

# CAROLINA BEACH

Town Council Workshop

Tuesday, June 28, 2022 - 9:00 AM

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



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## MINUTES

### CALL TO ORDER

Mayor Barbee called the meeting to order at 9:00 AM.

### 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

Town Clerk Kim Ward

### DISCUSSION ITEMS

1. Presentation by the Bike/Ped Committee Regarding the 2025 DOT Resurfacing Project

Listed in section 3 (Existing Plans, Programs, and Policies) of the Bicycle Multi-Use Transportation Plan adopted by the Town in 2011 is, "In spring 2004, the Town adopted the Carolina Beach North End Traffic and Circulation Study and selected a set of improvements from the study's recommended traffic scenario alternatives. One of the approved scenarios for traffic improvements included: Establishing bicycle lanes on US 421 south from Charlotte to Carolina Sands." The Bike/Ped Committee recommends the Town inquire about Complete Streets funding available to implement this improvement when the street is resurfaced in 2025. Implementing this improvement should be free of charge to the Town.

Ricky Niec of the Bike/Ped Committee presented the details.

Council Member Hoffer said three years is like the blink of any eye in government terms, so the Bike/Ped Committee wants to get on the ball in terms of putting together plans to add bike lanes. He said it would be best to break the puzzle into smaller pieces and let different committees look at it.

Council Member LeCompte suggested a joint meeting between the Bike/Ped Committee and Operations Advisory Committee.

Mr. Oakley said everything the Town wants to see on Lake Park Boulevard should be submitted to the N.C. Department of Transportation (DOT) as soon as possible. He said the Town needs an overall plan. Mayor Barbee suggested asking committees to bring ideas to Council at the November workshop. It was the consensus of Council that the November workshop was a good time to revisit this.

Council Member Benson said at the next meeting of the Operations Advisory Committee, members can nominate a few people to be part of the project.

Mayor Barbee said DOT is not getting applications for smaller projects.

Council Member LeCompte said projects such as decorating bike racks would fit in with some of the grants being discussed.

## 2. Presentation by the Beautification Committee

Cindy Dunn and Karen Graybush of the Beautification Committee presented ideas on landscaping along North Lake Park Boulevard.

Ms. Dunn said the committee is looking at the area north of Snow's Cut Bridge to Alabama Avenue. She said research shows the Town has access to maintain the grassy area on the north side of the bridge.

Ms. Graybush said one of the goals of the committee is to transform the major corridor of the Town to a walkable, engaging, beautiful, and safe experience connecting all sections of the Lake Park thoroughfare. She went over funding and implementation plans and then gave a timeline:

- Phase 1A: plantings in median on north side of bridge and new sign, fall 2022
- Phase 1B: plant along Dow Road to Elton Avenue, fall 2022
- Phase 1C: add trees to the concrete median at the light at Dow Road and North Lake Park Boulevard, spring 2023
- Phase 1D: create communal areas in Central Business District, winter 2022-2023 benches and tables and spring 2023 tree plantings
- Phase 1E: plantings past median to Saint Joseph Street, early 2023-end 2023
- Phase 2: tree planting and beautification between Saint Joseph Street and Lake Park at Atlanta Avenue, winter 2023-spring 2024
- Phase 3: south end of Lake Park to Carolina Sands entrance, fall 2024
- Phase 4: south of Carolina Sands Drive to Alabama Avenue, 2024-2025

Mayor Barbee asked if there is a cost estimate for things planned to be done in FY 22/23. Ms. Dunn said so far this is just a concept, and the committee wants to know if this is something Council wants to pursue. Ms. Graybush said the committee has some ideas about costs when it gets to that point.

Council Member Benson suggested looking into grant funding through the Cape Fear Garden Club.

Mayor Barbee thanked committee members for their work. He asked if DOT will allow some of the plans presented. Mr. Oakley said the Town still needs to get DOT's permission for some items. He said he's not sure if a masonry sign can be done, but the Town can inquire. Mayor Barbee encouraged the

committee to get more information about what DOT will approve and come back with a total cost to the Town broken down by fiscal year. He said he supports what has been presented.

