

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, January 11, 2022 - 6:30 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



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## MINUTES

### **CALL TO ORDER WITH INVOCATION GIVEN BY GAYLE TABOR, PASTOR OF CHURCH AT THE BOARDWALK, FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

Mayor Barbee called the meeting to order at 6:30 PM.

Mayor Barbee said during the past month and a half, the Town has lost 3 community servants: Captain Mike Britt and Vickie Hester, both of whom were instrumental with the Carolina Beach Inlet Association, and Teresa Shue, who served on the Town's Board of Adjustment. He asked everyone to keep them in their hearts and think about their families.

Pastor Gayle Tabor of Church at the Boardwalk gave the invocation, followed by the Pledge of Allegiance.

#### PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

Council Member Deb LeCompte

#### ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

Town Attorney Noel Fox

#### **ADOPT THE AGENDA**

**ACTION:** Motion to adopt the agenda

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

#### **CONSENT AGENDA**

1. Set a public hearing for February 8<sup>th</sup>, 2022 for a Text Amendment – to amend Chapter 40 Sec 40-70, 72, & 74 - 1) To increase the density in Neighborhood Business (NB) zoning district, 2) Add multi-family uses to the Neighborhood Business (NB) zoning district, 3) Allow parking

areas serving the use to be in a different zoning district. Applicant: Hamby Beach Properties, LLC

2. Set Public Hearing for January 19, 2022 at 3:30 p.m. to Consider Financing and Installation of a New HVAC System at the Municipal Complex
3. Set Public Hearing for February 8, 2022 to hear from Non-Profits Regarding Funding Requests
4. Eliminate Alternate Position on the Police Advisory Committee
5. Adopt the 2022 Council and Committee Meeting Schedule
6. Change the Regular Council Meeting Time from 6:30pm to 6:00pm Ordinance 22-164
7. Budget Amendments/Transfers
8. Reimbursement Resolution 22-2250 for the Purchase of Freeman Park Property for Tourist Activities
9. Approval of Minutes from November 30, December 7 and 12, 2021

**ACTION:** Motion to adopt the consent agenda

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

**SPECIAL PRESENTATIONS**

10. Presentation by the Centennial Committee

Maureen Lewis, Chairman of the Centennial Committee, presented the nominated finalists for adult and youth logo submissions for the Town's 100<sup>th</sup> birthday celebration in 2025. She said the committee used a blind selection process from a pool of 13 adult submissions and chose the logo by Brent Myers, a Wilmington graphic designer. Ms. Lewis said the committee plans to use all submissions in some way during the centennial celebration.

The youth winner was Giovanna Cannistraci-Ortiz, a 6-year-old Carolina Beach Elementary School student.

If approved by Council, the adult winner will receive \$250 and the youth winner will get \$50, with both prizes funded by the Island Arts Council. Ms. Lewis said all submissions will be framed compliments of Skip Sprague of Tip Top Frame so they may be displayed at Town Hall.

**ACTION:** Motion to approve winners as selected by the Centennial Committee

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

11. Mid-Year Financial Update

Finance Director Debbie Hall presented a brief mid-year update on the Town's budget vs. actuals for July 1, 2021 -December 31, 2021.

### Major General Fund Revenue Sources

Ms. Hall said overall the Town is at 60 percent of budgeted revenue, which is on target and a really good place to be.

### General Fund Expenses

Ms. Hall said the Town has spent 48 percent of what was budgeted, and the number is not higher because a lot of debt service falls toward the end of the year.

### Utility Fund Revenue Sources

Ms. Hall said 51 percent of budgeted revenue has been collected, which is where the Town is expected to be.

### Utility Fund Expenses

Ms. Hall said 40 percent of expenses have been utilized, and there is revenue bond debt coming up toward the end of the fiscal year that will put the Town back on track.

### Moody's Annual Credit Rating

Ms. Hall said the Town was assessed again in February and has the second-highest credit rating awarded, which is an impressive place to be for a Town of this size. The General Fund Rating is Aa1, and the Utility Fund Rating is Aa3. Ms. Hall said she feels confident the Town will maintain this good rating.

Council Member Benson asked if the Town had collected any revenue for The Proximity or if that would be coming later. Mr. Parvin said those plans are still under review, so the Town has not yet collected any revenue. He said projections in March would give an idea of the revenue that can be expected from The Proximity and other upcoming projects.

