council Member Shuttleworth to restate his motion.

Council Member Shuttleworth said I move we approve the request for CBDI to fund their 2014/2015 subject to getting the funding from our budget. MOTION CARRIED UNANIMOUSLY.

Mayor Wilcox said we do advertise the town on everything that we do. It's prominent, it has the same billing as everything, brought to you by the Town of Carolina Beach, CBDI, that kind of thing.

Council Member Shuttleworth said Dan, I just want to be perfectly clear. I think it's a tremendous asset. I'm just saying it's no different than the asset we have with the farmer's market which eventually started to support itself. It's no different than the Big Block Art Party which started to support itself. At some point I'm just asking to have a little more balance because those ROT dollars for sand are going to become more and more important.

Mayor Wilcox said I completely understand Steve. What baffles me every year is that the only person you mention that to is CBDI.

Council Member Shuttleworth said I've actually had that conversation with other, we only have one other large recipient of ROT dollars for activities.

Mayor Wilcox said so I didn't hear that lecture earlier when the chamber asked funding.

Council Member Shuttleworth said I would be happy to give that lecture to the chamber.

Mayor Wilcox said I think they got it, I'm just pointing that out.

- e. Public hearing to amend Chapter 6 Sec. 6-2 Harbor Commission. The purpose of this amendment is to update the dates and times of their regularly scheduled meetings.

(Requested by Ed Parvin, Planning & Development)

Ed Parvin, assistant town manager, presented and said the Harbor Commission is currently meeting quarterly and would like to amp up their meetings a little bit and meet on the first two months of each quarter. It's getting a little more active and they've got some ideas for the coming year so they are trying to get some of those things going. So they meet the first two months and then if they need a third meeting in the quarter they would just call a special meeting. That is the amendment they asked us to bring forward. Councilman Doetsch has been our representative and been attending for council as well.

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, Chapter 6, Sec. 6-2 to change the meeting to two scheduled meetings per quarter

during the first two months of each quarter on the fourth Wednesday at 6:30 pm. **MOTION CARRIED UNANIMOUSLY.**

7. CONSENT AGENDA

Mayor Wilcox made a motion to approve the consent agenda except for the merit increase budget adjustment.

Council Member Friede said there's a copy of a resolution that we have in here of packet page 47 and I think there's a typo. Item #4 the Town of Carolina Beach's debt management, looks like it's plural beaches. It's beach's.

Michael Cramer, town manager, said the reason why it's there is we had the typo in the original so it stays there at the current time.

MOTION CARRIED UNANIMOUSLY.

The following items were approved:

Setting a public hearing date for March 10, 2015 at 7:00 pm or soon thereafter to amend the zoning ordinance to allow for dry stack storage facilities in the Marina Business District (MB-1) by right.

Setting a public hearing date for March 10, 2015 at 7:00 pm or soon thereafter to adopt a resolution to amend the 2007 Land Use Plan classification map.

Setting a public hearing date for March 10, 2015 at 7:00 pm or soon thereafter to rezone 310 Carolina Beach Ave N from Central Business District (CBD) to Tourist (T-1). The rezoning would allow residential dwellings that would not have to have a commercial component.

Setting a public hearing date for March 10, 2015 at 7:00 pm or soon thereafter to amend the zoning ordinance to allow mixed use residential/commercial development by right.

Setting a public hearing for March 10, 2015 at 7:00 p.m. or soon thereafter to hear funding requests from non- profit organizations.

Resolution No. 14-2076 authorizing the filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160A-20.

Budget amendments with the exception of the merit increase as presented by the finance director.

Council meeting minutes from January 13, 2015 and January 27, 2015.

8. NEW BUSINESS

- a. Appointment to the Marketing Advisory Committee

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox said the appointments to the Marketing Advisory Committee was done by ballot by council and the following were appointed:

Jeanne Fitzpatrick and Lauren Bollinger.