Council Member LeCompte suggested adding the Parks & Recreation Committee to the process because of the sponsor program for benches.

Mayor Barbee said any contact with DOT will need to be done through staff.

Mayor Pro Tem Healy said the Beautification Committee has come a long way, and he's proud of where it is now. He said the timing is good with the centennial coming up and suggested getting the Centennial Committee involved as well. He asked whether crepe myrtles may be used in medians instead of palm trees. Ms. Graybush said they are not evergreen and their root systems sprawl out, so they may not work in this application.

Mr. Oakley said the presentation had a lot of great ideas. He said some of the plans will need to go through the Technical Review Committee (TRC).

Council Member Hoffer said he would like to look at the places where the plan can move forward for the sake of initial progress. Ms. Dunn said the goal is to get moving on some small parts where physical forward progress can be seen. Council Member Hoffer said the first step is to get information from DOT about what is allowed. He said there are fundraising arms sitting on Council who can help with getting private funding. Ms. Dunn said she will find out when a DOT representative can meet to focus on what can be achieved in the short term.

Council Member LeCompte said the Pleasure Island Habitat Board is meeting the week after the Fourth of July, so she is going to forward this presentation in the hopes of starting a discussion about fundraising to get some of this started. She said she can also put the Beautification Committee in touch with the Cape Fear Board of Realtors, which wants to be involved in a fall project on Pleasure Island. Council Member LeCompte asked the committee to consider the tagline for the centennial if there is a new welcome sign.

Council Member Benson said he will talk to The Island Men about fundraising.

Mayor Barbee said the consensus among Council is to proceed, with warnings of possible hurdles.

### 3. Traffic-Calming Opportunities

Council Member Benson requested an update from staff on the logistics involved with the implementation of a traffic-calming program.

Mr. Parvin gave a presentation overviewing traffic-calming opportunities and challenges. He said traffic calming is the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter drive behavior, and improve conditions for non-motorized street users. Mr. Parvin said DOT has had a traffic-calming policy since 2009. He said traffic-calming measures would need to

be done in a defined neighborhood with a contractual agreement, such as with a homeowners association.

Traffic calming is not:

- Stop signs
- Reduced speed limits
- Road closures/gates
- Automatic enforcement (traffic lights or signals)

Traffic calming is:

- Collaborative
- Incremental and iterative
- Part of a whole

Nuts and bolts

- Problem identification
- Determining public support (or not)
- Funding source (limits and flexibility)
- Selection and installation of devices

Mr. Parvin said per DOT policy, a traffic-calming program must have 60% minimum documented public support in the subject area. The policy also requires traffic-calming devices to be funded by the requesting neighborhood.

Devices

- Speed humps are cheapest, most frequent, and highly (un)popular
- Speed tables are larger, gentler versions of speed humps
- Chicanes are lateral deflection devices for straight roads
- Traffic circles are lateral deflection devices for intersections
- One-way chokers are for volume reduction
- One-way closures are for volume diversion

Mayor Barbee asked why this is on the agenda. He said he recalls Wilmington Urban Area Metropolitan Planning Organization (WMPO) giving a similar presentation to Council in the past, and the recommendation was for the Town to develop a policy and seek funding and community consent.

Mr. Parvin said the previous presentation was before some of the current Council Members took their seats. He said the Town doesn't have a program, staff, or resources allocated to developing any traffic-calming measures, so Council Member Benson asked to revisit the matter. Mr. Parvin said it is just a review, and Council may give staff direction. He went over photos of each device.

Implementation

- Seek consistency (start small)
- Use DOT policy as a starting point

- Cultivate shared ownership (residents and public servants)
- Have an exit strategy (or a reverse gear)

Council Member Benson said some traffic and speeding concerns came up during the open house for the Saint Joseph Street bike path project. He said he wanted to know how to direct staff in conjunction with that project if there is a desire to implement any traffic-calming measures.

