



CAROLINA BEACH
Regular Town Council Meeting Agenda
Monday, April 8, 2019 @ 6:30 PM
Council Chambers
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428

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1. CALL MEETING TO ORDER WITH INVOCATION GIVEN BY PASTOR SHAWN BLACKWELDER WITH ST. PAUL'S UNITED METHODIST CHURCH, FOLLOWED BY THE PLEDGE OF ALLEGIANCE	
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AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Debbie Hall

Department: Finance

Budget Amendments/Transfers

BACKGROUND:

I have received several budget amendments and/or transfer request. As you know, transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the amendments and/or transfers. I have also attached a copy of the supporting documentation for the appropriations and/or transfers.

Transfers:

Transfer \$30,500 from account 30-811-044 to account 30-811-020 for water meter registers, repair clamps and materials for new services.

Transfer \$55,550 from account 30-811-045 to account 30-811-026 for grinder pump at lift station 1.

Transfer \$1,000 from account 30-812-045 to account 30-800-014 for employee travel and training.

Transfer \$9,000 from account 10-630-002 to account 10-510-045 for the Tsunami Camera.

Transfer \$2,500 from account 30-900-046 to account 30-900-014 for employee training.

Transfer \$13,217 from account 30-810-046 and \$47,742 from account 30-810-074 to account 30-810-047 for replacement generator at the Waste Water Treatment Plant.

BUDGET IMPACT: No budget impact.

ACTION REQUESTED: Approve budget amendments and/or transfers as presented by the Finance Director.

ATTACHMENTS: [Budget Transfers 4.8.19](#)
[Ordinance 19-1113 Budget](#)

Joe Benson
Mayor

Steve Shuttleworth
Council Member

LeAnn Pierce
Council Member



Tom Bridges
Mayor Pro Tem

JoDan Garza
Council Member

Lucky Narain
Town Manager

Town of Carolina Beach
1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
Tel: (910) 458-2999
Fax: (910) 458-2997

BUDGET TRANSFER REQUEST

DATE: March 19, 2019

DEPARTMENT: Operations (Wastewater Collections)

DEPARTMENT CODE TRANSFERRED FROM: 30-811-044 Temps

DEPARTMENT CODE TRANSFERRED TO: 30-811-020 Infastructure

AMOUNT OF TRANSFER: \$ 30,500.00

JUSTIFICATION: Needed water meter registers, and repair clamps and materials for new services. Also Inventory for meter boxes.

MONIES AVAILABLE? YES NO _____ 3/19/19 _____

VERIFIED BY / DATE

APPROVED BY: Mark Meyer _____ 3/19/19 _____

DIRECTOR

DATE

Joe Benson
Mayor

Steve Shuttleworth
Council Member

LeAnn Pierce
Council Member



Tom Bridges
Mayor Pro Tem

JoDan Garza
Council Member

Lucky Narain
Town Manager

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BUDGET TRANSFER REQUEST

DATE: March 11, 2019

DEPARTMENT: Operations (Wastewater collection)

DEPARTMENT CODE TRANSFERRED FROM: 30-811-045

DEPARTMENT CODE TRANSFERRED TO: 30-811-026

AMOUNT OF TRANSFER: \$ 55,500.00

JUSTIFICATION: Grinder pump at Lift Station 1 ,After removing grinder from it's chamber, we inspected the piece of equipment for damage and concluded drive gear box was broken. We did not notice any obvious cause of this failure and damage. I then contacted Jacob from Franklin Miller, the manufacturer, for some repair/replacement advice. I described to them what we found, and they advised a cutter head and gear box replacement . He also indicated the grinder and assembly have an average life span of 6 to 8 years, for future planning purposes. The grinder was installed in 2011, and runs continuously 24/7/365 and serves an important function in our waste water collection system. Failure to return this equipment to it's engineered purpose in timely fashion, will expose possibilities of continued pump failures and clogging or fouling of pumps. Lift station One is the largest sewer lift station on the island, at times, it pumps 1 million or more gallons of waste water a day to treatment facility

MONIES AVAILABLE? YES ___ NO ___

VERIFIED BY / DATE

APPROVED BY:  3/12/19
DIRECTOR DATE

Debbie Hall

From: Alisa Perry
Sent: Thursday, March 14, 2019 8:32 AM
To: Debbie Hall
Cc: Mark Meyer
Subject: Budget Transfer Request

Good morning Debbie,

Please make the following budget transfer.

DATE: March 14, 2019

DEPARTMENT: Operations (W/S Administrative)

DEPARTMENT CODE TRANSFERRED FROM: 30-812-045

DEPARTMENT CODE TRANSFERRED TO: 30-800-014

AMOUNT OF TRANSFER: \$ 1,000.00

JUSTIFICATION: There is currently a deficit from previous employee training, Ben Meister is due a travel advance to train for his new position, and we anticipate additional travel advance charges for myself (Alisa Perry) and Rachel Shelton for the upcoming FMS Conference. The remainder is to cover potential training charges for a new Water Billing supervisor.

Alisa D. Perry

Accounts Payable Technician



(910)-458-0786

alisa.perry@carolinabeach.org

Debbie Hall

Subject: FW: Budget Transfer Request

From: Chris Spivey
Sent: Wednesday, March 27, 2019 1:20 PM
To: Debbie Hall <debbie.hall@carolinabeach.org>
Cc: Lucky Narain <lucky.narain@carolinabeach.org>; Angie Wiggins <angie.wiggins@carolinabeach.org>
Subject: Budget Transfer Request

Debbie,
I would like to request a budget transfer for the following items:

From [10-630-002](#) for \$9,000 to [10-510-045](#) for the Tsunami Camera

Thank you,
Chris

Chief Christopher E. Spivey
[1121 North Lake Park Blvd.](#)
[Carolina Beach, NC 28428](#)
chris.spivey@carolinabeach.org
Office:[910 458-2540](#)
Fax:[910 458-2988](#)

Debbie Hall

From: Alisa Perry
Sent: Friday, March 29, 2019 9:21 AM
To: Debbie Hall
Cc: Brian Stanberry
Subject: Budget Transfer Request

Good morning Debbie,

Please do a budget transfer per the email below. Brian has already cleared this and signed off on a PO request to attend this conference.

Thank you,

Alisa

From: Scott Weber
Sent: Thursday, March 28, 2019 7:46 AM
To: Alisa Perry <alisa.perry@carolinabeach.org>
Cc: Brian Stanberry <brian.stanberry@carolinabeach.org>; Mark Meyer <mark.meyer@carolinabeach.org>
Subject: Budget Transfer

Good Morning.

Please make the following budget transfer.

Date: March 28, 2019

Department: Operations (Stormwater)

Department Code Transferred From: 30-900-046

Department Code Transferred To: 30-900-014

Amount Of Transfer: \$2,500.00

Justification: There is currently not enough funds to register employees for training. The department is trying to register employees for a national conference and not enough funds are available. The remainder of the extra funds is to cover any other courses or training that may occur between now and the end of the current fiscal year.

Thank You.

Joe Benson
Mayor

Steve Shuttleworth
Council Member

LeAnn Pierce
Council Member



Tom Bridges
Mayor Pro Tem

JoDan Garza
Council Member

Lucky Narain
Town Manager

TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

BUDGET TRANSFER REQUEST

DATE: March 27, 2019

DEPARTMENT: Operations (Wastewater Treatment)

DEPARTMENT CODE TRANSFERRED FROM: 30-810-046

DEPARTMENT CODE TRANSFERRED TO: 30-810-047

AMOUNT OF TRANSFER: \$ 13,217.00

JUSTIFICATION: The existing 300 kW Standby Generator at the WWTP is 44 years old and the radiator is failing. Estimates to replace just the radiator range from \$15,000 to \$20,000; therefore, I recommend that the replacement cost for the generator outweighs the repair cost of a 44 year old generator. The leaking radiator is getting progressively worse since it was first noted around Hurricane Florence; therefore, the issue will need to be addressed before the upcoming budget year. I request a transfer of \$13,217 from 30-810-046 to 30-810-047 to help cover this purchase.

MONIES AVAILABLE? YES NO 4/1/19
 VERIFIED BY / DATE

APPROVED BY: [Signature] 4/1/19
 DIRECTOR DATE

Joe Benson
Mayor

Steve Shuttleworth
Council Member

LeAnn Pierce
Council Member



Tom Bridges
Mayor Pro Tem

JoDan Garza
Council Member

Lucky Narain
Town Manager

TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

BUDGET TRANSFER REQUEST

DATE: March 27, 2019

DEPARTMENT: Operations (Wastewater Treatment)


DEPARTMENT CODE TRANSFERRED FROM: 30-810-074

DEPARTMENT CODE TRANSFERRED TO: 30-810-047

AMOUNT OF TRANSFER: \$ 47,742.00

JUSTIFICATION: The existing 300 kW Standby Generator at the WWTP is 44 years old and the radiator is failing. Estimates to replace just the radiator range from \$15,000 to \$20,000; therefore, I recommend that the replacement cost for the generator outweighs the repair cost of a 44 year old generator. The leaking radiator is getting progressively worse since it was first noted around Hurricane Florence; therefore, the issue will need to be addressed before the upcoming budget year. I request a transfer of \$47,742 from 30-810-074 to 30-810-047 to help cover this purchase.

MONIES AVAILABLE? YES NO

APPROVED BY:  DIRECTOR

VERIFIED BY / DATE: 4/1/19

DATE: 4/1/19

**ORDINANCE NO. 19-1113
AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET CREATING A
BUDGET APPROPRIATION FOR HURRICANE FLORENCE**

The Town Council of the Town of Carolina Beach, North Carolina, doth ordain:

SECTION ONE:

That the Fiscal Year 2018-2019 Budget for the Town of Carolina Beach is hereby amended to include the expenditures associated with Hurricane Florence by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amended</u>	<u>Changed</u>
10-410-064	Hurricane Florence	\$1,483,882	<u>\$186,000</u>	+ \$1,669,882
TOTAL			<u>\$ 186,000</u>	

SECTION TWO:

That the Fiscal Year 2018-2019 Budget for the Town of Carolina Beach is hereby amended to include the revenue associated with Hurricane Florence by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amended</u>	<u>Changed</u>
10-399-000	Transfer from General Fund	\$1,483,882	<u>\$ 186,000</u>	+ \$1,669,882
TOTAL:			<u>\$ 186,000</u>	

SECTION THREE:

A copy of this Ordinance shall be furnished to the Finance Officer for direction in disbursement of Town funds and for public inspection.

Duly adopted this 8th day of April 2019.

Joe Benson, MAYOR

ATTEST:

Kimberlee Ward, Town Clerk

CAROLINA BEACH

Regular Town Council Minutes
 Tuesday, March 12, 2019 @ 6:30 PM
 Council Chambers
 1121 N. Lake Park Boulevard
 Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Regular Town Council was held on Tuesday, March 12, 2019 at 6:30 PM at Council Chambers.

PRESENT: Mayor Joe Benson, Mayor Pro Tem Tom Bridges, Council Member LeAnn Pierce, Council Member Steve Shuttleworth, and Council Member JoDan Garza

ABSENT:

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

1. MEETING CALLED TO ORDER WITH INVOCATION BY MOLLY PAINTER FOLLOWED BY THE PLEDGE OF ALLEGIANCE

- a. Council Members Shuttleworth and Garza are in Washington, D.C. attending the American Shore and Beach Conference.

2. ADOPT THE AGENDA

ACTION: Motion to adopt the agenda.

Motion: Joe Benson

Vote: UNANIMOUS

3. CONSENT AGENDA

- a. Attorney Noel Fox recommended pulling an item off the consent agenda and discussing it during Items of Business. The item was to set a public hearing for April 9, 2019 to consider a Conditional Use Permit for Wake and Bake to serve alcohol. She recommended discussing this due to the potential of Council considering changing the April meeting date to Monday, April 8th instead of Tuesday, April 9th.

Mayor Benson made a motion to approve the consent agenda with the exception of pulling the item to consider a public hearing for April 8, 2019. Motion carried unanimously.

The following items were approved under the Consent Agenda:

Budget Amendments and Transfers as presented by the Finance Officer.

Approve the 2019 NC Department of Natural and Cultural Resources Records Retention Schedule.

Approve the February 12th and 26th meeting minutes.

4. SPECIAL PRESENTATIONS

a. Employee Recognition

Ed Parvin recognized Rick Icenhower for 15 years of service in the Operations Department.

Chief Spivey recognized Cpl. Colby Edens for 5 years with the Police Department.

b. Presentation by Gloria Garton with the disAbility Resource Center

Gloria Garton with the disAbility Resource Center presented an award to the Carolina Beach Recreation Center and Ocean Cure for making Carolina Beach a handicap friendly beach.

c. New Event - International Festival

Anna with La Grande Radio Station presented a request to host an International Festival on October 19, 2019 at the Lake.

ACTION: Motion to approve the International Festival on October 19, 2019 at the Lake.

Motion: Joe Benson

Vote: UNANIMOUS

d. New Event - Food Truck & Craft Beer Rodeo

Bobby McConville presented a request to host a new food truck and craft beer rodeo. Saturday, October 5, 2019 at the Lake from 10-6.

ACTION: Motion to approve the Food Truck and Craft Beer Rodeo for Saturday, October 5, 2019 from 10-6 at the Lake.

