

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, August 8, 2023 - 6:00 PM

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 6:00 PM, followed by the invocation by Pastor Stuart Milton of St. Paul's United Methodist Church and 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

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 September 12, 2023, to Consider a Text Amendment to Amend Chapter 40, Art. V Off-Street Parking and Loading Requirements; Parking for Off-Site Parking in Different Ownership  
Applicant: Ryan O'Rourke
2. Resolution 23-2295 Supporting Wilmington Urban Area Metropolitan Planning Organization's (WMPO's) PROTECT Grant Application
3. Amend the Grant Project Fund for Starfish Lane Dock
4. Budget Amendments for Carryovers
5. Year-End Budget Transfers
6. Budget Amendments/Transfers FY24
7. Year-End Budget Transfers Wages and Benefits
8. Approval of Council Meeting Minutes

Council Member Benson and Council Member Hoffer asked about the marina item that was previously on the consent agenda. Mr. Oakley said it was pulled from the consent agenda and put under items of business so Council can consider an amendment to the project ordinance.

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

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

*Motion passed unanimously*

## **SPECIAL PRESENTATIONS**

### 9. Events Update

Mr. Oakley reviewed upcoming events:

- Whompolympics – August 12 at Hamlet Avenue beach access

Mr. Oakley thanked the Carolina Beach Bar Club, staff, and volunteers for how smoothly things went with the recent GRiZMAS in July Beach Party at the North End Pier. He and Mayor Barbee both said they had not heard any complaints from residents about the event, which brought thousands of people to the area.

### 10. Jake Allen’s Eagle Scout Project – Beach Toy Library

Jake Allen gave an update on his Eagle Scout project, which entailed putting beach toy collection boxes on four lifeguard stands near the Boardwalk so people can leave toys they are no longer using for others to enjoy. He thanked Council for allowing him and his friends to complete the project, and he reported that the boxes are filled with toys and receiving good feedback from people on the beach.

Council Member LeCompte said she has enjoyed working with Mr. Allen and his dad on this project. She said she hopes it encourages kids to have interactions with lifeguards and give a useful home to abandoned toys. Council Member LeCompte also recognized Bryan Parker of Kook Built for mentoring Mr. Allen, Fire Chief Alan Griffin and Ocean Rescue Captain Shawn Kelly for helping with logistics, Kevin Murphy of Ocean Cure for donating funds to help build the boxes, and Mr. Allen’s family for raising “an amazing young man.” She said the plan is for non-profit organizations to step in now to get other lifeguard stands sponsored.

Council presented Mr. Allen with a certificate of recognition.

### 11. Manager’s Update

Mr. Oakley gave an update on various projects:

- Budget review and planning workshop – August 22 at 9:00 AM
- South Lake Park Boulevard sidewalk – The N.C. Department of Transportation (DOT) has funded a sidewalk, and the hope is that work will start in the fall. Details are still being ironed out.
- Lake dredge and stabilization – This is still moving forward, but there have been some delays due to lightning. Staff is working with the contractor to reduce fencing and use more caution

tape in response to concerns from residents about wildlife being trapped. Geese are still a problem, and the Town is looking into getting quotes for the use of a border collie dog that will encourage the geese to relocate.

Council Member Hoffer said he is concerned about the sloppy job site at the lake. Mr. Oakley said the contractor has an outstanding record with the Town on other types of projects. Council Member LeCompte said there is a group going out Thursday morning to pick up fence debris, and the public is invited to help.

Council Member Hoffer asked about the Ocean Boulevard sidewalk. Mr. Oakley said the engineer is working on hydrology comments from DOT so the encroachment agreement can be released.

Mayor Pro Tem Healy said he thinks the rip current signs are good, but they need to be bigger. Mr. Oakley said he will discuss this with Chief Griffin. He said flags in specific areas have been used before, but there were concerns about liability if a rip current was missed in the flagging process. Council Member LeCompte said Emerald Isle has a board with the colors of rip current flags at the town entrance and all beach accesses.

Mayor Barbee said the recent number of rip current rescues has been huge and worse than he remembers in many years. He praised Ocean Rescue for doing a phenomenal job in less-than-ideal conditions.

#### **PUBLIC COMMENT**

Cindy Dunn, Chairman of the Town's Beautification Committee, said Mr. Oakley already addressed two of her concerns: the lake construction site and geese. She said the committee voted to support any means the Town can come up with to control the geese, citing sanitation and beautification concerns. Ms. Dunn also mentioned various other beautification matters, including the gateway landscaping plan, a proposed landscaping plan for Dow Road, and the possibility of DOT helping with watering.

#### **ITEMS OF BUSINESS**

##### 12. Marina Budget Addendum and Change Order FY24

Council is considering a budget transfer request in the amount of \$293,251.06 and amending the general fund budget for the marina project ordinance. The reasons for the increase are as follows:

**Dredge:** The northeastern slip of the marina needs dredging and was not included in the original project. It was also brought to the Town's attention that a malfunctioning drain box on Saint Joseph Street was allowing sand and debris to dump directly into a private marina on the west side of the harbor, causing issues with access. The stormwater issue has been resolved, but the sand, silt, and debris remain. While the dredge is working on the marina, the Town could resolve the issue at the marina on the west side and save mobilization costs. This would be an addendum to the marina contract.