Council Member Benson pointed out that the slide regarding the Utility Fund showed that revenue was less than expenses. He asked if the difference is addressed by American Rescue Plan funds. Ms. Hall said that was a typo, and updated slides show a balanced budget.

Council Member Benson asked if the revenue bonds required increasing utility rates for the first 5 years of the 25-year term. Ms. Hall said yes, that was determined by a feasibility consultant, and to be able to meet the covenants the Town had to make those increases. Council Member Benson asked if the Town should anticipate those types of conditions on future revenue bonds. Ms. Hall said a feasibility consultant would have to assess it and decide as to how much the Town would need to increase or whether there should be any increase at all. She said the Local Government Commission (LGC) requires hiring an independent contractor.

Mayor Barbee asked if the Town is through the 5 rate increases. Ms. Hall said yes.

Council Member Benson asked whether rollover funds from previous years that are in the Powell Bill Fund now will be associated with conditions to be used for a particular street improvement project.

Mr. Oakley said he doesn't think that will be in the case in the rollover, but there may be some Powell Bill funds in the new budget tied to certain projects.

## 12. Manager's Update

Town Manager Bruce Oakley gave an update on various projects and events.

He went over key dates for the budget schedule:

- January 27-28, annual retreat kickoff
- April 12, budget overview and community input
- April 26 and May 3, budget workshops
- May 24, present budget message
- June 14, adopt the budget

Mr. Oakley said there will also be a budget open house to allow for public input and review at a date to be determined.

### CSRM – Beach Nourishment

- Great Lakes Dredge and Dock Company
- Construction – Early February
- Completion – March 30

### Hamlet Bathhouse and Ocean Rescue

- Project is under construction
- Currently on schedule to be completed by end of March

### American Rescue Plan Projects

- Florida Avenue: Public Utilities is awaiting receipt of final quotes for lining of sewer pipe. Survey work is being done to facilitate engineered drawings for roadway and bulkhead. Mr. Oakley added that inflation and lack of labor are affecting projects, which are taking longer and costing more. He said numbers may change going forward.
- Hamlet Avenue: Staff is obtaining quotes for the drainage work to the eastern end of the roadway.
- Spartanburg and Second Street: A survey is being conducted of this area to allow the engineer to rework the stormwater and ditch clearing.

Mayor Barbee asked Mr. Oakley if he will let Council know if projects result in budget troubles. Mr. Oakley said yes, but he thinks everything is OK for now as the Town awaits some information to get final costs.

Mr. Parvin gave an update on other projects.

### Saint Joseph Bike Path

- The project is creating a multi-use path on Saint Joseph Street and Lewis Drive from North Lake Park Boulevard to Access Road.

- Kimley-Horn is working on designing the scope for the project. The Town will forward to the N.C. Department of Transportation (DOT) when complete.
- Representatives from Kimley-Horn and DOT plan to be at the January 24 Bike/Ped Committee meeting.

#### Marina

- The project is the installation of new bulkheads and floating docks on the south and east sides of the marina. The design will mirror the recently completed west side.
- Project is out to bid.
- Bid opening is scheduled for February 3.

Mr. Parvin said this is a 24-month project that will cover 2 summer seasons. He said there is no way around this.

Mayor Barbee said one phase will require digging up Canal Drive, so he hopes that work can be done outside of peak season. Mr. Parvin said the project engineer grew up here and understands the need for this.

Council Member Hoffer asked for specifics about funds the Town recently received from the State. Mr. Oakley said the Town has filled out paperwork and is waiting for further details from the State for some of the funding. He said \$3 million is in the process of being turned over, and the remaining \$900,000 is in the budget and should come with further instructions soon.

Mayor Barbee said the dredging equipment that is now in the Intracoastal Waterway is for a U.S. Army Corps of Engineers project to dredge Snow's Cut. He said that sand will again be deposited on Masonboro Island instead of Freeman Park. Mayor Barbee said the Town tried to get it for Freeman Park, but due to legalities this effort was not attainable with the current property owners.