Motion: Joe Benson

Vote: UNANIMOUS

e. Special Events March & April

Brenda Butler presented the events for March and April, 2019.

f. Manager's Update

Lucky Narain gave an update on the Coastal Storm Damage Reduction Project. The project will be complete this week. Freeman Park will close Thursday and most likely stay closed through the weekend for demobilization of dredge equipment.

Assistant Manager Ed Parvin gave an update on the following items:

Hurricane Florence - There has been an additional \$282,881 in expenses.

The Island Greenway is complete. Grand opening will be April 20, 2019 at Mike Chappell Park after the Easter Egg Hunt.

Stormwater projects are still ongoing. There will be another update next month on the status of each project.

Mayor Benson mentioned using some of the lake dredge money to fix some of the flapper valves on Canal Drive.

Mr. Parvin said he would research it.

Council Member Pierce asked to have this item on the April workshop.

Mr. Parvin said that Henniker's Ditch is being cleaned out.

Council Member Pierce asked about an ordinance for the maintenance of drainage ditches. She asked that this topic be put on the March 26th workshop.

Mr. Parvin gave an update on the marina project. Gangways are going in next week and then they will connect water and electricity.

He explained that the marina is set up so that the east side is for commercial fishing, the south end is for head boats and charter businesses are on the west side.

Council Member Pierce asked about the hydro bikes that was presented by Scott Britt at the last Council meeting.

Mr. Parvin stated that is not a typical use for marina slips and Council would have to approve changing the purpose of the marina.

Mayor Benson asked about how slips are filled.

Mr. Parvin said that topic is being discussed by the Harbor Commission.

5. PUBLIC COMMENT

- a. Bob Ponzoni 1201 Canal Drive would like to have signage on recycle bins that clarify what is allowed. He would also like to see signage on blue cans that say please don't litter. He recommended adding trash cans on the street side and not just the beach side. He also mentioned that the dog poop ordinance should be enforced.

Bill Brocker 1521 Sea Ray Lane asked if there were any plans to put electric wires underground.

MPT Bridges informed him of the Underground Power Line Ad-hoc committee that has been formed to look into this.

6. PUBLIC HEARINGS

- a. Public hearing for Non-Profit Funding Requests

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

Sarah Chasteen spoke in regards to the LoTide run. They are requesting \$5,000 to support cancer victims on Pleasure Island.

Darlene Bright 407 Canal Drive spoke on behalf of the Federal Point Historic Preservation Society. They requested \$9,000 for the operation of the History Center. On Monday, March 18th they will be celebrating 25 years of operation.

Nancy Busovne with the Pleasure Island Sea Turtle Project requested \$1,100 per month during turtle season.

JoE Needham and Denise Anderson with Friends of Felines presented their request for \$3,000 to trap, spay, and neuter stray cats. 120 cats were spayed/neutered in Carolina Beach last year.

Jarvis Wise with the Carolina Beach Inlet Association presented a request for \$7,500 to continue education on shallow draft dredging and keeping the inlet navigable.

Frances Massey President of Island of Lights presented a request for \$8,000 for events promoting tourism during the off season.

Laurie Taylor with the Pleasure Island Help Center said that she has been with them 34 years. They are requesting \$5,000 to help victims of Hurricane Florence. They helped 5,000 individuals last year. They fed 150 people this past Christmas.

Loretta Gunter, president of Pleasure Island Paws, and Gail Shaw said they have been spaying, neutering, and releasing feral cats since 2001. They are asking for \$3,000 to spay, neuter, and release feral cats strictly on the Island. They also assist pet owners who may need help with surgeries, food, etc. Ked Cotrell with Pleasure Island Animal Hospital was in attendance and supports this group. He said that he charges this organization \$35 to spay or neuter and that includes vaccinations.

Charma McKinght 400 Virginia Avenue with the Island Cottage said they would like to request \$7,000 to repair the building on Bridge Barrier Road.

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

Council will consider these requests during their budget meetings.

7. ITEMS OF BUSINESS

- a. Flooding Traffic Ordinance

Dale Walters, Chairman of the Canal Drive Flood Committee presented a request for an ordinance to enforce traffic violations for vehicles that travel through flooded streets in Carolina Beach. They mainly focused on Canal Drive.

Council Member Pierce asked staff to look into the fine amount and if it is comparable to other fines in the Town Code.

Ms. Fox said that this item will come back to a future workshop.

- b. Conditional Use Permit extension for a retail store located at 1000 & 1010 N. Lake Park Blvd.

Jeremy Hardison presented the request from Harris Teeter for a 12 month extension on their conditional use permit. He stated that in 15 years there have been 8 requests for an extension on a CUP. 7 were approved and one was denied because they were requesting to close a right-of-way on the boardwalk.

Council Member Pierce asked if they would be able to come back and ask for another extension.

Mr. Hardison said that they cannot.

Attorney Dan Smith with Brooks, Pierce, McLendon, Humphrey, and Leonard in Greensboro, NC said that this case will be heard by the NC Court of Appeals on April 10th. He explained that they are having trouble with inter-connectivity with the adjacent property to get their delivery trucks in. They can not build the store if they cannot get inter-connectivity.

ACTION: Motion to approve a 12 month conditional use permit extension for a retail store located at 1000 & 1010 N. Lake Park Blvd. that will expire on April 11, 2020.

Motion: Joe Benson

Vote: UNANIMOUS

- c. Consider setting a public hearing date for Monday, April 8, 2019 to consider a conditional use permit for Wake and Bake to sell alcohol at their 1401 North Lake Park Boulevard location.

This item was pulled from the Consent Agenda at the request of Town Attorney Noel Fox. The item was listed on the Consent Agenda as a request to be heard on the April 9, 2019 Council meeting. Since Council has changed the date of the April meeting, she felt it would be best to discuss this change in open session and advertise the meeting date accordingly.

ACTION: Motion to set a public hearing date for April 8, 2019 to consider a conditional use permit for Wake and Bake to sell alcohol at their 1401 North Lake Park Boulevard location.

Motion: Joe Benson

Vote: UNANIMOUS

8. NON-AGENDA ITEMS

- a. Discuss Topics for the Beach Towns Meeting in Wrightsville Beach April 12, 2019

Council Member JoDan Garza requested this item be put on the agenda to give recommendations for topics at the Spring Beach Towns meeting in Wrightsville Beach.

Council mentioned the following topics:

Discuss the cap on the marketing funds for the 2nd 3%.

Sales tax 1% consumption tax and who would hold those funds

Sand fund and how the money is distributed

BRER final decision that extend the beaches 15 years

b. Open Discussion for Non-Agenda Items

Council Member Pierce asked staff to look into the storm damage at the Island Cottage.

Mayor Benson would like for a weather station to be installed on the top of the bridge.

Mayor Benson also mentioned looking into a stormwater monitoring system.

Council Member Pierce said she received an email that the DOT did not approve the crosswalk at Winner Avenue.

9. CLOSED SESSION

a. Closed Session to Discuss An Attorney/Client and a Personnel Matter

Motion: Joe Benson

Vote: UNANIMOUS

b. **Mayor Benson made a motion to go into closed session to discuss an attorney/client and personnel matter in accordance to NCGS 143.319.11(a)(3)(5) and (6). The properties being discussed are 310 Canal Drive and 601 Carolina Sands Drive. Motion carried unanimously.**

Mayor Benson made a motion to return to open session stating that no action was taken. Motion carried unanimously.

10. ADJOURNMENT

Adopted at a regular meeting on April 8, 2019.

Recorded by Kimberlee Ward, Town Clerk.

CAROLINA BEACH

Town Council Workshop Minutes
 Tuesday, March 26, 2019 @ 9:00 AM
 Council Chambers
 1121 N. Lake Park Boulevard
 Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Town Council Workshop was held on Tuesday, March 26, 2019 at 9:00 AM at Council Chambers.

PRESENT: Mayor Joe Benson, Mayor Pro Tem Tom Bridges, Council Member LeAnn Pierce, Council Member Steve Shuttleworth, and Council Member JoDan Garza

ABSENT:

ALSO PRESENT: Assistant Town Manager Ed Parvin, Finance Director Debbie Hall, Town Clerk Kim Ward, and Town Manager Lucky Narain

1. MAYOR BENSON CALLED THE MEETING TO ORDER AT 9:00 AM

2. DISCUSSION ITEMS

- a. Presentation by USCG Sector NC, Chief Griffin, and Ed Parvin on Myrtle Grove Sound Enforcement Issues

A USCG Petty Officer spoke on how they respond to oil and fuel spills and their limitations on recovering abandoned vessels.

Fire Chief Alan Griffin gave a presentation on the capabilities of the Carolina Beach Fire Department's fire boat. It has responded to 39 incidents since it has been in service.

Assistant Town Manager Ed Parvin reviewed the Town Code on what it says regarding enforcement in the Myrtle Grove Sound. He also discussed the Town Marina and some of the regulations to have a boat in a slip. Some of the items he discussed include:

The license agreements are for 5 years.

The design being developed has 30 slips.

There will be a sewer pump out in the north west corner.

They will offer a month to month lease on the west side for a while.

The day docks will be back this season.

Town Mooring Registration:

It runs through an online app called DOCKWA

The cost is \$20 per night.

There are 9 mooring balls.
 Guests can stay no more than 10 days on the ball.
 You must have a vessel 26' or greater.
 There is dinghy space at Sandpiper Lane and at the Town Marina.

Mr. Parvin explained the process for removing abandoned vessels. The fire department will go out and get the boat registration so the Town can notify the owner by writing. The owner is provided 30 days to respond. After 30 days, the Town has to have the vessel towed, then has to store it for 30 days. After that the Town can sell or demolish the vessel. If the owner is not located, the Town absorbs the costs. If the vessel is taking on water, the Town can take immediate action.

If the vessel is attached to a mooring ball, the Town does not have to provide the 30 day waiting period.

Council Members Garza and Pierce asked staff to work with the Town Attorney and bring back next month a fine schedule to help the Town recoup the costs of removing vessels. Council Member Pierce suggested looking at what Wilmington does with their docks.

b. Discussion on Increasing Commercial Building Regulations

Jeremy Hardison discussed increasing commercial building regulations.

Council Member Shuttleworth would like to see the same minimum standards for residential applied to commercial.

Council Member Garza said that this has been a hot topic at the Land Use Plan meetings.

Fire Chief Alan Griffin mentioned that the fire department cannot enter into a commercial building if it is mixed use and has three or more residential units.

Council Member Shuttleworth clarified that they are concerned about two different issues; public safety issues and a building code.

Council Member Shuttleworth summarized by saying Council is interested in an ordinance that would require the same minimum standards for commercial properties as residential.

c. Revenue Estimates, Financial Projections, and Financial Goals

Finance Director Debbie Hall presented the preliminary revenue projections.

She projects General Fund revenues of \$14,969,127 for FY 19/20. That's up 2.26% from the FY18/19.

The projected revenues for the Enterprise Fund are \$9,043,004. That is an increase of 4.18% from FY18/19.

d. Public Bathroom Update

Jeremy Hardison gave an update on the bathroom renovation projects.

They reached out to the adjacent property owners and staff has not heard back from them.

Hamlet Lot Bathrooms - Ocean Rescue is good with their lease in their current location this year.

Port-o-Johns will go out at the boardwalk next week and they will begin renovations.

Staff is waiting on the engineer to provide recommendations for 1708 Canal Drive. Once they are received, they will be sent off for bid.

Brian Stanberry showed an example of a clean scan QR code that will go in the restrooms. Visitors can scan the code and send cleaning requests for the restrooms.

e. Roadway Standing Water Ordinance

Ed Parvin presented Ordinance 19-1110 that addresses road closures for nuisance flooding. He stated that staff and the Town Attorney edited the document and are now comfortable with the language.

ACTION: Motion to adopt Ordinance 19-1110 to amend Chapter 16 Article II, Section 16-58 -61.

Motion: Joe Benson

Vote: UNANIMOUS

f. Follow-up Discussion on the Opening of the Island Greenway

MPT Tom Bridges suggested that Council discuss rules and concerns for the Island Greenway.

Jerry Haire said that the trail opened on March 15th. The ribbon cutting will be on Saturday, April 20th at 11:30 a.m. at Mike Chappell Park.

The Operations Department is currently installing additional safety signs and rapid flashing beacons at Sumter, Spartanburg, and Ocean Boulevard. They are motion censored and stay illuminated until the pedestrian/cyclist has passed.

Council asked how much these beacons cost.

Brian Stanberry replied \$15,000 for all of them.

Mr. Haire mentioned that there has been concern about the alligator and the lack of compliance with the dawn to dusk hours.

Council Member Pierce suggested planting some trees where they removed the fence.

Council Member Pierce said she spoke to Chief Spivey and he said that there was not an ordinance in place for officers to enforce the hours on the trail.

MPT Bridges suggested using bicycle patrol or segways.

Mr. Larain suggested using the money from the sale of police vehicles to purchase a golf cart.

Council Member Pierce asked that an ordinance come back to the next meeting.

Council Member Shuttleworth suggested having a gathering at Alabama on ribbon cutting day to encourage Kure Beach to join in.

Council Member Pierce said two KB Council members attended the bike/ped meeting last night and felt they did not have the support or the funds to take the trail through Kure Beach.

Jerry Haire said that if you put hours on signs you have the obligation to enforce it but he feels that some people are actually just using the trail for the way it is intended. He suggests not over signing the trail.