Mr. Oakley said the Town could start looking at this as part of the Unified Development Ordinance (UDO) process.

Council Member Hoffer said he thinks the Saint Joseph Street project should include traffic-calming measures. He said there are three things that don't work when it comes to traffic calming: wishing, wanting, and ticketing. He said the Town must make changes if it wants to slow down traffic, and the Saint Joseph Street project could work as a good starting point.

Mayor Pro Tem Healy said the best traffic-calming device is the electronic speed boards. He said the multi-use path will hopefully take people out of harm's way, so he doesn't know why the Town would also need traffic-calming measures in this case.

Council Member Hoffer said people will be crossing the street to get to the path, so that's why traffic-calming measures are necessary.

Mayor Pro Tem Healy said motorized bikes will have a field day with some traffic-calming devices, swerving and using them as ramps.

Mr. Oakley suggested doing a study to see what the speed limits are and how many people are violating them.

Council Member LeCompte said the responsibility is on both drivers and cyclists. She said she likes the idea of raised crosswalks, especially at big intersections.

Mayor Barbee said his opinion is that Council is wasting time on this. He said he likes the idea of looking at traffic-calming measures as the Town is doing an engineering study for the Saint Joseph Street project, but Council has been through this multiple times and has found that these solutions don't fix the problems that residents are complaining about. Mayor Barbee said he had no idea this was going to be on the agenda and could have referred Council Member Benson to the previous presentation. He said it's up to Council as a whole whether to take it up, but it's not on his priority list.

Council Member LeCompte and Mayor Pro Tem Healy said there are issues with people recognizing the one-way section of Carolina Beach Avenue South.

Mayor Barbee said Mr. Parvin is asking whether Council wants to direct staff to work on a plan for traffic-calming devices. He said he does not support redirecting staff with all of the projects currently in the works.

Council Member LeCompte said she likes the idea of incorporating traffic-calming devices into the UDO.

Council Member Hoffer said he doesn't want to distract staff, but he hopes when the engineering plan for Saint Joseph Street comes in it has a traffic-calming aspect to it.

Mayor Pro Tem Healy said he would put this discussion on the back burner for now.

Council Member Benson said he is fine with the discussion being part of the UDO review.

Mr. Oakley said he will put the matter into the UDO discussion, and Council can look at traffic improvement plans.

Council Member Hoffer said he doesn't mind taking 20 minutes to revisit this issue now.

Mayor Barbee said the problem is what Council is not focusing on during the 30 minutes spent talking about this. He said it's not about whether traffic-calming measures are good or bad but whether Council Members are focused on the things they told citizens they were going to work on. Mayor Barbee said this is not one of them.

Council Member Hoffer said this is something he told people he was going to work on when he ran.

#### 4. Appropriate Funds for Marina Phase III Project

On March 8, 2022, \$3,806,504.76 was budgeted for the marina bulkhead project in Ordinance No. 22-1169. Additional funds are needed for the project:

- Special inspections contract (Ardurra) – \$24,000.00
- Construction materials testing contract (S&ME) – \$47,000.00
- Change order for increase in piling sizes – \$32,465.00

An amendment to the Capital Project Ordinance is needed to appropriate a total of \$103,465 out of the General Fund balance to cover these expenses.

Mr. Oakley presented the details. He said the amount being requested will come from unreserved funds, and he thinks it will be more than paid for by excess revenue when the budget is done for the current fiscal year. Mr. Oakley said over \$3 million of the money for the project came from sources outside of tax dollars.

Council Member LeCompte asked why testing and inspections weren't considered at the time of entering into the contract. Mr. Oakley said this was not required, but it probably should've been in the original contract.

Mayor Pro Tem Healy asked if this amount includes the other side or whether the Town might come across this again. Mr. Oakley said over \$200,000 was leftover from phase II. Mr. Parvin said this should be for the rest of the project. He said the Town did not build any contingency into this project so there

may be other changes, especially because the east side will be complicated, but it will be unforeseen if staff has to come back with additional requests.