#### **PUBLIC COMMENT**

Wayne Carpenter of 1150 The King's Highway in Wilmington said although he lives just across the bridge, he is a Town business owner. He said his business, Coastal NC Adventure Co., does not have a brick-and-mortar presence but in 2021 spent more than 85 percent of its operating time in the Town's waters with kayaking, paddleboarding, and surfing. Mr. Carpenter said in the past he was able to purchase an annual non-resident parking pass, but this year Council has decided not to offer those. He said this would result in spending \$2,500 in parking fees over 100 days, which is a huge expense to a small business owner and would persuade him to do business in places where he can park for free. Mr. Carpenter said his business brings \$15,000 to \$20,000 per summer into the Town through employees and clients patronizing local businesses, but that money will go somewhere else under current circumstances. He urged Council to reconsider getting rid of the annual non-resident parking pass.

Patrick Boykin of 712 Glenn Avenue said he wanted to inquire about an alleyway behind his property. He said he has heard rumors that it will be sold, and his understanding when he purchased his property was that the alleyway was a Town easement and nothing was going to happen with it. Mr. Boykin said he has looked up tax records and can't find a parcel ID for that piece of property, so he can't determine

who owns it. He said there is a fence along the far side in need of repair, and he is trying to find out who to contact about this.

Mr. Boykin also said he and his neighbors had gotten some response to the 5 petitions from the Ocean Heights subdivision, but they still haven't heard back about the possible addition of speed bumps or prohibiting through-traffic to slow the speed of cars in the community.

James Sattie of 610 Glenn Avenue passed some information to Council Members. He said it appears that the owner of the property in question is his neighbor at 608 Glenn Avenue and that the fence is in violation and has been since day one. Mr. Sattie said he thinks construction on the fence outlined on his drawing should begin immediately.

Olin Furr of 440 Oceana Way said he wanted to talk about resurfacing roads in the Town. He said there are many streets that need work on the North End, so he's hoping Council will make it a priority. Mr. Furr said he doesn't think the Town is maintaining streets like it should and needs a master plan. He said he would be glad to volunteer to help with this. Mr. Furr also said flooding on Canal Drive is a hard problem to solve, but it's time to fix it. He said someone mentioned dune infiltration to get rid of excess water, so the Town should look at this option.

Mayor Barbee asked Planning Director Jeremy Hardison to help Mr. Boykin understand who owns the property behind him. He said as far as paving, the Town needs a longer-range schedule at some point.

Council Member Benson asked if there are any stipulations in the Powell Bill related to paving. Mr. Oakley said Council can discuss this matter at the retreat. Mr. Hardison said Code Enforcement can look at what's going on with the fence.

## **PUBLIC HEARINGS**

13. Conditional Zoning to consider a multifamily project consisting of 8 townhome units located at 905 Basin Rd in the Marina Business (MB-1) zoning district.  
Applicant: Laurel Companies LLC

Mr. Hardison presented the details.

905 Basin Road

Current use: 7 mobile homes

- Marina Business District
  - Established to reserve area along the water's edge for water-dependent and water-oriented uses
  - Provides for residential and other non-water-dependent uses
- Multi-family dwellings greater than 4 units (CZ)
  - Allowed in accordance with specific standards and conditions pertaining to an individual development project
  - Standards may include landscaping, design guidelines, and infrastructure, pedestrian, street, and right-of-way improvements

## Surrounding Uses

- Tom's Marine
- Federal Point Yacht Club neighborhood

## CZ

- Subject to specific conditions that ensure compatibility and enjoyment of neighboring properties
- Standards may include such things as landscaping, design guidelines, buffers, infrastructure improvements (i.e., water), and pedestrian, street, and right-of-way improvements
- Allows a particular use to be established only in accordance with specific standards and conditions pertaining to an individual development project

## Site Plan

- 8 units (2 fronting Saint Joseph Street and others on Basin Road)
- 24 parking spaces (3 per unit)
- Each unit has 3 to 4 bedrooms

## CZ Process

- Public meeting Friday, October 22
- 8 people attended
- Concerns – stormwater issues on Basin Road
  - Town is planning upgrades; currently in engineering stage

## Conditions (proposed by staff)

- Utilities must be installed in accordance with Town requirements
- All relevant requirements of the fire code must be met (i.e., installation of fire hydrants and sprinklers)

The project includes an on-site stormwater control system per the Town stormwater ordinance.