Mr. Parvin said that MOTSU typically questions congregation points and landscaping.

Council Member Pierce reminded staff about sending out invitations to the Island Greenway Ribbon Cutting.

3. NON-AGENDA ITEMS

- a. Council Member Garza said he would like to submit some topics for the Beach Communities Meeting in April. He said that he was disappointed in how the meeting went last year.

Council Member Shuttleworth said that he would be happy to bring up the topic of spending advertising dollars but it would have to take legislative action.

Council Member Garza gave reviewed the highlights of the Land Use Plan meeting. He said no one was in favor of affordable housing. He would like to continue to look into it.

Council Member Shuttleworth said that is not up to the steering committee.

Council Member Garza said that he would like to have all of the committee chairs attend the next workshop and give an update.

Council Member Shuttleworth wants an update from the Land Use Committee. The Town Manager will coordinate.

Council Member Garza questioned the process for awarding a key to the city. If it is overly done, it loses its luster. Mayor Benson pays for this out of his pocket but he feels that Council should be included on the decisions on who it is awarded to.

Mayor Benson agreed and said he feels that a quarterly presentation would be a good idea and that he should vet it through Council first.

Council Member Garza asked staff to include committees when press releases are issued that affect their committee.

Mr. Parvin suggested adding all committee members to the sunshine list.

Council Member Garza asked to be notified if there are any studies coming up this year.

Council Member Garza mentioned that the live streaming should not be the clerk's responsibility. Staff needs to work on changing this.

Council Member Garza asked the Manager to give him at least two to three days notice for upcoming webinars.

Council Member Garza requested a weekly updates from staff.

Council Member Garza asked about getting spots on the billboard for safety messages.

Council Member Pierce requested to include the Bike/Ped Committee members for complimentary Town parking decals.

Council Member Pierce asked Council Member Shuttleworth if we can pay for the billboard ads under the "Be a Looker" campaign.

Council Member Shuttleworth said he could ask but he will have to present a plan and what they are looking for.

Council Member Pierce wants Jerry Haire and Brian Stanberry to be on the April Council agenda to present what the bike/ped committee is doing.

Council Member Pierce said there is a meeting with a NCDOT representative on Monday and that she would like to attend.

Council Member Garza mentioned that he wants to chat about green space. There is only a limited amount left.

Council Member Shuttleworth said that he is still receiving comments about water/billing overages. He asked that the Manager get with utilities to find out what's going on.

Council Member Shuttleworth stated that the MPO approved the Clarendon Avenue trail grant.

Council Member Shuttleworth said that the Power Line Committee had a second meeting and they are off and running.

Council Member Shuttleworth mentioned that the storm damage project is not working like it has in the past especially around the pier. He is going to ask Layton Bedsole and Medlock with the Corps to come back out.

Mayor Benson added that he has video of the under wash of the rocks.

Council Member Shuttleworth asked when the additional use requests are supposed to come back from MOTSU.

Mr. Parvin said that he spoke with Malcolm yesterday and they should start trickling back in by Friday.

Council Member Shuttleworth mentioned that he would like to hear from the Manager on the stormwater projects and the lake dredge project at next Council meeting. Either get it on the books or close the door. Council voted 5 years in a row to get it done and he would like a definitive answer.

Council Member Shuttleworth said he needs to hear from the Manager on the budget before they look at open space but he supports an open space funding stream.

Council Member Pierce said she is interested as well but doesn't want it coming out of the general fund.

Council Member Shuttleworth responded that there is no way around that.

Mayor Benson asked the Manager if he had approved the agenda for the Emergency Operations Plan Open House for Tuesday, April 16th. He would like to be able to send that to MOTSU.

Mr. Larain replied that he had not.

Mayor Benson asked about a link on the Town website for his requests for information (RFI's).

Mr. Larain replied that they would put those up on the website.

Mayor Benson asked staff to give a recap from Monday's meeting with DOT at the April 8th meeting.

Mayor Benson said that Jeanine from Majik Beans is the spokes person for the family involved in the pedestrian tragedy on the 22nd. He stated that residents are asking what they can do to assist the family.

Council Member Shuttleworth suggested funneling the donations through the Pleasure Island Fire Disaster Relief Fund.

4. CLOSED SESSION

- a. Closed Session to Discuss a Real Estate Matter
- b. Mayor Benson made a motion to go into closed session to discuss a real estate matter in accordance to NCGS 143.318.11(a)(5). The properties being discussed include 601 Carolina Sands

Drive for the purpose of access and 310 Canal Drive for the purpose of parking. Motion carried unanimously.

Mayor Benson called the meeting back into open session stating no action taken during closed session.

5. MAYOR BENSON MADE A MOTION TO ADJOURN AT 1:00 PM

Adopted at a regular meeting on April 8, 2019.

Recorded by Kimberlee Ward, Town Clerk



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Kim Ward

Department: Clerk

Consider setting a Public Hearing for May 14, 2019 at 6:30PM to allow the public the opportunity to give feedback on the FY 2019-2020 Budget

BACKGROUND:

Consider setting a Public Hearing for May 14, 2019 at 6:30PM to allow the public the opportunity to give feedback on the FY 2019-2020 Budget. As part of the annual budget process, the Town provides a public hearing for the public to provide feedback on needs or concerns with the next fiscal year budget.

ACTION REQUESTED:

No Action Required



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Brenda Butler

Department: Planning

Special Events

ATTACHMENTS:

[TC April 9 Special Events](#)



SPECIAL EVENTS

APRIL -MAY 2019

25th Annual • YEAR OF THE WOMAN



**Two Days • 14 Bands
Two Stages
April 13-14, 2019**



ANA POPOVIC
SATURDAY, APRIL 13, 12:00 PM



DANIELLE NICOLE



HEATHER GILLIS BAND

APRIL

➤ Sat 12:00 PM – 10:00 PM and Sun
12:00 PM – 5:40 PM

➤ COMMUNITY EASTER SUNRISE
SERVICE – Sunday 21st – On the Boardwalk
– 6:30 AM – 7:15 AM



➤ SURF DOG EXPERIENCE – Saturday 27th
– On the Beach at the Boardwalk – 12:00
PM to 7:00 PM

➤ LIFE GUARD TRY OUTS – Sunday 28th –
Hamlet Beach Access – Starting at 10:00
AM



APRIL con't

<h2>CB Parks & Rec Summer Camp 2019</h2>	
	<p>Ages 6 - 13 Carolina Beach Residents \$125 per week</p>
	<p>Non-Residents \$150 per week</p>
<p>Online and in-person registration starts Monday, April 1st at 8:00 am!</p>	
<ul style="list-style-type: none"> ⌘ Week #1: June 24th - 28th = Jungle Rapids Waterpark ⌘ Week #2: July 8th - 12th = DefyGravity Trampoline Park ⌘ Week #3: July 15th - 19th = Jungle Rapids Waterpark ⌘ Week #4: July 22nd - 26th = Wilmington Ice House ⌘ Week #5: July 29th - Aug 2nd = Battle House Laser Tag ⌘ Week #6: August 5th - 9th = Jungle Rapids Waterpark <p>Daily camp hours are from 8:30 am until 4:30 pm!</p>	

➤ Registration Opens Monday Apr 1st

PARTY IN THE PARK



➤ RIBBON CUTTING ISLAND GREENWAY Saturday 20th

MAY



GNARLY CHARLEY SURF – Saturday
4th – North End Pier – 9:00 AM –
4:00 PM



Carolina Beach Market
May 11th - September 28th
2019
Saturdays 8:00 AM to 1:00 PM
Local Growers, Artisans & Crafters

Find us on: [facebook.](https://www.facebook.com/cbmarket) <http://carolinabeachfarmersmarket.com> follow us on [twitter](https://twitter.com/cbmarket)



2019
Carolina Beach Street Arts Festival
May 4
10 to 4 pm
Carolina Beach Lake
Interactive Arts Festival
Fine Arts & Fine Crafts
More Information
cbstreetartsfestival.org



BEACH WRESTLING – Saturday 18th
– on the beach at the Boardwalk –
10:00 AM -



LIFE GUARD TRY OUTS – 5th – Hamlet Beach
Access – Starting at 10:00 AM



MOVIES AT THE LAKE – CB LAKE -
EVERY SUNDAY - @ DARK (Around 9:00
pm)
26th - Rack Pack

MAY con't



➤ Volunteer Day – Beach cleanup
Sat May 1st 10:00 AM



➤ Kickball Tournament @ Mike Chappell Park
Sat May 5th 11:00 AM



➤ Bingo at the Boardwalk Starts
Wed May 22nd 6:30 PM



Boardwalk Blast Music Starts
Thur May 24th 6:30 PM

Fireworks Start
Thur May 24th 9:00 PM



QUESTIONS??

CONTACT:

BRENDA BUTLER
COMMUNITY ORGANIZATION OFFICER

910-458-8218
brenda.butler@carolinabeach.org



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019
Prepared By: Lucky Narain
Department: Executive

Manager's Update



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Jeremy Hardison

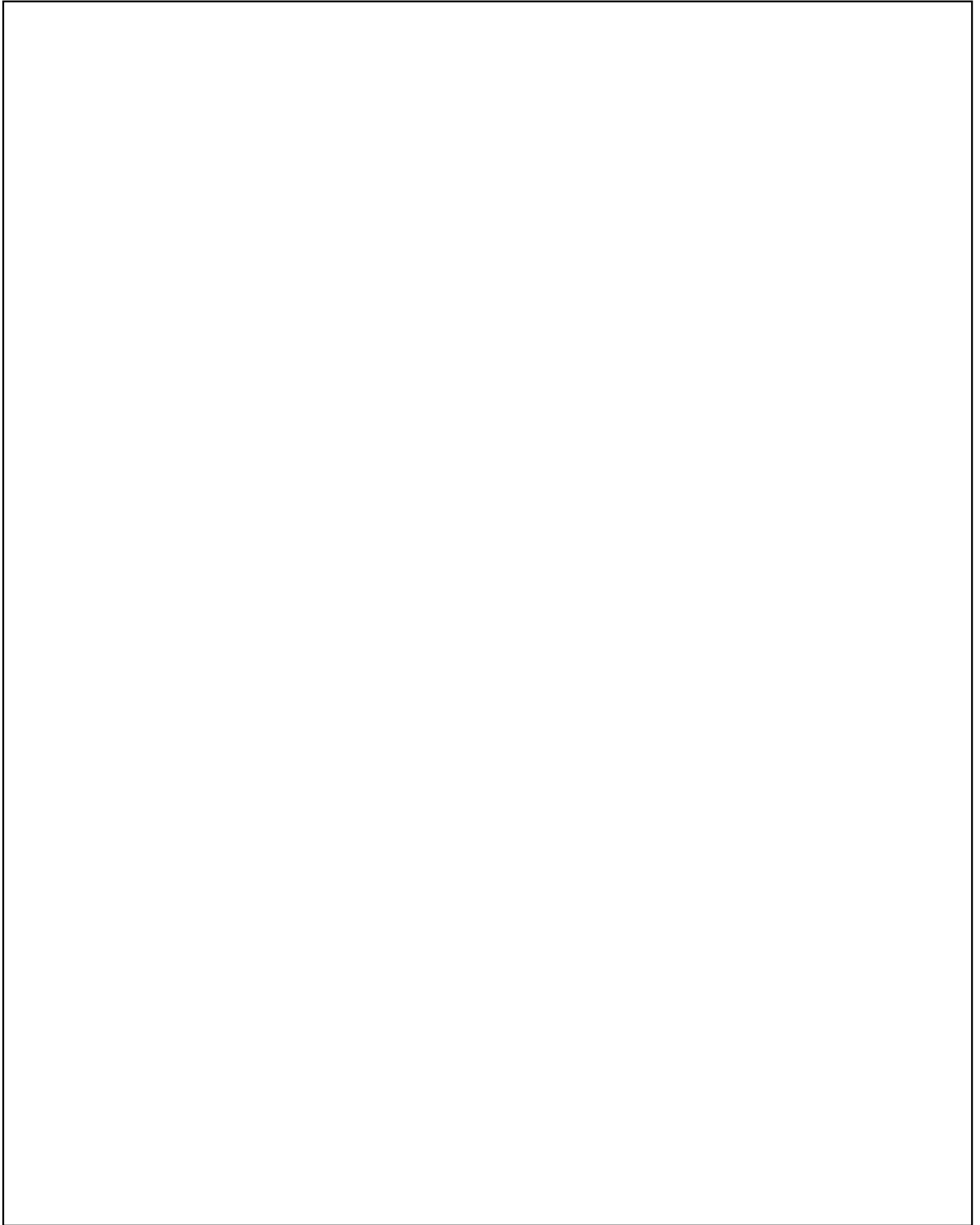
Department: Planning

Update on the Land Use Plan

BACKGROUND: The Consultant working on the Land Use Plan, Jay McLeod from Stewart, will present an update.

ACTION REQUESTED: No action needed.

