

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, October 12, 2021 - 6:30 PM

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



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## MINUTES

### CALL TO ORDER

Mayor Pierce called the meeting to order at 6:30 PM, followed by the invocation by Judge Rebecca Blackmore of St. Paul's United Methodist Church and Pledge of Allegiance.

### PRESENT

Mayor LeAnn Pierce

Mayor Pro Tem Jay Healy

Council Member Lynn Barbee

Council Member JoDan Garza

Council Member Steve Shuttleworth

### ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Town Clerk Kim Ward

Town Attorney Noel Fox

Mayor Pierce said the pickleball court issue has been withdrawn by the applicant and therefore will not be heard tonight.

### ADOPT THE AGENDA

**ACTION:** Motion to adopt the agenda

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

### CONSENT AGENDA

1. Set a public hearing for November 9, 2021 for a Conditional Zoning District to consider a Mixed Use Commercial – Residential project located at 902, 1000, 1010 N. Lake Park Blvd. in the HB zoning district Applicant: Cape Fear Four LLC.
2. Approval of Meeting Minutes from 9/14/2021 and 9/28/2021

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

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,

Council Member Shuttleworth  
*Motion passed unanimously*

### **SPECIAL PRESENTATIONS**

#### 3. Employee Recognition

Police Chief Vic Ward introduced the new K9 Demi and her handler Crofton Stephenson as well as new Officers Kaylen Batey, Paige Hulglin, Erik Williams, and Joe Marinaro.

#### 4. Presentation of Annual Financial Audit

Victor Blackburn of Bernard Robinson & Company presented a summary of the annual financial audit to Council. The Town is doing well and has increased the general fund balance to 35 percent, up from 21 percent last year. Mr. Blackburn said the Town received an unmodified opinion, the cleanest opinion it could receive, and said overall it was a very clean audit. He also went over slides for the governmental activities net position, business type activities net position, and debt service coverage ratio.

Council Member Garza asked for a printout of the audit and requested that it go on the Town's Facebook page and website. Finance Director Debbie Hall said she will do that once the audit is final and not in draft form.

Mayor Pro Tem Healy said it's important to note that the Town has done a great job regarding the audit.

Mayor Pierce thanked Mr. Oakley for cutting corners and getting the Town to its general fund balance goal.

Council Member Barbee asked Mr. Oakley to thank staff for a fantastic job manipulating projects and money.

#### 5. Events Update by Tim Murphy

Tim Murphy, Recreation Programs Superintendent/Community Events Coordinator, offered thanks to other departments and volunteers for helping with summer events. He reviewed special events for October/November:

- Pleasure Island Surf Fishing Challenge – October 15-17
- Beachin' Car Show – October 17 at Carolina Beach Lake Park (rescheduled)
- Movie Night at Lake Park Featuring "The Addams Family" – October 22
- Pets in the Park – October 23 at Carolina Beach Lake Park (rescheduled)
- Halloween Golf Cart Rally – October 23
- Halloween Carnival – October 29 at Mike Chappell Park
- Bike Rodeo – November 6 at Rec Center
- Trash 2 Treasure – November 13 at Carolina Beach Lake Park
- Neon Bike Brigade – November 20 at Carolina Beach Lake Park

Mr. Murphy said the Amazon production “The Summer I Turned Pretty” is filming this evening at The Fat Pelican. He said there is also a closure of part of Lake Park Boulevard this evening, so people will have to cut down Third Street.

Mr. Murphy said the Netflix series “Florida Man” will be using the Surfside East lot October 25-27 and shooting on the Boardwalk on October 26, so people may notice some store names temporarily changing or other oddities.

Mayor Pro Tem Healy asked about the Christmas parade. Mr. Murphy said this is planned for December 3, and registration has begun. He said online registration is available, and anyone needing assistance can contact the Rec Center.

Council Member Barbee praised the efforts of first responders during the unexpected inclement weather that popped up during National Night Out on October 5.

#### 6. Manager’s Update

Mr. Oakley gave an update on various projects and events:

- October workshop: Council will select a new parking vendor from the proposals currently being submitted, and former Congressman Mike McIntyre will give a legislative update.
- Non-agenda item updates: Staff is looking into consolidating loans for projects. A traffic study is being conducted to evaluate the need for a traffic signal coming out of Bame Ace Hardware. Staff has reached out to property owners where the carnival rides were about grading, and this will start shortly. Property owners have been asked to clean up these properties. Private parking lots have removed pay stations, so there should no longer be an issue with them charging for parking.
- Lake dredge: A request for proposals (RFP) is out for this project, and the deadline is November 5.
- Other: Stormwater has identified several issues with drains on Canal Drive where water is coming up through the drains. Council requested that staff increase the frequency of the maintenance of these drains. Derelict vessels are being monitored and removed from the harbor. The Harbor Master is contacting owners and having them removed.

#### **PUBLIC COMMENT**

None

#### **ITEMS OF BUSINESS**

#### 7. Adopt Capital Project Ordinance

Mr. Oakley reviewed capital projects that need separate budget codes.

**ACTION:** Motion to approve Ordinance number 21-1159 a grant ordinance to create a budget for the American Rescue Plan Water, Sewer, and Stormwater projects totaling \$869,000.

Motion made by Council Member Shuttleworth

Motion passed unanimously

The locations listed in the project include: Florida Avenue, Spartanburg Avenue, Maryland Avenue, Virginia Avenue, Basin Road, Eastern Hamlet, Seventh Street, Sumter Avenue, and Greenville Avenue.

## 8. Committee Appointments

Council made appointments to the following committees:

- Operations Advisory Committee – Tiffany Bryan
- Bike/Pedestrian Committee – Jeff Page

## **NON-AGENDA ITEMS**

### Council Member Garza

- Wants Council liaisons to give committee reports at each workshop.
- Wants all committee chairs to give an update at the February workshop.
- Wants an update at the next workshop on the Spartanburg Avenue path.
- Wants an update on the tree ordinance at the next workshop.
- Asked if staff had worked with Patrick Boykin on his requests from the last meeting.
- Council and staff need to start having discussions with Boardwalk business owners about establishing a Municipal Service District.
- Management needs to conduct an employee satisfaction survey.
- Wants to use the Powell Bill money to fix streets and sidewalks.
- House Bill 890 got passed last month. Council should start discussion about creating a district that allows for open containers.
- Suggested having a December workshop this year.

### Council Member Barbee

- Asked if there was an update from the N.C. Department of Transportation on the turn lane into the State Park. There was no update.
- Wanted to make sure staff was aware of an agreement that would have to be signed by staff to begin a beach nourishment project. Mr. Oakley said he was aware.

### Council Member Shuttleworth

- Wants to make sure the specific questions regarding parking lots will be answered at the October workshop. He also wants to have a separate conversation about privately owned lots. He would like to renegotiate with the property owners on the Town running the lots to eliminate confusion.

### Mayor Pro Tem Healy

- False statements are being made that the Town has abandoned infrastructure projects, and that is not true. Public Utilities stays busy.
- Reminded everyone to vote on November 2.

### Mayor Pierce

- Would like to discuss parking in rights-of-way at the workshop.
- Would like to schedule the beach towns breakfast within the next 30 days.

### **CLOSED SESSION**

9. Closed Session to Discuss an Attorney/Client Matter

**ACTION:** Motion to go into closed session to discuss an attorney/client matter in accordance with NCGS 143-318.11(a)(3). 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 Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Mayor Pierce called the meeting back to order and said Council took no action during closed session.

### **ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

The meeting adjourned at 9:00 PM.