## Criteria

- When evaluating, Council shall consider the following:
  - Application's consistency to the general policies and objectives of the Town's CAMA Land Use Plan, any other officially adopted plan that is applicable, and the zoning ordinance
  - Potential impacts and/or benefits on the surrounding area and adjoining properties
  - Report of results from the public input meeting
- Council may include additional standards such as landscaping, design guidelines, buffers, infrastructure improvements (i.e., water), and pedestrian, street, and right-of-way improvements

## Land Use Plan

- The project is in general conformity with the 2020 Land Use Plan; this area supports mixed uses

of commercial and residential.

Staff recommended approval of the project and so did the Planning and Zoning Commission by a vote of 6-0.

**ACTION:** Motion to open the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Ned Barnes of 814 Carolina Beach Avenue North, the attorney representing the applicant, said the property is going from a residential use to another residential use. He said the benefit is what's being built will be in compliance with current building codes. Mr. Barnes said owners of property in the surrounding area are all in favor of the project. He said the plan is to contain stormwater on the site, and he thinks the applicant has gone above and beyond what is required.

Mayor Barbee asked if there was any public comment. No one requested to speak.

**ACTION:** Motion to close the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Council Member Hoffer asked how the tree ordinance plays into this. Mr. Hardison said the applicant is going to try to keep existing trees, but nothing in the ordinance requires this. He said the applicant will be exceeding the current tree preservation ordinance.

Council Member LeCompte asked if this includes street improvements. Mr. Parvin said staff can bring back details on the Basin Road stormwater project.

Mayor Pro Tem Healy said it sounds like the applicant has addressed stormwater and gone above and beyond.

**ACTION:** Motion to approve Ordinance 22-1166, that whereas in accordance with the provisions of NCGS, the Council does hereby find and determine that the adoption of the Conditional Use District to allow for a multi-family project consisting of 8 townhome units located at 905 Basin Road is consistent with the goals and objectives of the adopted Land Use Plan and long-range plans and the potential impacts on the surrounding area are mitigated by the conditions

Motion made by Mayor Pro Tem Healy

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*



14. Conditional Zoning to consider a multifamily project consisting of 9 townhome units located at 406, 408, & 410 Canal Dr in the Tourist (T-1) zoning district.  
Applicant: Tank Construction Supplies LLC

Mr. Hardison presented the details.

#### 406, 408, 410 Canal Drive

- Current use: vacant
- Tourist district
  - Complementary to Central Business District (CBD)
  - Moderate- to high-density residential
- Multi-family dwellings greater than 4 units (Conditional Zoning, or CZ)
  - Allowed in accordance with specific standards and conditions pertaining to an individual development project
  - Standards may include landscaping, design guidelines, and infrastructure, pedestrian, street, and right-of-way improvements

#### Surrounding Uses

- Single-family
- Planned Unit Development (PUD) behind it approved recently for 6 units

#### Former Approvals

- 2006 – one structure with 11 units (not built; lot is currently vacant)

#### CZ

- Subject to specific conditions that ensure compatibility and enjoyment of neighboring properties
- Standards may include such things as landscaping, design guidelines, buffers, infrastructure improvements (i.e., water), and pedestrian, street, and right-of-way improvements
- Allows a particular use to be established only in accordance with specific standards and conditions pertaining to an individual development project

#### Site Plan

- 9 units
- Providing 3 parking spaces per unit

#### Plans

- Each unit will have about 3 bedrooms

#### CZ Process

- Public meeting Friday, October 29
- 3 people attended
- Concerns – stormwater
  - Applicant plans to install underground stormwater systems

#### Conditions (proposed by staff)

- Utilities must be installed in accordance with Town requirements
- All relevant requirements of the fire code must be met
- Recombination plat required before building permit can be issued

The project includes an on-site stormwater control system per the Town stormwater ordinance.

#### Criteria

- When evaluating, Council shall consider the following:
  - Application's consistency to the general policies and objectives of the Town's Coastal Area Management Act (CAMA) Land Use Plan, any other officially adopted plan that is applicable, and the zoning ordinance
  - Potential impacts and/or benefits on the surrounding area and adjoining properties
  - Report of results from the public input meeting
- Council may include additional standards such as landscaping, design guidelines, buffers, infrastructure improvements (i.e., water), and pedestrian, street, and right-of-way improvements

#### Land Use Plan

The project is in general conformity with the 2020 Land Use Plan; it supports higher-density residential/light commercial in this area.