ATTACHMENTS: [Land Use Plan Update](#)





AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Kim Ward

Department: Clerk

Non-profit Funding Request from CBDI



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Jeremy Hardison

Department: Planning

Conditional Use Permit - Consider a Conditional Use Permit for Wake N Bake to serve alcohol located at 1401 N. Lake Park Blvd. unit 46. Applicant: Daniel Tangredi

BACKGROUND:

The applicant, Daniel Tangredi, applied for a Conditional Use Permit (CUP) to sell alcohol on premise at the existing Wake N Bake business located at 1401 N. Lake Park Blvd. unit 46. Wake N Bake is currently classified as an eating establishment by the zoning ordinance. Their proposal is to add beer/alcohol donut pairings and to offer alcohol infused donuts. In order to serve alcohol, it would need to obtain a CUP and meet the standards of a bar. Bars which because of their nature may have serious adverse secondary impacts and are therefore required to meet the minimum separation requirements to be 200 feet of an established church or school and 200 feet of any residential district. The location of the proposal would meet the distance criteria.

General Conditions: Planning and Zoning must determine whether the four (4) of the following conditions exist. Staff's review of these general conditions and the specific standards are included below;

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;
 - The Alcohol will be regulated by the ABC commission. ABC's regulations are designed to ensure health and safety issues are addressed. Inspections will be conducted by the agency after the site begins the sale of alcohol.
2. That the use meets all required conditions and specifications;
 - Town staff has reviewed the proposal to ensure that it meets all code requirements.
3. That the use will not substantially injure the value of

adjoining or abutting property, or that the use is a public necessity; and

- The use is consistent with other zoned Highway Businesses.

4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.

- It is therefore staff's opinion that this use is in general conformity with the 2007 LUP.

Specific Standards:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - Ingress and egress remains unchanged on the property.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
 - The establishment is located in an existing shopping center and no changes will be occurring in the off street parking or loading areas or economic, noise, glare or odor.
3. Refuse and service area, with particular reference to the items in (1) and (2) above;
 - There are existing dumpsters behind the store.
4. Utilities with reference to locations, availability, and compatibility;
 - The impact on utilities and the environment will be the same; therefore, no upgrades in utilities will be required.
5. Screening and buffering with reference to type, dimensions, and character;
 - The use is going into an existing commercial unit and the landscaping requirements only apply to new development or expansions.
6. Signs, if any, and proposed exterior lightning with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - A sign permit must be obtained for any new signs

- located on the property.
- 7. Required yards and open space and preservation of existing trees and other attractive natural features of the land.
 - a. No changes proposed in the footprint of the existing building.

ACTION REQUESTED:

- 1. Presenter must be sworn in prior to making presentation.
- 2. Open the public hearing. Anyone wishing to speak must be sworn in.
- 3. Applicant presents evidence and arguments in support of application.
- 4. Persons in favor of granting the application present evidence and testimony in support of the application (set 3 minute or 5 minute time limit, based on number of persons).
- 5. Persons opposed to granting application present evidence and testimony against the application.
- 6. Applicant presents rebuttal and/or cross examination of those opposed; all questions shall be directed to the council. (max. 5 minutes total)
- 7. Those asked questions are allowed to respond (max. 5 minutes total)
- 8. Close the public hearing.
- 9. Approve or deny the conditional use permit, considering the following:

Approval must be consistent with the findings in the Zoning Ordinance as follows:

- (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
- (2) That the use meets all required conditions and specifications;
- (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies.

Also consider if request is consistent with the Land Use Plan, and approval subject to meeting all 7 required findings, general conditions 1-4

Denial should be directly related to one or more of the following findings. **Reasons for denial must be specifically stated by Council:**

- (1) That the use will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
- (2) That the use does not meet all required conditions and specifications;
- (3) That the use will substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will not be in harmony with the area in which it is to be located and in general conformity with the town Land

Use Plan and policies.

**COMMITTEE
RECOMMENDATION:**

P&Z recommended approval that it met the following
(1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
(2) That the use meets all required conditions and specifications;
(3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
(4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies.

ATTACHMENTS:

- [CUP Application](#)
- [Grant Order - Wake n Bake CUP](#)
- [Summary of How Wake N Bake Donuts Plans to Use Updated CUP](#)
- [WnbFloorDiagram](#)
- [CUP - Wake N Bake](#)

Please complete all sections of the application.

A. Property Information

Address(es): 1401 N. Lake Park Blvd Suite 46

PIN(s): _____

Project Name change to CUP

Size of lot(s): _____

B. Application for Conditional Use Permit

Application is hereby made for a Conditional Use Permit for use of the property described above as a (please provide a brief description of the use):

We would like to update our CUP to be able to use/sell alcohol in the making of our donuts as well as with the pairing of our donuts.

C. Applicant Contact Information

Wake N Bake Donuts LLC
Company/corporate Name (if applicable):

Daniel Tangredi
Applicant's Name

1309 Bonito Ln
Mailing Address

Carolina Beach, NC 28428
City, State, and Zip Code

407-310-0697
Telephone

danny@wakeNBakedonuts.com
Email

D. Owner Contact Information (if different)

Reliance Realty Advisors LLC
Owner's Name

PO Box 699
Mailing Address

Fountain Inn, SC 29644
City, State, and Zip Code

864.380.0567
Telephone

Craig@reliance-advisors.com
Email

General conditions. Council, when granting a conditional use permit, shall find that all four of the following factors found in Chapter 40 Article XI exist. In the spaces provided below, indicate the facts and arguments that prove you meet the following conditions:

- 1. Indicate how the proposed CUP will not adversely affect health or safety if located where proposed and developed according to the plan submitted:

The alcohol will be regulated by the ABC commission. ABC's regulations are designed to ensure health & safety issues are addressed. Inspections will be conducted by the Agency after the site begins the sale of Alcohol.

- 2. Indicate if the proposed Conditional Use Permit meets all required conditions and specifications or if any waivers are requested:

Town staff has reviewed the proposal to insure it meets all code requirements

- 3. Indicate how the proposed Conditional Use Permit will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity:

The use is consistent with other businesses in CB.

- 4. Indicate that the location and use of the proposed Conditional Use Permit, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located and in general conformity with the Town of Carolina Beach's Land Use Plan and policies.:

Location will be in harmony w/ the area in which it is located in and in conformity w/ the town.

Specific standards. No conditional use shall be granted by Town Council unless the following provisions and arrangements where applicable, have been made to the satisfaction of the council.

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

Ingress & egress w/ remain unchanged on the property

2. Indicate how the off-street parking and loading areas met, and how the economic, noise, glare, or odor of the propose use will affect the adjoining properties.

Business is located in a shopping center w/ ample parking and no additional effects to adjoining properties.

3. Indicate how the refuse and service area, will be handled.

Refuse collection is handled by the shopping center collectively and we will continue to handle it in that manner.

4. Indicate how adequate and proper utilities, with reference to locations, availability, and compatibility are to be provided or how the item listed are not applicable to the proposed CUP.

The impact on utilities will be the same therefore no upgrades will be needed.

5. Indicate how screening and buffering with reference to type, dimensions, and character will be provided or why it is not provided for;

The use is going into an existing commercial unit & landscaping requirements only apply to new development or expansion

6. Indicate how signs, if any, and the proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

no new signs are expected. sign permit will be obtained if this changes

7. Indicate the required yards and other open space and preservation of existing trees and other attractive natural features of the land.

There are no changes to the existing trees or changes to the proposed footprint of the existing building

Check the box beside each item verifying that the item has been submitted with this application

I. Site Plan Criteria

For new construction all boxes in this section shall be marked yes by the applicant to be considered a complete application.

Yes No N/A

- The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant.
- Engineers scale 1 inch = 40 ft or larger
- Title block or brief description of project including all proposed uses
- Date
- North arrow
- Property and zoning boundaries
- The square footage of the site
- Lot coverage* (buildings, decks, steps)
- Location of all existing and proposed *structures* and the setbacks from property lines of all affected *structures* to remain on-site
- Design of driveways and parking
- Adjacent right-of-ways labeled with the street name and right of way width
- Location of all existing and/or proposed easements

Additional information or data as determined necessary by town staff and/or other reviewing agencies including but not limited to the following may be required:

Yes No N/A

- Location and design of refuse facilities
- Approximate locations and sizes of all existing and proposed *utilities*
- Existing and/or proposed fire hydrants (showing distances)
- Adjacent properties with owners' information and approximate location of structures
- Distances between all *buildings*
- Number of *stories* and height of all *structures*
- Locations of all entrances and exits to all *structures*
- Calculate the *gross floor area* with each room labeled (i.e. kitchen, bedroom, bathroom)
- Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use
- Location of flood zones and finished floor elevations
- CAMA Areas of Environmental Concern (AEC) and CAMA setbacks
- Delineation of *natural features* and wetlands with existing and proposed topography with a maximum of two foot contour intervals
- Proposed landscaping including percentages of *open space*
- Stormwater management systems
- Cross-sectional details of all streets, roads, ditches, and *parking lot* improvements
- Building* construction and occupancy type(s) per the building code
- Location of fire department connection(s) for standpipes
- Turning radii, turnarounds, access grades, height of overhead obstructions
- Dimensions and locations of all *signs*
- A vicinity map drawn with north indicated

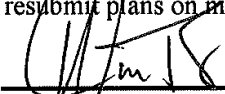
- I have provided a scaled electronic version of each required drawing
- I have folded all plans to 8 1/2" x 11" size and am prepared to pay the application fee today

SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

- 1. Detailed project narrative describing the proposed site and request.
- 2. Agent form if the applicant is not the property owner
- 3. Request for site specific development plan shall be submitted in accordance with Chapter 40 Article

OWNER'S SIGNATURE: In filing this application for a conditional use permit I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate AH, Ned Barnes

To act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.



Signature

1 12/1/19
Date

Joe Benson
Mayor

Steve Shuttleworth
Council Member

LeAnn Pierce
Council Member



Tom Bridges
Mayor Pro Tem

JoDan Garza
Council Member

Lucky Narain
Town Manager

Town of Carolina Beach
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428
TEL: (910) 458-2999
FAX: (910) 458-2997

ORDER GRANTING A CONDITIONAL USE PERMIT

Applicant: Wake n Bake LLC: Daniel Tangredi
Location: 1401 Lake Park Blvd. unit 46
Tax Parcel Number: 313118.21.9453.000

The Town Council of the Town of Carolina Beach, having held a quasi-judicial public hearing on April 8, 2019 to consider the application submitted by Daniel Tangredi for issuance of a Conditional Use Permit for a Bar. The following persons offered sworn testimony: Senior Planner Jeremy Hardison, Applicant’s Attorney Ned Barnes, and Applicant Daniel Tangredi. The Town Council having heard the evidence presented at the hearing makes the following:

FINDINGS OF FACT

1. The property is located at 1401 N. Lake Park Blvd. and is zoned Highway Business (HB)
2. The use is located in the existing Snow’s Cut Shopping Center.
3. Proposed sale of unfortified wine and beer, which would result in Wake N Bake being classified as a Bar/Tavern.
4. Bars/Taverns are permitted in the HB with a buffer of 200ft from any church, school, or residential district.
5. Meets the required setbacks in the HB and the required lot coverage requirement.

CONCLUSIONS OF LAW

Its concluded that the Specific and General Standards are met

General Standards:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;
 - The Alcohol will be regulated by the ABC commission. ABC's regulations are designed to ensure health and safety issues are addressed. Inspections will be conducted by the agency after the site begins the sale of alcohol.
2. That the use meets all required conditions and specifications;
 - Town staff has reviewed the proposal to ensure that it meets all code requirements.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
 - The use is consistent with other zoned Highway Businesses.
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.
 - It is therefore staff's opinion that this use is in general conformity with the 2007 LUP.

Specific Standards:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
 - Ingress and egress remains unchanged on the property.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
 - The establishment is located in an existing shopping center and no changes will be occurring in the off street parking or loading areas or economic, noise, glare or odor.
3. Refuse and service area, with particular reference to the items in (1) and (2) above;
 - There are existing dumpsters behind the store.
4. Utilities with reference to locations, availability, and compatibility;
 - The impact on utilities and the environment will be the same; therefore, no upgrades in utilities will be required.
5. Screening and buffering with reference to type, dimensions, and character;

- The use is going into an existing commercial unit and the landscaping requirements only apply to new development or expansions.

6. Signs, if any, and proposed exterior lightning with refence to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

- A sign permit must be obtained for any new signs located on the property.

7. Required yards and open space and preservation of existing trees and other attractive natural features of the land.

- No changes proposed in the footprint of the existing building.

Based on the foregoing FINDINGS OF FACT and CONCLUSIONS and it appearing to the Town Council of Carolina Beach that the Conditional Use Permit must be GRANTED, It is ordered that the application for the issuance of a Conditional Use Permit by Carolina Beach Development Company 1 LLC be granted, subject to the following conditions:

- 1) Major changes to approved plans and conditions of development may be authorized only by the town council after review and recommendation by the planning and zoning commission in the same manner as outlined in this article for original submission.
- 2) Outdoor artificial lighting fixtures shall be designed and positioned so that the point source of light from a light fixture is not directly visible from adjacent properties and/or right-of-way's.
- 3) All permits and approval letters required by all Federal, State, and Local Agencies shall be submitted.