- b. Appointment to the Harbor Commission

(Requested by Kim Ward, Town Clerk)

Mayor Wilcox said Andrew Everhardt was appointed to the Harbor Commission by ballot by council.

- c. Appointment to Firemen's Relief Fund Board

(Requested by Kim Ward, Town Clerk)

Fire Chief Alan Griffin - the Firemen's Relief Fund is funded through like your fire insurance and a percentage goes to the state level and is distributed back out to the fire departments. The state says there are five members appointed to that board, two by council, two by the fire department and one by the Commissioner of the Department of Insurance. The two that council appointed have moved out of the district and state legislature says they have to be residents. Currently on board are Paul Navarna and Joyce Wolf and the State Office Fire Marshall's appointee is Dennis Barbour. The two that we recommend tonight are Lynn Williamson, retired fire chief, and Barry Henline.

MPT Pierce made a motion to appoint Lynn Williamson and Barry Henline to the Firemen's Relief Fund Board. MOTION CARRIED UNANIMOUSLY.

d. TDA Reimbursement Approval

(Requested by Sheila Nicholson, Town Manager's Office)

Michael Cramer, town manager, presented - the TDA reimbursement approval deals with the activity funds received from the ROT. Currently the original amount for the 14/15 year was \$366,509. There was a balance left over from the 13/14 year which rolled over of \$138,380 for a total budget for this current year 14/15 of \$504,889. Previously during the year we had asked for reimbursements up to \$126,480 which you had approved and we have received from the TDA. Currently what we are requesting is \$320,136.15 from the TDA and those types of expenditures are related to \$3,500 for the Street Arts Festival donation, part of the reimbursement donation for CBDI and also the lifeguard salaries from April through December. For the most part during our year the majority of the ROT activity funds are associated to the lifeguard salaries. We are asking to be able to submit this request to the TDA Board.

Council Member Friede made a motion to authorize the town manager to submit the request for reimbursement as presented to the TDA. MOTION CARRIED UNANIMOUSLY.

9. NON-AGENDA ITEMS

Michael Cramer, town manager, reminded council that last month we changed the March meeting and we are now changing it back to March 10th since we no longer have the same conflicts we did a month ago.

Council Member Friede - we keep circling around this issue of what the town can and cannot do with ROT funds and I know we had an opinion a week or so ago from the county attorney. That may be a closed session issue but is it something we can address in closed session or do we need to put it on the agenda.

Noel Fox, town attorney - I would like for council to entertain the idea of going into closed session for an attorney/client privilege discussion. I'm sorry I didn't come up with this fast enough but I would like to congratulate Ed Parvin on reaching almost the age of 40.

Council Member Shuttleworth - I will not be in attendance tomorrow night, I am going to a meeting on off shore wind energy. I know we're having a special meeting to discuss the Island Greenway. I have reviewed the two options that are available. My preference would be to do the option that's on the east side because I am concerned about it taking on additional liability of the pond. I could be quite content with either one as long as we move forward. If there is an opportunity to make a motion and approve something I would ask you guys to go forward with it, don't wait for me.

Mayor Wilcox asked that he share any information you get from the meeting with council.

Council Member Friede - I think we have done a great job of recognizing our fire and police departments for the work that they did when we had the fires in December. The people who have gone unthanked, there are some on Gil's crew. There were some guys who got called out of bed in the middle of the night who went and made sure there was enough water pumping so the fire hoses had their water and there were a lot of other things that were done behind the scenes. I would like to see some public acknowledgement from us of appreciation for them maybe at the next meeting.

Mayor Wilcox - I did make a pretty substantial acknowledgement of all those folks at one of the council meetings but there's no problem doing that.

10. CLOSED SESSION IF NEEDED

Mayor Wilcox made a motion to go into closed session to discuss attorney/client matters in accordance with NCGS 143.318.11(a)(3). MOTION CARRIED UNANIMOUSLY.

11. ADJOURNMENT

Kimberlee Ward
Kimberlee Ward, Town Clerk

3.10.2015
Date Approved