Staff recommended approval of the project and so did the Planning and Zoning Commission by a vote of 6-0.

#### **ACTION:** Motion to open the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Applicant Adam Shanks of 1113 Tidal Walk Drive in Wilmington said underground water storage was a big concern neighbors brought up, but there is a solid plan for this. He said he thinks it's a tasteful project, and it has gotten good feedback.

Council Member Hoffer said he likes that there is one driveway.

Mayor Pro Tem Healy asked why there are 9 and not 11 units. Mr. Shanks said they want to be conforming and refrain from creating an overly dense situation.

Mayor Barbee asked if Fire Chief Alan Griffin has seen and approved the project. Mr. Hardison said yes and that he had no access issues.

Mayor Barbee asked if there was any public comment. No one requested to speak.

**ACTION:** Motion to close the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

Council Member Hoffer said there's not much to talk about and that he thinks it's an improvement.

**ACTION:** Motion to approve Ordinance 22-1167, that whereas in accordance with the provisions of NCGS, the Council does hereby find and determine that the adoption of the Conditional Use District to allow for a multi-family project consisting of 9 townhome units located at 406, 408, and 410 Canal Drive is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts of the surrounding area are mitigated by the approved conditions

Motion made by Mayor Pro Tem Healy

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

**ITEMS OF BUSINESS**

15. NCDOT Easement on Hamlet to accommodate the upfit of a U.S. 421 stoplight

Council has worked hard to obtain approval and funding from DOT to install a stoplight at Hamlet Avenue and Lake Park Boulevard (U.S. 421). DOT has moved forward with the survey work but will need a utility easement in the Town's right-of-way on the east and west side of Lake Park Boulevard. The easement will fully encompass the Town's 50-foot right-of-way running 60 feet east and west on each side of Lake Park Boulevard. DOT is looking to have the right-of-way phase wrapped up in March.

Mr. Parvin presented the details.

Council Member Hoffer asked if any traffic changes are planned with this light, such as crosswalks. Mr. Parvin said once this is signed the Town can get that information.

**ACTION:** Motion to approve the NCDOT easement on Hamlet to accommodate the upfit of a U.S. 421 stoplight

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

16. Budget Amendment to pay the NCDOT administrative fees for the Island Greenway and Cape Fear Blvd MUP

In August 2020, the Town unexpectedly received "closeout" invoices totaling \$92,394 from DOT for administrative and construction inspections costs for the Island Greenway project. Project construction ended in March 2019, and final reimbursements were received in full as requested in March 2020. At

no time during the 7-year project was there any communication from/with DOT that the Town was not being billed monthly for these services in accordance with the DOT-provided Programs Management Handbook and materials presented during Wilmington Urban Planning Area Metropolitan Planning Organization (WMPO) grant workshops.

Over the past 1.5 years, the Town has been working with WMPO and DOT staff concerning the invoices. The Town advised all that the charges were a complete surprise and there had been no communication that there would be closeout charges. The Town had closed the project out, and there was no money left in the budget. The Town also advised all it was the Town's intent to dispute these charges for various detailed reasons.

After working with DOT and WMPO, the Town was able to reduce the costs from \$92,394 to \$28,934.24. These projects are closed out, so a budget amendment would be required to allocate these funds.

Mr. Parvin presented the details.

**ACTION:** Motion to approve the budget amendment in the amount of \$28,934.24 for the NCDOT administration fees on the Island Greenway

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

17. Resolution of Support – Turn Lane on Dow Road

Mr. Oakley requested that Council consider approving Resolution 22-2245 supporting the addition of a turn lane on Dow Road into State Park Road.

**ACTION:** Motion to approve Resolution 22-2245, a resolution of support for a turn lane on Dow Road

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

18. Acceptance of Stormwater Infrastructure in Oceana

The water and sewer infrastructure located within the Oceana subdivision was adopted by the Town in 2018. Since that time, the homeowners association (HOA) and Town staff have been working together to make the Town's adoption of the stormwater infrastructure possible. The Oceana HOA hired an independent contractor to camera and assess the system. This report was followed by a list of recommended repairs. The Oceana HOA provided this report to the Town and sought approval for the necessary repairs, along with the proposed methods. Once in agreement, the HOA hired a utility contractor to perform the needed repairs, and these repairs were inspected by Town staff.

Mr. Oakley presented the details.