Ordered this 8th day of April, 2019

Joseph Benson, Mayor

Date

ATTEST:

Kimberlee Ward, Town Clerk

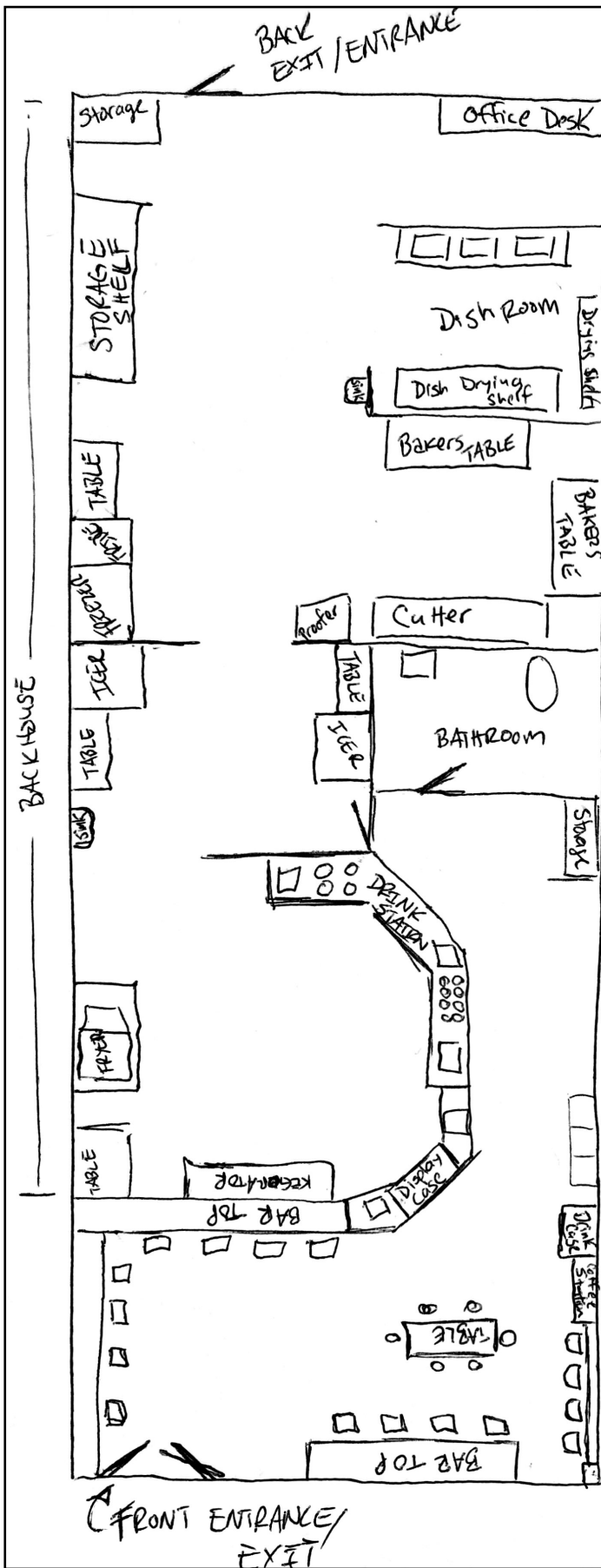
Date

Summary of How Wake N Bake Donuts Plans to Use Updated CUP

Beer/Alcohol donut pairings are a growing trend in the Donut Industry. Non-chain local donut shops from Asheville to Texas, DC to San Diego, have all been using the micro brewing scene to experiment with new flavors and pair their delicious round desserts with alcoholic beverages. Not only has this become widely accepted among adults, it's also started to transform the entire national donut scene. All across the country adults are attending donut beer pairing events, brides are serving alcohol infused donuts at their weddings, and donut shops have been working hard to meet this demand. It's been dubbed by some the "Donuts for Grownups" trend. As a local up and coming donut shop, Wake N Bake Donuts wishes to meet this demand. By altering our CUP we intend to hold donut and alcohol pairing events for adults in the evenings. We intend to work with local breweries and distilleries to cross promote their products with a very specific pairing, and we intend on being able to provide this to our of site event customers as well.

This type of activity is not uncommon to the Wilmington/Carolina Beach Area. For years now, we have been partnering with local breweries, restaurants, and bottle shops, providing specially crafted donuts for them to use at their locations and events. Now, Wake N Bake Donuts wishes to be able to provide these same great amazing creations at our events, in house, at our location.

Danny Tangredi
Wake N Bake Donuts
Owner
info@wakenbakedonuts.com



WAKE N BAKE DONUTS FLOOR DIAGRAM

1401 N. LAKE PARK BLVD
SUITE 46
CAROLINA BEACH, NC
28428

- No proposed changes to floor plan. Alcohol will be stored @ Drink Station behind counter and in current Keegerator that is in place. Any backup inventory can be stored in various storage shelves.



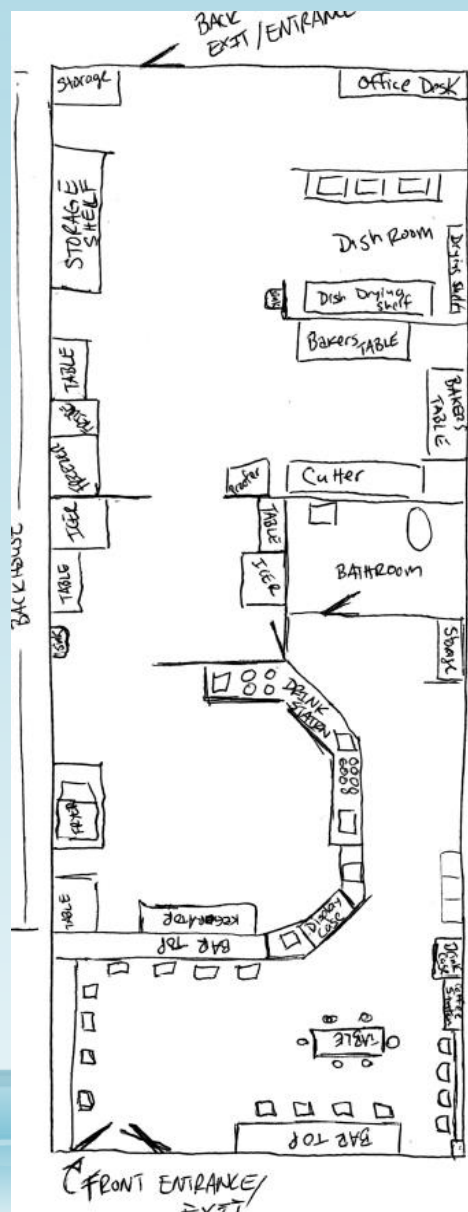
Conditional Use Permit - Consider a Conditional Use Permit for Wake N Bake to serve alcohol located at 1401 N. Lake Park Blvd. unit 46.



WAKE N BAKE DONUTS FLOOR DIAGRAM

1401 N. LAKE PARK BLVD
SUITE 46
CAROLINA BEACH, NC
28428

- No proposed changes to floor plan. Alcohol will be stored (a) Drink Station behind counter and in current refrigerator that is in place. Any backup inventory can be stored in various storage shelves.



Highway Business Land use Plan

To accommodate businesses oriented toward the motoring public and which require a high volume of traffic. Located on major thoroughfares so that they can be conveniently reached by automobile

The desired Future Land Use continued use as a highway business corridor. Commercial uses in shall primarily include retail, office, restaurant, entertainment, and service.

No new bars/taverns shall be permitted within:

1. 200 feet of an established church or school;
2. 200 feet of any residential district.

7 Specific Standards and 4 General Conditions

Specific standards. No conditional use shall be granted by town council unless the following provisions and arrangements, where applicable, have been made to the satisfaction of the council:

- (1) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- (2) Off-street parking and loading areas where required, with particular attention to the items in subsection (c)(1) of this section and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
- (3) Refuse and service area, with particular reference to the subsections (c)(1) and (2) of this section;
- (4) Utilities, with reference to locations, availability, and compatibility;
- (5) Screening and buffering with reference to type, dimensions, and character;
- (6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harm ony with properties in the district;
- (7) Required yards and other open space and preservation of existing trees and other attractive natural features of the land.

General conditions. The town council, in granting the permit, must also find that all four of the following conditions exist:

- (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;
- (2) That the use meets all required conditions and specifications;
- (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.

Action

Approval must be consistent with the findings in the Zoning Ordinance as follows:

- (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
- (2) That the use meets all required conditions and specifications;
- (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies.

Denial should be directly related to one or more of the following findings.

Reasons for denial must be specifically stated:

- (1) That the use will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
- (2) That the use does not meet all required conditions and specifications;
- (3) That the use will substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will not be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies

Approval Statement:

Recommend approval of the Conditional Use Permit - to serve alcohol at 1401 N. Lake Park Blvd unit 46. The use meets all required conditions and specifications. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies.

P&Z recommended approval that it met the following;

- (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the C.U.P.
- (2) That the use meets all required conditions and specifications;
- (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town Land Use Plan and policies.

Questions?



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Jeremy Hardison

Department: Planning

Text Amendment: Consider amending Chapter 4 - Animals and Fowl, Sec. 4-2. - Harboring and keeping of animals and fowl; to not include Miniature Vietnamese pigs as common accepted domestic animals in town.

BACKGROUND:

The Planning & Zoning Commission requested staff to present an ordinance to prohibit miniature Vietnamese pigs as an allowable domestic animal within town. This regulates what types of animals are accepted because of the location and density of residential and commercial developments, and the seasonal influx of population, and the general seasonal weather and insect conditions encountered, and in protection of the lifestyles and business investments of the citizenry, and as protection to the community's tourist industry alike. Below is a list of animals or fowl that currently can be kept or harbored within or outside a residential dwelling and which requires reasonable and minimal attention and/or maintenance.

dogs,	hamsters,
caged birds,	ferrets,
cats,	hens,
rabbits,	Small reptiles
miniature Vietnamese pigs,	turtles
gerbils,	small nonpoisonous lizards.

Below is a list of prohibited animals

goats	horses
sheep	mules
pigs	ostriches
hogs	roosters
cows	ducks or geese
bulls,	Large reptiles
snakes	

Staff is not aware of any pigs in Town. Early this year we received a complaint from a home owner that her tenants had pigs, but they were allowed under the ordinance. The homeowner had the pigs removed from her property. The commission concerns were the nuisances that were being caused by the pigs such as tearing up the grass, odor and flies.

ACTION REQUESTED: Approve or Deny to amend Chapter 4 - Animals and Fowl, Sec. 4-2 to prohibit miniature Vietnamese pigs.

COMMITTEE RECOMMENDATION: Planning & Zoning Commission Recommended approval to amend Chapter 4 - Animals and Fowl, Sec. 4-2 to prohibit miniature Vietnamese pigs.

ATTACHMENTS: [Ordinance 19-1112 Pigs pigs - Presentation](#)

Animals and Fowl Regulations



ORDINANCE NO. 19-1112

Amend Chapter 4 Animals and Fowl, Sec. 4-2 Harboring and keeping of animals and fowl

Sec. 4-2. - Harboring and keeping of animals and fowl; term defined.

- (a) As a result of the location and density of residential and commercial developments, and the seasonal influx of population, and the general seasonal weather and insect conditions encountered, and in protection of the lifestyles and business investments of the citizenry, and as protection to the community's tourist industry alike, it shall be unlawful for any person, business, firm and/or corporation to keep or harbor any animal or fowl not considered a commonly accepted domestic animal or fowl within the jurisdictional limits of the town.
- (b) For the purpose of this chapter, the term "commonly accepted domestic animal or fowl" means any animal and/or fowl which can be kept or harbored within or outside a residential dwelling and which requires reasonable and minimal attention and/or maintenance and shall include generally accepted animals and fowl such as dogs, cats, caged birds, rabbits, ~~miniature-Vietnamese pigs~~, gerbils, hamsters, ferrets, hens, and other animals and fowl of similar size and type and generally accepted reptiles such turtles and small nonpoisonous lizards. The term "commonly accepted domestic animal or fowl" shall not include goats, sheep, pigs, hogs, cows, bulls, horses, mules, ostriches, roosters, ducks or geese or other similar types of large size animals and fowl or other reptiles or snakes, poisonous or nonpoisonous.

Adopted this 8th day of April, 2019.

Joseph Benson, Mayor

Attest: _____
Kimberlee Ward, Town Clerk



Text Amendment

Chapter 4 - Animals and Fowl, Sec. 4-2. - Harboring and keeping of animals and fowl;
to not include Miniature Vietnamese pigs as common accepted domestic animals in
town.

Animals and Fowl

Allowed

dogs	hamsters
caged birds	ferrets
cats	hens
rabbits	Small reptiles
miniature Vietnamese pigs	turtles
gerbils,	small nonpoisonous lizards

Prohibited

goats	horses
sheep	mules
pigs	ostriches
hogs	roosters
cows	ducks or geese
bulls	Large reptiles
snakes	

Complaints



Proposed Ordinance

Amend Chapter 4 Animals and Fowl, Sec. 4-2 Harboring and keeping of animals and fowl

Sec. 4-2. - Harboring and keeping of animals and fowl; term defined.

For the purpose of this chapter, the term "commonly accepted domestic animal or fowl" means any animal and/or fowl which can be kept or harbored within or outside a residential dwelling and which requires reasonable and minimal attention and/or maintenance and shall include generally accepted animals and fowl such as dogs, cats, caged birds, rabbits, ~~miniature Vietnamese pigs~~, gerbils, hamsters, ferrets, hens, and other animals and fowl of similar size and type and generally accepted reptiles such turtles and small nonpoisonous lizards. The term "commonly accepted domestic animal or fowl" shall not include goats, sheep, pigs, hogs, cows, bulls, horses, mules, ostriches, roosters, ducks or geese or other similar types of large size animals and fowl or other reptiles or snakes, poisonous or nonpoisonous.