Council Member LeCompte said she doesn't like unforeseen requests. She asked why contingency wasn't built into this project. Mr. Oakley said because the total cost of the project exceeded the funding the Town received, staff tried to reduce the amount coming from the fund balance.

Council Member Benson asked about the \$276,000 Council approved for this project a few months ago. Mr. Oakley said that was not an unforeseen expense but an amount to cover the increase in what the Town originally expected from the bid.

Mayor Pro Tem Healy said the change order makes sense, but he's baffled by the other two charges yet agrees this has to be done.

Mayor Barbee said Mr. Oakley should get tighter on estimates for this project. Mr. Oakley said unforeseen charges are a reality on complicated projects, but testing should've been included in the original contract. Mayor Barbee said it's Council's job to oversee how Town money is spent, and Mr. Oakley should not take it personally. Mr. Oakley said he does not expect any rubber stamps.

**ACTION:** Motion to approve the appropriation of funds for the marina phase III project 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

Voting Nay: Council Member Benson

*Motion passed 4-1*

## 5. Manager's Update

Mr. Oakley gave an update on current and future projects.

### Fireworks

The Town is putting the word out via public service announcements and the message board that most personal fireworks are against the law and penalties will be enforced. The Police Department will have additional personnel on duty all weekend to try to minimize the amount of illegal fireworks.

Mayor Barbee said there are various public fireworks displays spanning multiple days. He said complaints stem from people putting on huge displays of commercial-quality fireworks.

### Hamlet Ocean Rescue/Restrooms

Parking and possibly the whole facility may be open by the Fourth of July. Paving equipment has been delivered, and plumbers were on site completing the project yesterday.

Mayor Barbee said the facility is going to look good when it's done.

Mr. Oakley praised staff members, some of whom volunteered their time, for helping to move the project along. He said the Town hopes to schedule an official grand opening for the facility after the Fourth of July.

Council Member Hoffer asked staff to remember to tidy up the front area when the project is complete.

Council Member LeCompte asked if there is news about whether the contract contains any recourse for delays. Mr. Oakley said Town Attorney Noel Fox will be working through liquidated damages clauses in the contract.

#### Additional Parking

Materials are being removed from the laydown yard between Fayetteville Avenue and Hamlet Avenue, and then the Town will start putting down gravel and otherwise moving forward.

More design work is necessary for Harper Avenue and then this will need to go to the TRC, so this probably won't get rolling until after the season.

Mayor Barbee asked if Council can have a review of the master plan for Harper Avenue at next month's workshop. He said he's worried that Council is so focused on creating parking that the plan may be unintentionally changing.

#### Florida Avenue Paving

This project was delayed, but final plans are expected to go out for bid next month after the Fourth of July. Engineering plans are substantially complete for the retention wall, and the next step is to get Coastal Area Management Act (CAMA) approval. The Town will need to bring property owners into the discussion.

Mayor Barbee asked why there is a resident starting Facebook groups saying the Town doesn't fill potholes. Mr. Oakley said the Town doesn't have staff riding around to fill potholes, but if people put in work orders staff will address areas that need attention. Mayor Barbee said this can be done through the Town's website. Mr. Parvin explained the process in detail. He said it could be a week or a month to complete pothole work, depending on when the contractor is mobilized. He said if it's a life-safety issue, the Town will address it immediately. Public Works Director Brian Stanberry said the Town does have staff trained to look for potholes, but the list is in the contractor's hands and the Town is waiting for scheduling. Mayor Healy joked that he considers potholes to be traffic-calming devices.

#### Lake Park Boulevard Pedestrian Improvements

The Alabama Avenue crosswalk has been approved, and the project will start on July 11. The Spartanburg Avenue crosswalk was put into the budget this year, and the Town has been in contact with DOT about the process as well a ramp at Lake Park Boulevard. These projects are in process, and the Town is working to get requested data to DOT.