Council Member Hoffer said he's not that comfortable with this because he doesn't see how it's in the Town's best interest. Mr. Oakley said all property owners pay stormwater fees to the Town. Council Member Hoffer asked for specifics about the system. Mr. Parvin said it's piping that goes out to the wetland area between Freeman Park and Oceana.

Mayor Barbee said he is good with it.

Council Member LeCompte asked if this is an agreement made by a prior Council. Ms. Fox gave some background about the issue.

Council Member Hoffer and Council Member LeCompte said they'd like to hear more history about this. Mr. Oakley said he can bring back additional information in February.

19. Resolutions for LGC approval of HVAC financing

Council approved debt service in the 2021-2022 fiscal year budget for replacement of the HVAC system at the Municipal Complex at 1121 North Lake Park Boulevard. Because replacement of the heating and cooling system is considered improvements to real property, the Town must submit an application to the LGC for approval.

Ms. Hall presented the details of three resolutions: Resolution Number 22-2246 – Reimbursement Resolution, Resolution Number 22-2247 – Resolution of Necessary Findings, and Resolution Number 22-2249 – Resolution Approving Financing Terms.

**ACTION:** Motion to approve Resolutions 22-2246, 22-2247, and 22-2249, resolutions for LGC approval of the HVAC financing as presented

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

20. Resolutions for Reimbursement for Restroom at Mike Chappell Park

Council approved debt service in the 2021-2022 fiscal year budget for a new restroom at Mike Chappell Park. The Town plans to submit an application for approval of financing terms to the LGC in the next couple of months. A reimbursement resolution needs to be in place so any funds spent on the project prior to LGC approval may be reimbursed out of loan proceeds.

Ms. Hall presented the details.

**ACTION:** Motion to approve Resolution 22-2248, resolution for reimbursement for a restroom at Mike Chappell Park

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member LeCompte

*Motion passed unanimously*

Mayor Pro Tem Healy said the Town got approved for a \$250,000 bathroom but is only spending \$190,000, a savings of \$60,000. Mr. Oakley gave credit to Parks and Recreation Director Eric Jelinski for finding a better solution.

## 21. Budget Ordinance for the American Rescue Plan

Mr. Oakley asked Council to approve a budget ordinance increasing Project Fund 35 by \$28,505.65 for Premium Pay, Retirement, Taxes and Law 401(k).

**ACTION:** Motion to approve Ordinance 22-1165, a budget ordinance for the American Rescue Plan as presented by the Town Manager

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Hoffer, Council Member LeCompte

*Motion passed unanimously*

## 22. Committee Appointments

Council made the following committee appointments:

- Beautification: Christopher Bartosik and Rachel Nadeau
- Bike/Ped: Mike Maume
- Board of Adjustment: Dan Adams
- Planning and Zoning: Lynn Conto
- Police Advisory: Christina Lopez and Dan Adams
- Operations Advisory: Matthew Shuttleworth (one of the youngest committee members in years, Mayor Barbee added)

Mayor Barbee encouraged anyone with an interest to attend committee meetings. He said being appointed is not necessary for participation.

Council Member LeCompte said there are now more people wanting to serve than available positions, so she thanked the public for stepping up.

Council Member Hoffer said in his experience, those who attend committee meetings can speak freely.

### **CLOSED SESSION TO DISCUSS AN ATTORNEY/CLIENT MATTER AND A PERSONNEL MATTER**

**ACTION:** Motion to go into closed session to discuss a personnel matter as well as an attorney/client matter and attorney/client privilege in accordance with NCGS 143-318.11(a)(3) and (6). Matters being discussed include:

18 CVS 3151 Town of Carolina Beach vs. Carolina Freeman LLC

18 CVS 3152 Town of Carolina Beach vs. B&F Enterprises LLC

18 CVS 3153 Town of Carolina Beach vs. DRDK LLC

18 CVS 3154 Town of Carolina Beach vs. Freeman Beach LLC

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Member Benson, Council Member Hoffer,

Council Member LeCompte  
*Motion passed unanimously*

Council returned from closed session stating that no action was taken.

**ACTION:** Motion to approve a 4% salary increase for the Council appointed staff.

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem Healy, Council Members Benson, Hoffer, and LeCompte

**ADJOURNMENT**

Mayor Barbee adjourned the meeting at 9:05 PM.