Amend Chapter 4 Animals and Fowl, Sec. 4-2 Harboring and keeping of animals and fowl

1. Open the hearing for public comment.
2. Close public comment.
3. Consider approving or denying to amend Chapter 4 Animals and Fowl, Sec. 4-2 Harboring and keeping of animals and fowl to prohibit miniature Vietnamese pigs.

Planning & Zoning Commission Recommended approval to amend Chapter 4 - Animals and Fowl, Sec. 4-2 to prohibit miniature Vietnamese pigs.

Questions?



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Jerry Haire

Department: Planning

Presentation on "Be a Looker" Bicycle-Pedestrian Safety Campaign

BACKGROUND:

Nick Cannon with the Wilmington MPO will present the "Be a Looker" Bicycle-Pedestrian Safety Campaign



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019
Prepared By: Brian Stanberry
Department: Operations

Update on Town & NCDOT Coordination & Activities

BACKGROUND: See attachments.

ATTACHMENTS: [Town DOT Council mtg. 4-8-19](#)
[Town DOT Coord. Council 4-8-19 PP PDF](#)

The following are updates on current and on-going coordinative efforts between Town and NCDOT staff:

1. Lake Park Blvd. & Publix Access:

Proposed/Discussed:

- Install east-west crosswalk

DOT Response:

- Supportive; no funding currently; Town could fund

Status:

- Considering funding sources

2. Lake Park Blvd. & Winner Ave.:

Proposed/Discussed:

- Install signal or east-west crosswalk

DOT Response:

- Signal or crosswalk not warranted based on analysis
- Will conduct further traffic counts this summer

Status:

- Not pursuing further at this time

3. Lake Park Blvd. & Hamlet Ave.:

Proposed/Discussed:

- Overhanging crosswalk sign on overhead line
- Collapsible bollards on centerline
- Double mounting of beacons & signs

DOT Response:

- Not opposed to either; Town would maintain
- Would support traffic signal based on analysis; developing cost estimate; no funding at present; will assist in seeking funds
- Supportive of double mounting; will need Encroachment Agreement

Status:

- Awaiting estimate; considering funding strategies
- Encroachment request in process

4. Lake Park Blvd. & Atlanta Ave.:

Proposed/Discussed:

- Install a center refuge island
- Double mounting of beacons & signs

DOT Response:

- Some concerns turning movements and island;

will consider further

- Supportive of double mounting; needs Encroachment Agmt.

Status:

- Encroachment request in process for signs & beacons
- Continue to discuss and work with DOT on island

5. Ocean Blvd. @ Greenway Trail Crossing:

Proposed/Discussed:

- Install RFB's

DOT Response:

- Not opposed; need Encroachment Agmt.

Status:

- Encroachment request in process

6. South Lake Park Blvd.:

Proposed/Discussed:

- Remove existing parking on west side of LPB/install bike-ped. path

Response:

- Removing spaces is fine - Town decision;
- No in-street path; not opposed to bike path both sides of LPB

Status:

- Under consideration

7. Tennessee, Carolina Sands, Ocean & Alabama Crosswalks:

Proposed/Discussed:

- Duplication of beacons & signs on back of high visibility crosswalk poles

DOT Response:

- Not opposed; must obtain Encroachment Agreement

Status:

- Encroachment request in process

8. Dow Rd. & Harper Ave:

Proposed/Discussed:

- Install a center refuge island
- Double mounting of beacons & signs

DOT Response:

- Will consider island further
- Supportive of double mounting; needs Encroachment Agmt.

Status:

- Encroachment request in process for beacons & signs

9. Lake Park Blvd. & Cape Fear Blvd.:

Proposed/Discussed:

Possible Solutions to Safety Concerns at this location:

- Multi-directional stripped crosswalk w/ an all-red intersection?
- Line of Sight Obstructions: Can ped.button bollard be relocated?
- Existing Pedestrian Crosswalk Improvements:
- Safety and Lighting:
- Reverse signs, rapid flashing beacons on back side of poles?
- Pedestrian activated illumination of crosswalks?
- Innovative crosswalk painting schemes?

Traffic Calming:

- Receptive to speed humps?
- Raised crosswalks an option?
- Street Narrowing, striping, for 25mph?
- Collapsible bollards in between lanes, at crosswalks?
- Refuge islands at major crosswalks?
- Discussion of Stoplight/Crosswalk at Hamlet & Lake Park
- Follow up Request for Crosswalk at Winner Ave. & Lake Park

Existing NCDOT Infrastructure Inquiries:

- Street Striping: Lake Park & intersections repainted?
- Mast-arms instead of overhanging wire-based street lights?
- Bike Lane Visibility: Allow green striped bike lanes?
- Speed Limit signs painted onto street?

- **Town Requests:**
- Removable solar powered speed feedback signs near Food Lion?
- Weather station on Snow's Cut Bridge?
- Cameras:
- Install a tsunami camera on South side of bridge?
- Camera on mast arm at intersection of Lake Park & Access Rd. (Food Lion)

DOT Response:

- Awaiting written responses; generally open to ideas; will consult with various divisions/departments and provide responses



Town & NCDOT Coordination & Activities Update April 8, 2019

- **Lake Park Blvd. & Publix Access:**

Proposed/Discussed:

- **Install east-west crosswalk**

DOT Response:

- **Supportive; no funding currently; Town could fund**

Status:

- **Considering funding sources**



- **Lake Park Blvd. & Winner Ave.:**

Proposed/Discussed:

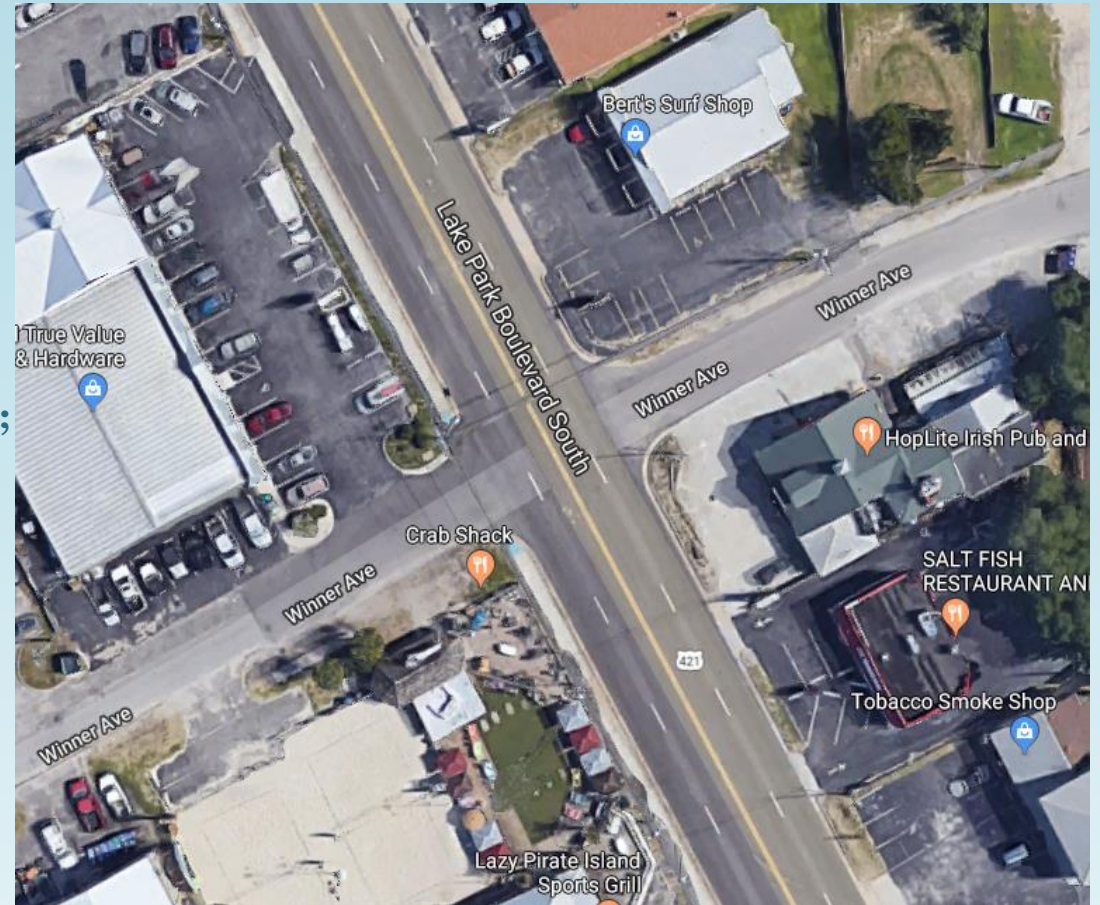
- **Install signal or east-west crosswalk**

DOT Response:

- **Signal or crosswalk not warranted based on analysis;**
- **Will conduct further traffic counts this summer**

Status:

- **Not pursuing further at this time**



• Lake Park Blvd. & Hamlet Ave.:

Proposed/Discussed:

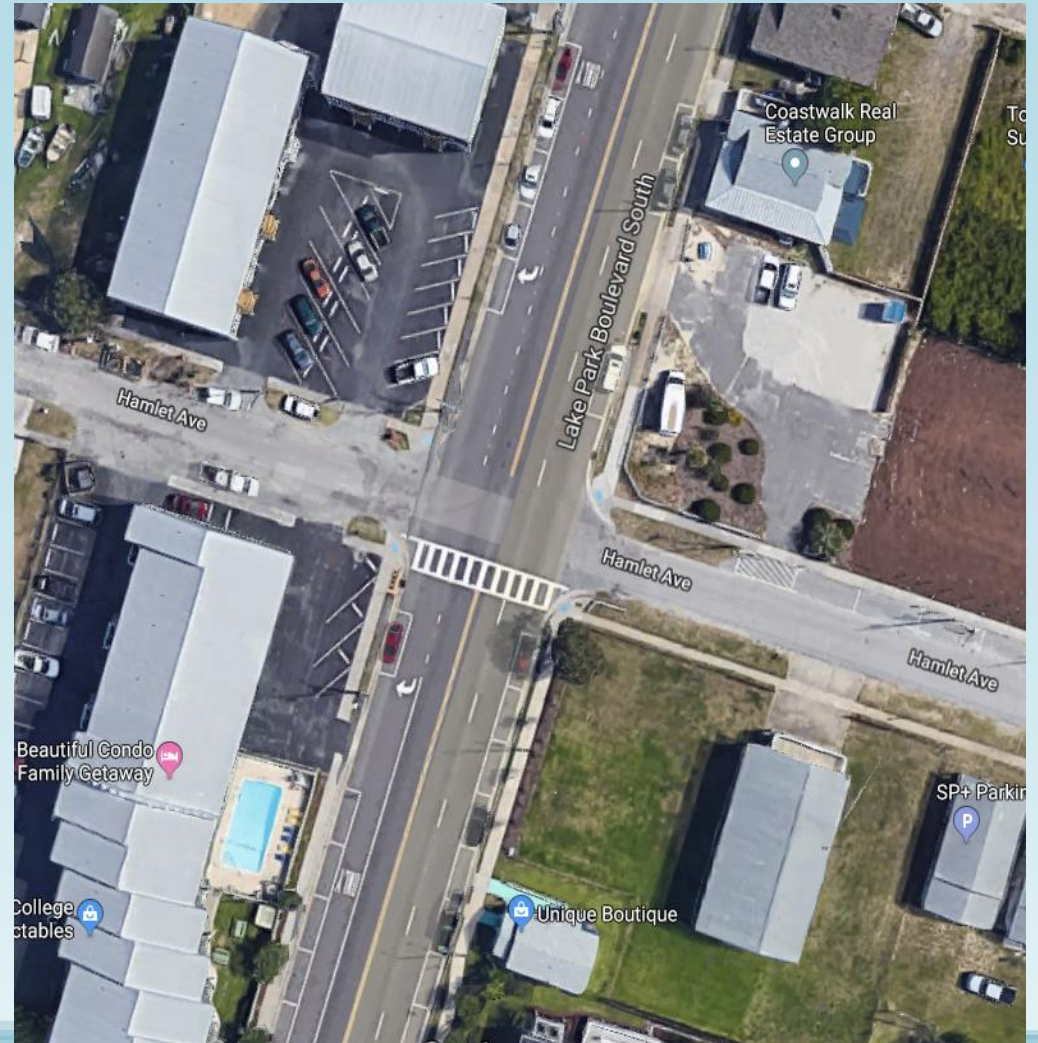
- **Overhanging crosswalk sign on overhead line**
- **Collapsible bollards on centerline**
- **Double mounting of beacons & signs**

DOT Response:

- **Not opposed to either; Town would maintain**
- **Would support traffic signal based on analysis; developing cost estimate; no funding at present; will assist in seeking funds**
- **Supportive of double mounting; needs Encroachment Agmt.**

Status:

- **Awaiting estimate; considering funding strategies**
- **Encroachment request in process**



• Lake Park Blvd. & Atlanta Ave.:

Proposed/Discussed:

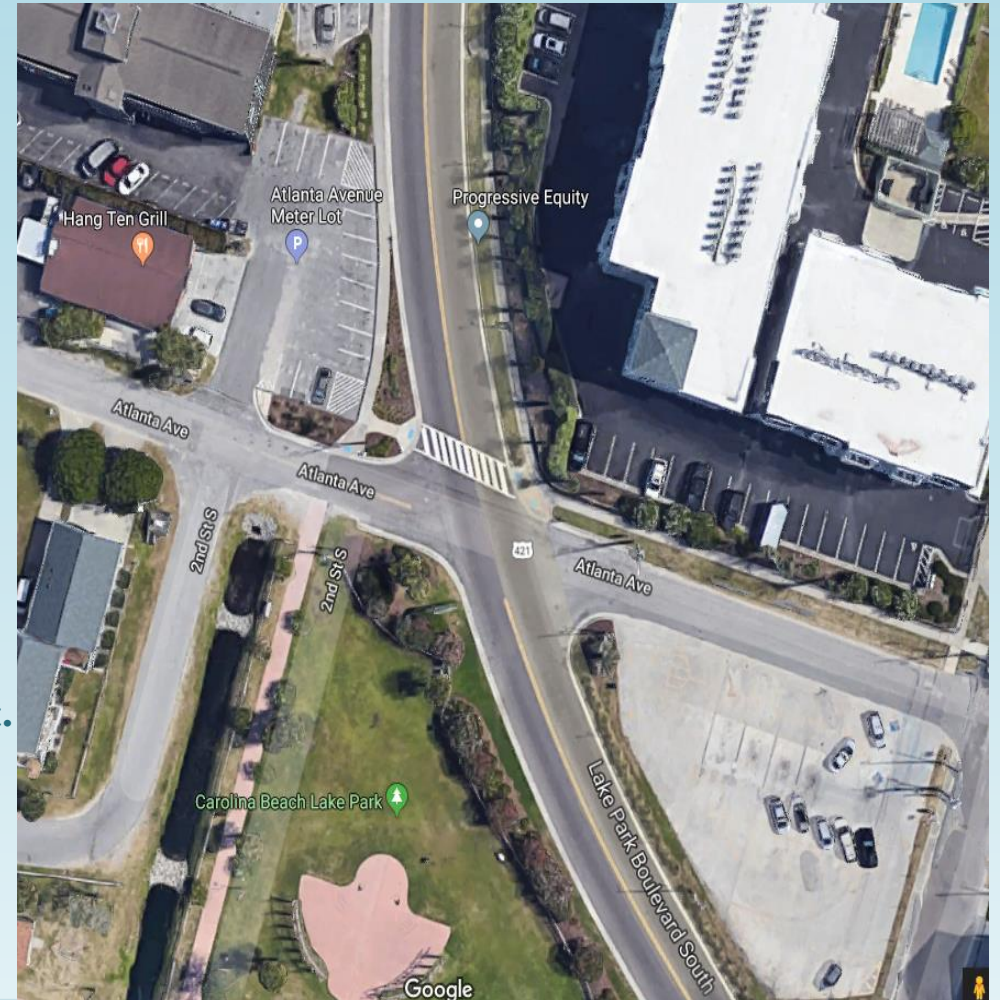
- **Install a center refuge island**
- **Double mounting of beacons & signs**

DOT Response:

- **Some concerns turning movements and island;**
will consider further
- **Supportive of double mounting; needs Encroachment Agmt.**

Status:

- **Encroachment request in process for signs & beacons**
- **Continue to discuss and work with DOT on island**



- **Ocean Blvd. @ Greenway Trail Crossing:**

Proposed/Discussed:

- **Install RFB's**

DOT Response:

- **Not opposed; need Encroachment Agmt.**

Status:

- **Encroachment request in process**



- **South Lake Park Blvd.:**

Proposed/Discussed:

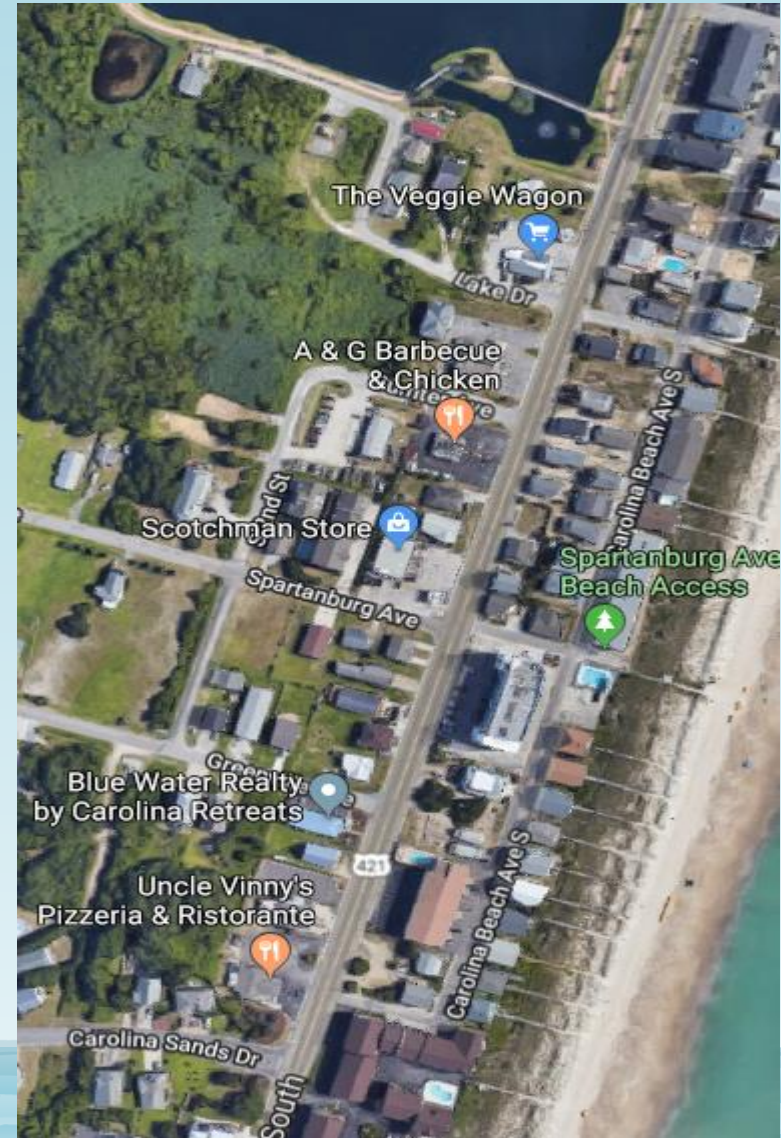
Remove existing parking on west side of LPB/install bike-ped. path

Response:

- **Removing spaces is fine - Town decision;**
- **No in-street path; not opposed to bike path both sides of LPB**

Status:

- **Under consideration**



- **Tennessee, Carolina Sands, Ocean & Alabama Crosswalks:**

Proposed/Discussed:

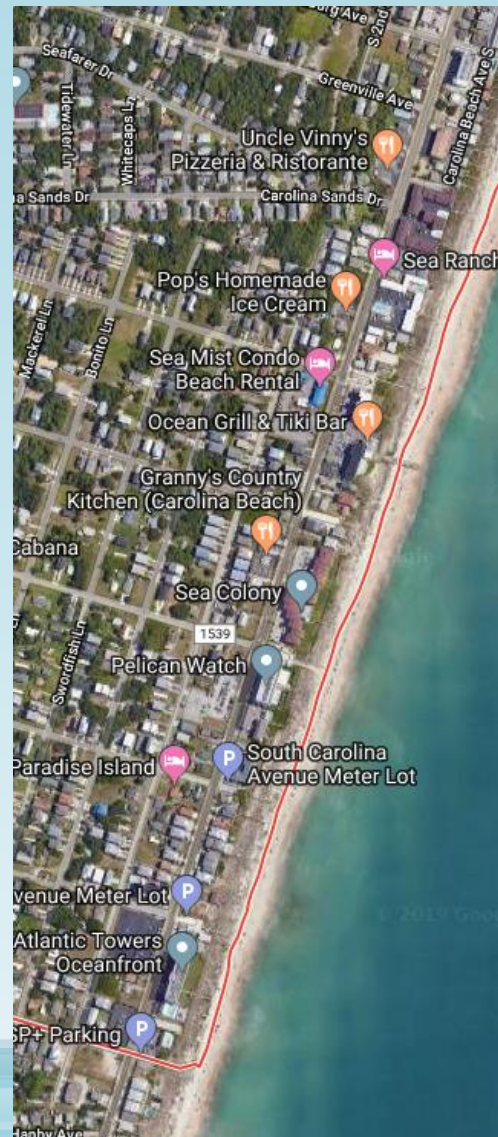
- **Duplication of beacons & signs on back of high visibility crosswalk poles**

DOT Response:

- **Not opposed; must obtain Encroachment Agreement**

Status:

- **Encroachment request in process**



• Dow Rd. & Harper Ave:

Proposed/Discussed:

- Install a center refuge island
- Double mounting of beacons & signs

DOT Response:

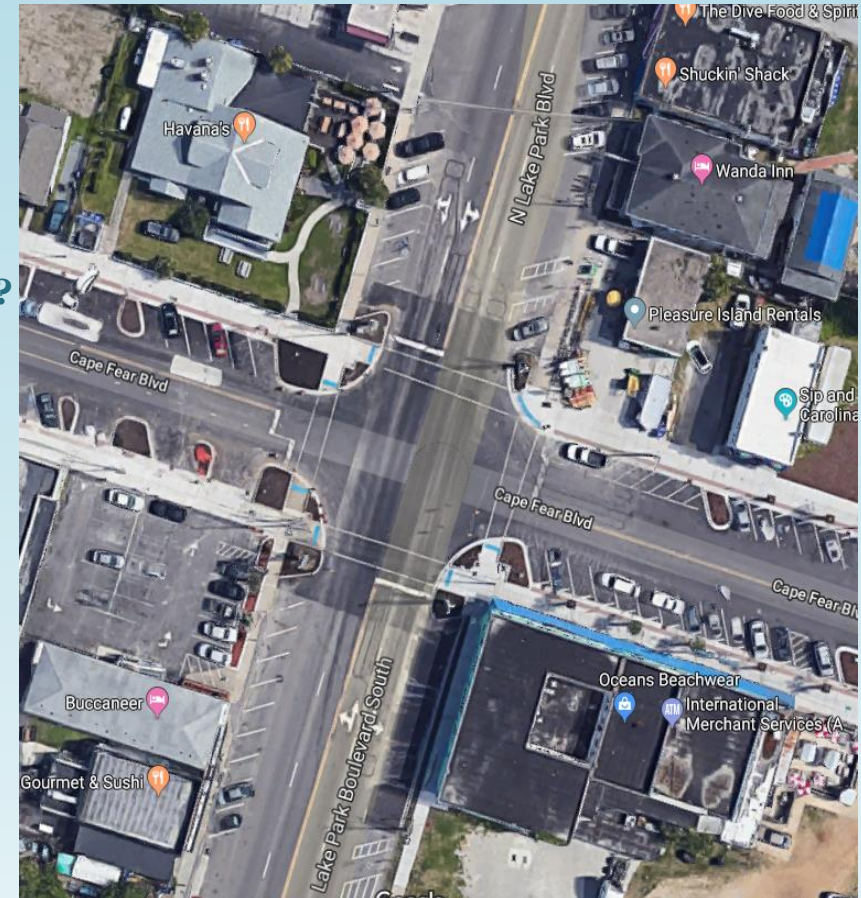
- Will consider island further
- Supportive of double mounting; needs Encroachment Agmt.