Mayor Barbee asked about the timing of lights, which DOT has said would be fixed multiple times. He said it's tough crossing Lake Park Boulevard at Cape Fear Boulevard and Harper Avenue during busy



times. Mr. Oakley said DOT representatives said the timing would be delayed and yield-to-pedestrian signage added, so he will follow up.

Mayor Barbee said the problem is that pedestrians are supposed to get lead time for a chance to get across the road before the light allows motorists to turn left, but right now the signals for both pedestrians and motorists are changing at the same time.

Council Member LeCompte said she would not be opposed to no right turn on red in that area.

### UDO

Planning Director Jeremy Hardison said staff is ready to get started pending the green light from Council. He said he and Mr. Parvin met with Cape Fear Council of Governments, which will lead the process. Mr. Hardison said the first step will be a staff audit of development codes, and he recommends using the Planning and Zoning Commission as a steering committee to work through ordinances and updates. He said the timeline from start to a draft UDO is about 16 months, and an introduction/kickoff is planned for the July Planning and Zoning Commission meeting. There was no opposition, so the consensus of Council was to allow staff to move forward with this.

### Street Sweeper

Discussions with Council Member Hoffer led to the idea of Mr. Stanberry giving a briefing about the street sweeper, the highlights of which follow.

#### Sweeper facts

- The street sweeper has been operated by Stormwater Equipment Operator II Tim Mattingly for 15 years.
- It is funded through the Stormwater Department budget and is the Town's most effective stormwater control measure.

#### Sweeper data

- Miles of roadway swept in one year: 1,904
- Amount of sediment and debris removed from roadway: 450 cubic yards

#### Summer schedule

- Monday: Lake Park Boulevard
- Tuesday: Canal Drive and Carolina Beach Avenue North
- Wednesday: Central Business District
- Thursday: side streets
- Friday: Lake Park Boulevard

Council Member Benson asked where the material goes. Mr. Stanberry said it goes to the wastewater treatment plant in the drying bed, and then it's hauled away.

Mayor Barbee asked if this is the right piece of equipment for the Town. Mr. Stanberry said the previous sweeper involved suction and had more maintenance concerns than the current sweeper. He

said there are challenges with both and no good scenario when you consider our tough, sandy atmosphere.

Mr. Oakley said at some point Council might want to consider adding a smaller piece of equipment that can get into tighter locations.

Council Member Hoffer asked if there is a broom device. Mr. Stanberry said yes, the Town has had this for quite a while and it's used on the North End. Council Member Hoffer asked if it would be effective along Lake Park Boulevard. Mr. Stanberry said it would blow debris onto private property and the right-of-way, which would need to be removed.

Council Member LeCompte said the Hatteras ramp on Hamlet Avenue is covered over and asked if there is a schedule. Mr. Stanberry said they are working on it as needed. He said there is one on Ocean Boulevard that's in bad shape, and it will be replaced after July. Council Member LeCompte thanked Mr. Stanberry for the replacement of boards on the Lake Avenue access gazebo.

Council Member Hoffer said the presentation was informative.

Council Member LeCompte asked if there is any recourse against landscapers, including those contracted by the Town, who blow debris into storm drains. Mr. Stanberry said the first step is to talk to them, and if that doesn't work then it goes to Code Enforcement. He said periodically all landscapers end up doing this, and it's an education process, especially when many landscaping companies have turnover in staff.

Mayor Barbee said when you dump something into the storm drain, you are polluting the stormwater system and that's against the law, but it becomes a bigger deal when thousands of people do it.

## 6. Discuss Agenda Items for the July Council Meeting

Mayor Barbee said he would like to propose putting together a Parking Committee to look at any future changes Council may want to make. He said this could go on the next agenda or be acted upon now because it's time-sensitive. Mayor Barbee said his idea is to ask the Chair of each current committee to make up the Parking Committee and request that the Chairman of the Planning and Zoning Commission also be the Chairman of the Parking Committee.

