

**MINUTES OF THE RECESSED MEETING  
OF SEPTEMBER 12, 2006 OF THE TOWN COUNCIL  
TOWN OF CAROLINA BEACH**

**October 9, 2006**

The Town Council of the Town of Carolina Beach met on October 9, 2006, at 4:00 p.m. in the Council Chambers at the Municipal Administration Building, 1121 N. Lake Park Blvd., Carolina Beach, North Carolina. The following were present: Mayor, Bill Clark; Mayor Pro Tem (MPT), Alan Gilbert; Councilwoman, Pat Eford; Councilman, Joel Macon, and Councilman, Jerry Johnson. Also present was Town Manager, Tim Owens and Town Clerk, Lynn Prusa.

Mayor Clark called the meeting to order.

***TRANSPORTATION PROJECTS UPDATE***

The town manager, Tim Owens, reported this is a follow-up to a workshop that was conducted approximately one month ago regarding some of the grants and items that the town has through DOT. He is seeking direction from the Council to know how he should proceed with some of these grants.

1. Northend Bike and Pedestrian Grant – total grant is \$267, 750. The recent update on the cost estimate, without the water infrastructure that needs to be put in, is \$375,000. The plans are about 90% completed. The estimate for the 12 inch waterline that may have to go down CBA North at some point will be somewhere between \$200,000 and \$250,000. This structure should be done first. This project involves some speed humps and one way traffic along with some bike facilities. Also on Canal up to Florida or Georgia, there are about 5 traffic circles.

Some of Mr. Owens concerns were: 1) the design would increase the traffic on Canal during peak hours and limit traffic from entering and leaving Freeman Park; 2) accessing the homes and rental units on CBA North would be difficult and confusing due to the one way alignment; 3) the traffic circles could cause confusion for motorists; 4) signage. This would definitely have to be considered; 5) clean up can be difficult when there is a storm or lunar tide flooding; 6) the circles themselves will make the travel lanes about 7 feet, which will make it difficult for large trucks that may be transporting lumber or if you were towing a boat it would make it difficult getting around those facilities; and 7) speed humps because they create a problem with emergency response; they slow down the process.

The process would be to go forward with this project, hold another workshop to have Council give comments to the design and modify it, or make a decision not to do the project. If the decision was not to continue with this project, Mr. Owens feels another project can be found for this grant. The federal government is looking at trying to pull back some of these grants and some of these things that haven't been executed. There has been an e-mail from Cape Fear Council of Governments (COG) and Wilmington MPO addressing this. Although there hasn't been a time frame when they are going to take away the money, at some point they may be looking for this grant if we don't put it to good use. Mr. Owens thinks a decision needs to be made in the next month or two. He will talk to the grant people and explore options. Councilman Johnson clarified he would like to see the federal guidelines because he is interested in pursuing this project. Councilman Macon would like to see a layout of the circles. MPT Gilbert wants specific discussion on the flow of traffic to and from the pier. Council was in agreement not to put in one-way/two-way alternating traffic.

2. Carl Winner – This is an on-going project. We still need to meet with a property owner about acquiring a right-of-way. The \$100,000 is still available. The cost estimate is \$75,000 but it doesn't include any kind of utility work. Mr. Owens thinks we can handle most of the utility work. We need to continue to focus on this project and get it accomplished. Mr. Owens feels Council may want to focus on Carl Winner and it could be completed by summer 2007.

3. Dow Road Bike Path – This project is winding down.

4. Traffic Study for the Northend - This project is almost completed. The Wilmington MPO paid Wilbur Smith to do this project.

5. Cape Fear and Harper Avenue Parking – If the decision is to do this, Mr. Owens' recommendation is to send notification to people who will be impacted. There was one person from Harper Avenue who said they were adamantly opposed to putting parking in the middle of Harper Avenue. It may be possible to apply for a CAMA grant since it may be considered for beach parking. Council was in agreement to pursue this project. They also agreed to maintain parking for residents living along these two streets.

6. Lake Park Center Aisle - Mr. Owens doesn't know of any grants to do this project.

#### ***UPDATE ON THE EXPIRATION OF THE TOWN'S CABLE FRANCHISE AGREEMENT***

Mayor Clark stated the town's cable franchise agreement with Charter Communications expires in December 2006.

Mr. Owens said Charter intends to continue honoring their agreement. In January, they would like to pursue a state franchise agreement. At this point, who we have cable with and how we have cable is out of our hands as it is with other municipalities. The state legislatures saw fit to make a state franchising agreement. Time Warner has looked at purchasing our area from Charter or swapping it for other areas in the US, but as it stands now our cable is with Charter.

### ***DISCUSSION CONCERNING A PARKS AND RECREATION MASTER PLAN***

Ted Lashley, Director of Parks and Recreation, recapped that an agreement has been made with Dr. Herstein from UNCW to compile and put together a Parks and Recreation Master Plan. This will be an inclusive plan that will involve the Recreation Department, Mayor, Council, town manager, planning, and citizens.

Some of Mr. Owens ideas for Council were as follows: (1) hold a workshop with Dr. Herstein to give him input as to the direction they would like to see Parks and Recreation go in the future, or (2) appoint two representatives from Council to meet with the Recreation Advisory Committee and/or Dr. Herstein, or (3) hold a workshop with the Recreation Advisory Committee, or (4) ask the committee to meet with Dr. Herstein to help guide the process. Mr. Lashley said they were in the information gathering process now. Dr. Herstein will conduct some workshops in the spring when he gets to focus groups. It was reported that they have started the data collection. Dr. Herstein wants Council to focus on 4 key individuals that he will interview.