Status:

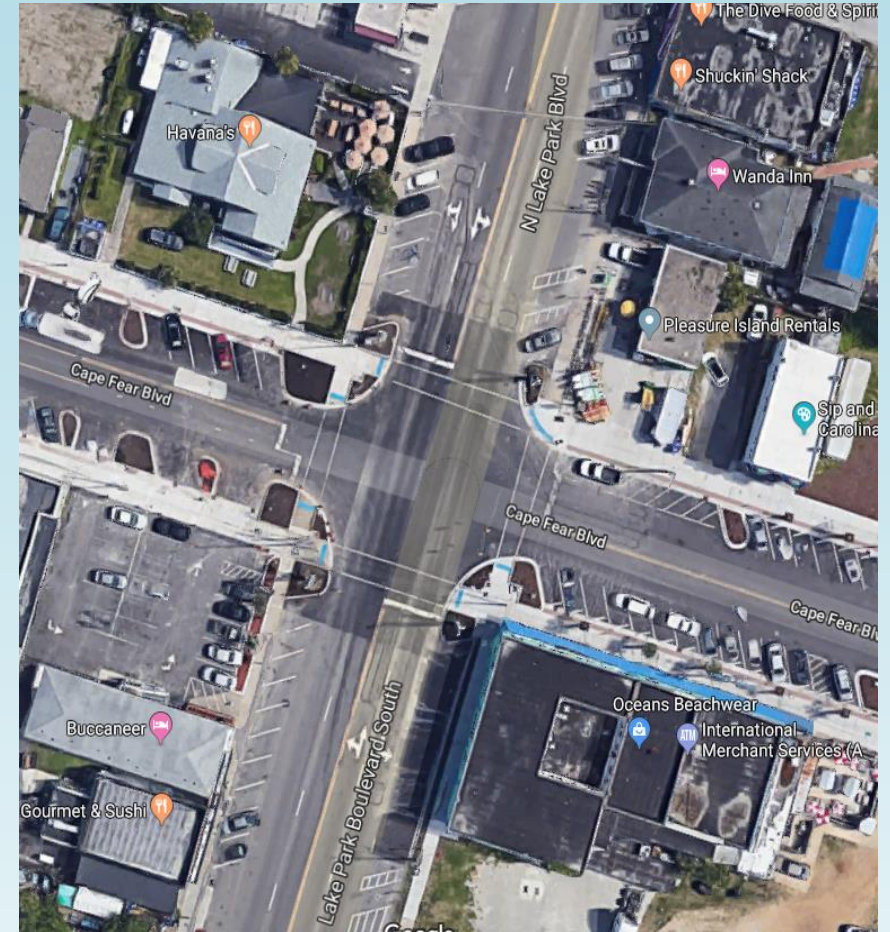
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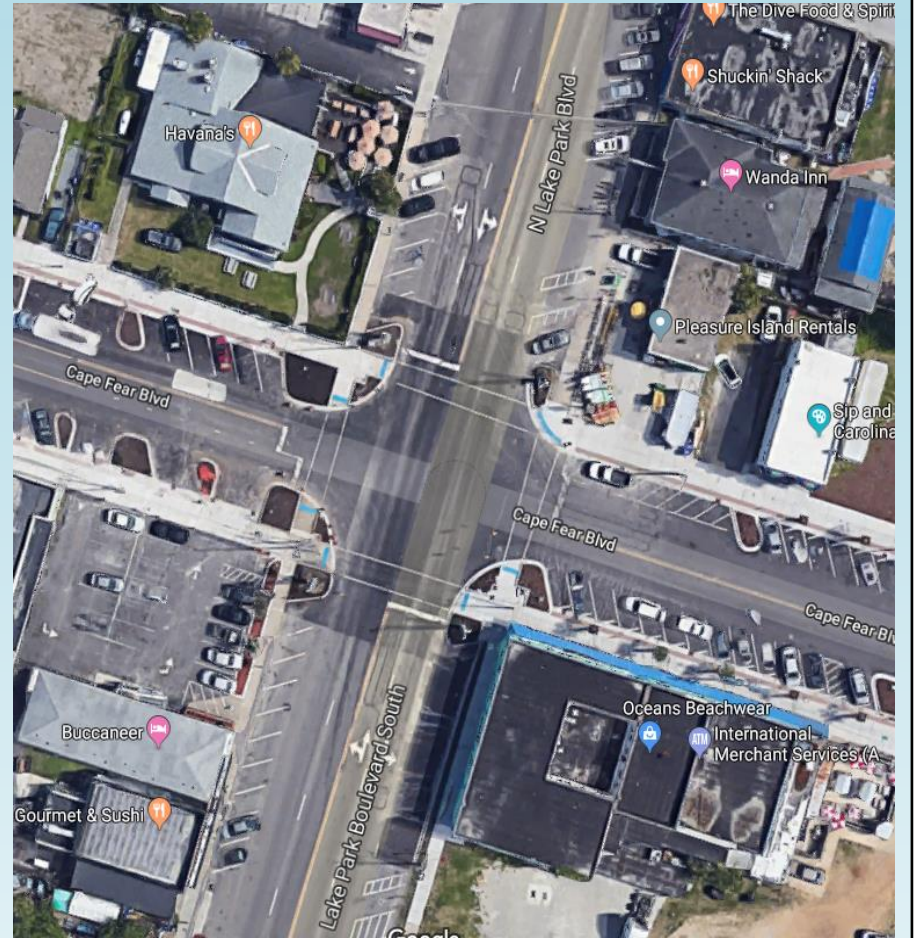
- **Lake Park Blvd. & Cape Fear Blvd.:**
- **Proposed/Discussed/Response:**
- **Possible Solutions to Safety Concerns at this location:**
- **Multi-directional striped crosswalk w/ an all-red intersection?**
- **Line of Sight Obstructions: Can ped.button bollard be relocated?**
- **Existing Pedestrian Crosswalk Improvements:**
- **Safety and Lighting:**
- **Reverse signs, rapid flashing beacons on back side of poles?**
- **Pedestrian activated illumination of crosswalks?**
- **Innovative crosswalk painting schemes?**



- **Lake Park Blvd. & Cape Fear Blvd.:**
- **Traffic Calming:**
- **Receptive to speed humps?**
- **Raised crosswalks an option?**
- **Street Narrowing, striping, for 25mph?**
- **Collapsible bollards in between lanes, at crosswalks?**
- **Refuge islands at major crosswalks?**
- **Discussion of Stoplight/Crosswalk at Hamlet & Lake Park**
- **Follow up Request for Crosswalk at Winner Ave. & Lake Park**



- **Lake Park Blvd. & Cape Fear Blvd.:**
- **Existing NCDOT Infrastructure Inquiries:**
- **Street Striping: Lake Park & intersections repainted?**
- **Mast-arms instead of overhanging wire-based street lights?**
- **Bike Lane Visibility: Allow green striped bike lanes?**
- **Speed Limit signs painted onto street?**



- **Lake Park Blvd. & Cape Fear Blvd.:**

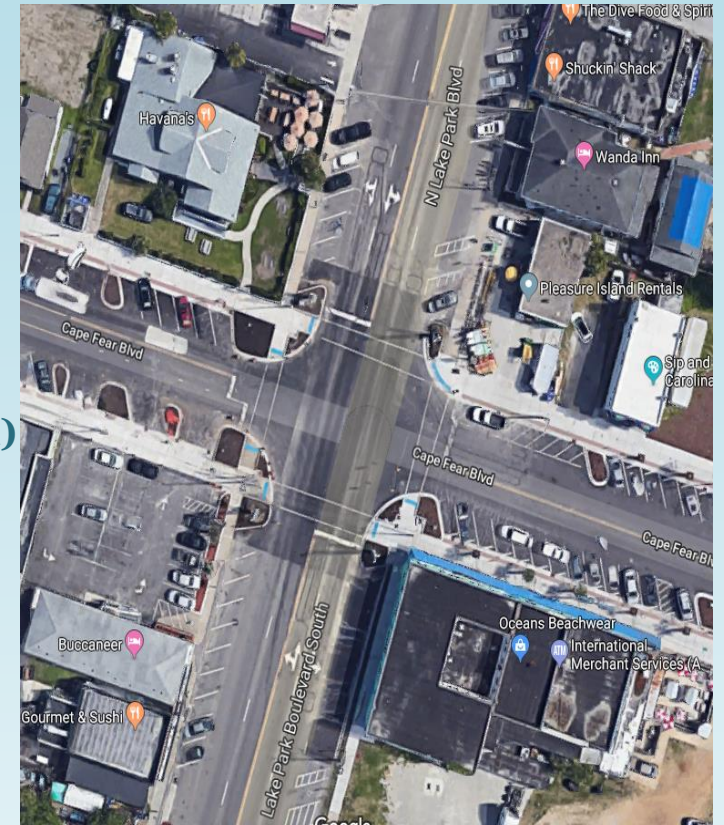
- **Town Requests:**

- **Removable solar powered speed feedback signs near Food Lion?**
- **Weather station on Snow's Cut Bridge?**
- **Cameras:**
- **Install a tsunami camera on South side of bridge?**
- **Camera on mast arm at intersection of Lake Park & Access Rd. (Food Lion)**

DOT Response:

- **Awaiting written responses; generally open to ideas; will**

Consult with various divisions/departments and provide responses







AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Alan Griffin

Department: Fire

Request from Fire Chief to Take Over Inspection of Fire Works Shows

BACKGROUND:

New Hanover County Fire Services is requesting that the Carolina Beach Fire Department take over the responsibility of conducting fire inspections for fire works shows in Carolina Beach. If approved, Finance would need approval to add a line item for pyrotechnics permitting fees.

Attached is a copy of the resolution that will be presented to the New Hanover County Commissioners at their April 15, 2019 meeting.

ACTION REQUESTED:

Staff is requesting the approval of two separate motions:

Motion to allow the Carolina Beach Fire Department to assume responsibility for the inspection of pyrotechnic shows in Carolina Beach.

Motion to approve adding a line item in the budget for pyrotechnic permitting fees.

ATTACHMENTS:

[Resolution NHC Fireworks](#)

**NEW HANOVER COUNTY BOARD OF COMMISSIONERS
RESOLUTION
DELEGATING AUTHORITY TO ISSUE PERMITS FOR PUBLIC
PYROTECHNICS EXHIBITIONS CONDUCTED WITHIN CORPORATE LIMITS
TO TOWN OF CAROLINA BEACH**

WHEREAS, in accordance with N.C.G.S. 14-413 (a), the New Hanover County Board of Commissioners issues permits in New Hanover County for the public exhibition of pyrotechnics; and

WHEREAS, Article (a1) of N.C.G.S. 14-413 provides the Board of Commissioners authority to authorize the governing body of any city in the county the ability to issue permits pursuant to the provisions of this Article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with public exhibitions.

NOW, THEREFORE BE IT RESOLVED that the New Hanover County Board of County Commissioners does hereby delegate the authority for the governing body of the Town of Carolina Beach to issue permits for public exhibitions of pyrotechnics to be exhibited, used, or discharged within the corporate limits of Carolina Beach pursuant to the provisions of N.C.G.S. 14-413 (a1).

BE IT FURTHER RESOLVED that this resolution shall remain in effect until withdrawn by the New Hanover County of Commissioners.

ADOPTED this the 15^h day of April 2019.

(SEAL)

New Hanover County

Jonathan Barfield, Jr. Chairman

ATTEST:

Kymberleigh G. Crowell, Clerk to the Board



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Alan Griffin

Department: Fire

Presentation by Chief Griffin Regarding the Replacement Ocean Rescue Vehicle

BACKGROUND: Chief Griffin will present options for replacing the Ocean Rescue truck that was sold in February, 2019.

ATTACHMENTS: [council meeting 4-8 \(1\)](#)



Ocean Rescue

VEHICLE REPLACEMENT FUNDING REQUEST

Replacement Ocean Rescue Vehicle Background

- Current Vehicle is a 2008 Ford F250 (Handed down from PD) .
- Currently scheduled to be replaced in 2009/10 Budget.
- Conditions of vehicle:
 - Heavy rust conditions through out
 - Radiator, brake line, motor mount brackets, etc.
 - Towed or taken to shop multiple times last season.
 - Attempted to use during Hurricane Florence taken out of service due to mechanical issue.

Fire Chief Recommends:

Sell current ocean rescue vehicle and two 4 wheelers, once money is in general fund council reallocates money with some additional funds to offset cost of vehicle at March council meeting. **(Vehicle and one 4-wheeler have sold for \$9,650.00)**

Slide from council workshop 1/29/2019

10 Year Master Plan Vehicle Replacement

Equipment	Description	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Fire											
Engine 21	2003 Sutphen	\$350,000.00									
Engine 22	2016 Rosenbuer	\$53,998.00	\$52,915.00	\$51,832.00	\$50,749.00	\$49,666.00	\$48,583.00				
Engine 23	2005 Sutphen						\$500,000.00				
Truck 21	2008 Rosenbuer										Replace
Squad 21	1999 AMC Hummer			\$250,000 *							
Squad 22	2016 Dodge 2500							Replace			
Squad 23	1989 AM General 5-Ton			* Eliminate/Merge into one beach response vehicle							
Squad 25	2001 Ford F-350		Replace								
Car 201	2016 Chevy Tahoe						Replace				
Car 202	2017 Dodge 2500									Replace	
Fire Boat	2004 Safe Boat	\$39,950.00	\$39,950.00	\$39,950.00							
Ocean Rescue											
Car 204	2018 Toyota Tundra								Replace		
OR-1	2016 Cub Cadet UTV			\$15,000.00							
OR-2	2008 Ford F-250	\$20,000.00									
Jet Ski	2009 Yamaha Wave Runner		\$18,000.00								
4 wheelers	6 Total (2 per year)	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
	Debt Payments										

Options for Replacement Vehicle

Vehicle Options:

- Option 1: Purchase new vehicle off state contract pricing (\$27,500.00)
- Option 2: Purchase used vehicle from dealership estimated \$20K

Note: Additional funding of \$6,500.00 for tax, tags, striping, emergency lights/radio install

Funding Options:

- Option 1: Utilize general funds and seek reimbursement from ROT Funds
- Option 2: Utilize general funds offset by auction funds (currently revenue \$43,300.00)

Fire Chief Recommends:

Council approves both vehicle and funding option 1:

- Option 1 (vehicle): Purchase vehicle from state contract \$27,500.00
- Option 1 (funding): Utilize general funds and seek reimbursement from ROT Funds

Council Action:

- Allocate \$34,000.00 from general fund into the 10.520.074 fund



AGENDA ITEM

Meeting: Regular Town Council - 08 Apr 2019

Prepared By: Noel Fox

Department: Attorney

Closed Session to Discuss a Real Estate and Personnel Matter

ACTION REQUESTED:

Motion to go into closed session to discuss a real estate and personnel matter in accordance to NCGS 143.318.11(a)(5) and (6). The properties being discussed include 601 Carolina Sands Drive for the purpose of access and 310 Canal Drive for the purpose of parking.