**Relocate meter box panels:** The marina project design included two meter box panels on the south side of the marina to handle electricity for the east- and south-side slips. Federal Emergency

Management Agency (FEMA) regulations require those panels to be raised to a height that would obstruct views of the marina and have an unsightly appearance. The proposed change order would relocate these panels to the west side, where there is an existing panel that, while unsightly, is less noticeable and does not obstruct any views.

**Reconfigure west side meter panel:** During construction of the marina project, some issues were discovered with the west-side electric and as mentioned above, it is somewhat unsightly. The proposed addendum to the contract would allow for the electrical issues to be resolved and the west-side meter box panel to be reconfigured, including the panels from the east and south sides, in a more usable and less unsightly manner.

Because this project was funded by the Golden LEAF Foundation, American Rescue Plan Act (ARPA), and FEMA dollars, the typical 10% contingency, which would have covered these changes, was not included in the project budget. Amendments and transfers will not affect the budget; the funds being moved were already in the budget.

Mayor Barbee said it doesn't really sound like the Town has an option. Council Member Benson said these measures will have to be taken sooner or later. Mayor Barbee said the Town should do it right. Council Member Benson said the cheapest time to do something is now, and he cited concerns that the FEMA reimbursement would be in jeopardy if no action was taken.

Council Member Hoffer asked how the Town is just now finding out about this. Mr. Oakley said the engineer and contractor indicated this has never come up or been an issue.

**ACTION:** Motion to approve the marina budget addendum and change order to FY24 as described  
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 the marina job site looks very professional. Mr. Oakley said the marina contractor has been outstanding. He said the expected completion date for the current project is this fall before the new year, and then staff will come to Council for planning and budgeting of the final phase on the south side.

### **COUNCIL COMMENTS**

Council Member LeCompte said as of last night, \$7,060 was raised to send 12 of the Town's lifeguards to the national competition in Virginia Beach, VA, from tomorrow through Saturday. She thanked the community for stepping up.

Council Member LeCompte said is on the Seabreeze Historic Highway Marker Committee, which recently had its first meeting and set a date of May 31, 2024, for the dedication. She said the next meeting is in September, and the committee is working on sponsorship levels.

Council Member LeCompte said the Katie B. Hines Senior Center needs a new roof and HVAC system. She said fundraisers are planned for November and December and asked Mr. Oakley to allow the group to use the lot by the community building for those activities.

Council Member LeCompte asked for an update on the Beach Patrol position. She said she is getting a lot of calls about holes and dogs on the beach and people in the dunes. Mr. Oakley said he will add this to the workshop agenda. He said there has been some changeover, and there is now a new person in that role.

Mayor Pro Tem Healy said the Town should consider some shading and seating for the Gazebo stage area.

Council Member Benson asked if the balloon test at Starfish Lane will be done at the next king tide. Mr. Oakley said this may be done before that because it's labor-intensive.

Council Member Benson asked for an update on lighting. Mr. Oakley said some has already been implemented, and he will give more details at the workshop.

Council Member Benson said he will go out with the new Beach Patrol employee and take photos.

Council Member Benson said he would like an update on recycling and trash receptacles, including when the contractor works and how often they pick up.

Council Member Hoffer thanked staff for putting the Lake Park Boulevard 2025 project on an upcoming agenda. He said Council has a big, time-sensitive decision to make on how the road should be striped.

Council Member Hoffer said The Proximity project should get its first permits within a week or so.

Council Member Hoffer said many downtown parking signs have been ripped from poles. Mayor Barbee said he called Pivot Parking to get ideas about what other places do to prevent this, and he learned these types of issues are not exclusive to the Town. Mr. Oakley said staff is looking at options for changing the signage after peak season ends.

Council Member Hoffer said he and Council Member Benson are participating in Saturday's Whompolympics event.

Mayor Barbee said he has heard from Portside Village residents that there are traffic issues in their neighborhood. Council Member LeCompte said she thinks the new industrial area upfront is causing problems. Mayor Barbee asked staff to look at signage or other options to help this community, which dead-ends and shouldn't be getting a lot of traffic. Mr. Oakley said there were plans for a "no outlet" sign, and he will check to see if it's been installed.

Mayor Barbee asked both walkers and drivers to be careful following a recent pedestrian/vehicle incident. He said safety is everyone's responsibility.

**CLOSED SESSION**

13. Closed Session – Real Estate

**ACTION:** Motion to go into closed session to discuss a real estate matter in accordance with NCGS 143-318.11(a)(5); the properties being discussed include Parcel IDs R08807-013-005-000 and R08807-013-004-000

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*

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

**ADJOURNMENT**

Mayor Barbee adjourned the meeting at 7:15 PM.