There was agreement to have Dr. Herstein come to the November Council meeting to present his methodology and process and in turn Council can give him some guidance.

Mr. Lashley reported if there is a solid plan for the future, it will give us direction for future grants and help secure future grants. He also informed Council he will probably come back in November to look into a DOT comprehensive bike way plan, which is bike ways only that will help secure grants for future bike ways.

### ***DIRECTION ON HEIGHT STUDY***

To recapture what has taken place, Mr. Owens said that the Planning Board requested a height study to take place. An RFP (request for proposals) had been sent out for this study and bids were solicited from folks interested in doing the study. Bids were received from Tartan Planning Services, LLC and Centre Point Architecture. Tartan Planning Services, LLC offered to do a zoning code search of comparable municipalities and then seek to demonstrate ways in which the

features of those ordinances would affect building heights in Carolina Beach. This bid ranged from \$7500 to \$9000 depending on the time it took to do the work. Centre Point Architecture bid ranged from \$50,000 to \$150,000 to do the study that was in the RFP. Centre Point is currently working with Kure Beach to look at their Central Business District and they are being charged on an hourly basis.

Mr. Owens original thought for the RFP was not to pursue either one of these. He felt the money and outcome wasn't there. He then made two recommendations: 1) consider using the COG to do a series of meetings and come up with recommendations for height, and 2) allow P&Z, the Land Use Plan Ad-Hoc Committee, Town Council and staff to come up with scenarios for height.

Mr. Owens attended the last Planning and Zoning (P&Z) meeting and agrees that at some point we need a master plan for redevelopment in primarily the Central Business District area. There is infrastructure, pedestrian, and water/sewer needs as well as the general area needs to be revitalized. At the workshop, everyone seemed to be in agreement that in the residential areas a 40' height overlay would be appropriate. At the P&Z meeting, there were two issues that held any type of height overlay up. The first issue would be we needed a height study before we make any decision on our height. The second issue is some general statute language, GS 160A-383.

Mr. Owens proposed: 1) that a lot of the R-1 past 3rd Street, Carolina Sands, some R-2 areas in the MH area, and the little pie of I-1 which Councilman Johnson brought up, the height overlay would be 40 feet. The remainder of the town, with the exception of the CBD, will be a maximum of 50 feet; 2) around the Marriott and the old Astor property, and some properties north of there, a hybrid hotel-minium/hotel could go up to 140 feet; if strictly hotel-minium or hybrid less than 50/50, it would be 100 feet in those areas and anything lower than that would be a maximum of 50 feet; 3) the Central Business District would be a maximum of 75 feet.

As late as 2003, part of the revitalization committee had some correspondence with Allison Platt & Associates. She has done numerous projects throughout North Carolina. If not her then someone similar to her should come in and give us some direction on what we want our downtown to look like, tell us what it should look like going into the downtown area, and how all of it flows together.

**Mayor Pro Tem Gilbert made a motion to take Mr. Owens' October memo as guidance and send it to the Planning and Zoning Commissioners for their discussion, approval or not, and then come back to Council for a formal vote on the two overlays. MOTION CARRIED 3-2 WITH COUNCILWOMAN EFIRD AND COUNCILMAN MACON VOTING NO**

**Councilman Macon made a motion for the town manager to come back with an RFP for the master development plan which could cost \$50,000 to \$75,000 for the Central Business District and that it cover heights for the town as a whole. MOTION CARRIED UNANIMOUSLY**

Mayor Pro Tem Gilbert would like Mr. Owens to give them an idea of how long it took the other towns such as New Bern and Goldsboro to complete their plans.

#### ***NON AGENDA ITEMS***

Mayor Pro Tem Gilbert reported the Carolina Beach/Kure Beach Sewer Authority met and discussed a partial payment. They are in a process of understanding and working through the issues with the equity formula.

**Mayor Pro Tem Gilbert made a motion to accept the check from Kure Beach as a partial payment only as they continue to negotiate the equity formula and come to terms with the issues that they have on it.**

Mr. Owens stated that amount was around \$113,500. On Wednesday, they are meeting to further go over their concerns. The goal is to close out the 02/03 year and look at the formula again. Councilwoman Efird asked if our town attorney thought it was okay to take a partial payment. Mayor Pro Tem Gilbert said the town attorney told him to make sure the statement is partial payment.

**Mayor Pro Tem Gilbert withdrew his motion until tomorrow when the attorney will be present.**

Councilman Johnson said there are political signs popping up on Lake Park Blvd., even though it doesn't involve our town. Our sign ordinance says 17 days prior to an election so we need to address that.

Councilman Johnson reported that there are several areas now which have been going on for more than 30 days where the silt fence is down. When we get hard rains, our Operations Department has to clean the sand from the street. Councilman Johnson addressed another concern that on Canal Drive and some other locations there is growth that is over 2 feet high and this has been going on for over a month. He said there are two or three locations on Canal Drive and two minimum on Carolina Beach Avenue North. Mr. Owens said he and Mike Hoffer will ride out there and see if there is a resolution.

Mayor Clark stated the Tourism Development Authority met last month and approved \$42,000 for the town for reimbursement funds for the room occupancy tax. Also he received a letter from the DOT regarding the Powell Bill Funds for 2006 and we received \$196,532. Mayor Clark said that he went out today with Congressman McIntyre to look at the new beach renourishment that is going to

happen sometime after November. The bid was given to Norfolk Dredging out of Chesapeake Virginia. He explained that Ocean Isle, Kure Beach, and Carolina Beach will be done under one contract.

***ADJOURNMENT***

There being no further business, Councilwoman Efird made a motion to adjourn.

**MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

Lynn N. Prusa  
Town Clerk

Approved: \_\_\_\_\_