Mr. Oakley said any recommendations for changes to the parking program would need to be made by the end of September.

Council Member LeCompte said she likes the idea, and with committees appointing new Chairs in July this would be a good time for Council liaisons to introduce this idea to each committee.

Council Member Hoffer said he's not in love with the idea. He said another committee makes him cringe, even if it's temporary. He said Council should do what a Parking Committee would do, so he's skeptical.

Mayor Pro Tem Healy said he thinks it's a different avenue to get input outside of Council. He said the more people you get involved, the more transparent opinions you have across the board.

Mayor Barbee said the Parking Committee would be ad hoc and only last a few months.

Council Member LeCompte said Council has rules of procedure and can't meet arbitrarily, so she likes the idea of a Parking Committee made up of current committee Chairs.

Mayor Pro Tem Healy said he recommends that Mayor Barbee be the Council liaison to the Parking Committee. Mayor Barbee said he's the one whose face is on a billboard from critics, so he has a vested interest in it. Council Member LeCompte said she would be happy to do it. Council Member Benson suggested getting a rotating Council Member to join Mayor Barbee.

Mr. Oakley said any recommendations must precede renewal of the parking contract.

Mayor Barbee said the Parking Committee's objectives would be to review the current parking program and prepare recommendations regarding rules, regulations, rates, fees, improved communication, additional zones, handicap spaces, and private lots for Council to consider at the September workshop. He said if a standing committee Chair cannot serve on the Parking Committee, then the Vice Chair would serve or nominate someone else from the committee to participate. Mayor Barbee said the Planning and Zoning Commission Chairman would be the Chairman of the Parking Committee.

Council Member Benson asked if parking recommendations should be delivered at the September regular meeting. Mr. Oakley said this should happen no later than the September workshop, but if recommendations are done earlier that would be great.

**ACTION:** Motion to create an ad hoc Parking Committee as presented by the Mayor

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 he was convinced of the need for a Parking Committee.

Mayor Pro Tem Healy asked Council Member Benson about a parking meeting he previously mentioned having next month. Council Member Benson said it is a question-and-answer brainstorm session on July 6. Mayor Pro Tem Healy asked Council Member Benson why he is doing this. Council Member Benson asked why not. He said there are parking issues to discuss beyond rates and fees. Mayor Pro Tem Healy said his fear is that it's going to rev up negativity. He said negative press does more harm to business owners than good, and personally he would let a sleeping dog lie.

Council Member LeCompte said as soon as possible she would like to see final FY 21/22 revenue numbers for room occupancy (ROT), sales, and Alcoholic Beverage Control (ABC) taxes so Council can

compare budgeted vs. actual figures. Mr. Oakley said he will present those numbers as soon as they are available.

Mayor Pro Tem Healy said he thinks Americans with Disabilities Act (ADA) parking is still an issue in Town. He said if something has been approved, he'd love to see what it looks like. Mr. Oakley said staff is going to submit a proposed plan to Council for adoption at an upcoming meeting.

Mayor Barbee said he constantly hears about handicap parking. He said July is not a good time for changes, but if the Town can do anything to push that along that would be good.

Council Member Benson asked for a rough timeline on paving in July.

### **COUNCIL COMMENTS**

Council Member Hoffer asked how the Mike Chappell Park bathroom is coming along. Mr. Oakley said he doesn't have an update. Mayor Pro Tem Healy said he talked yesterday to Parks & Recreation Director Eric Jelinski, who said it was on order for the first week of July and should be complete within two months.

Mayor Barbee said he continues to get emails from residents about the Boardwalk restroom facilities. He asked if the Town is doing anything over the next four weeks to accommodate peak summer crowds. Mr. Oakley said the amusement operators have brought in four portable toilets, and the Town can look at adding more, especially for Fourth of July weekend.

### **ADJOURNMENT**

Mayor Barbee adjourned the meeting at 11:15 AM.