

**MINUTES OF THE REGULAR MEETING CONTINUED
OF THE TOWN COUNCIL
TOWN OF CAROLINA BEACH**

March 23, 2010

The Town Council of the Town of Carolina Beach met in regular session on March 23, 2010 at 5:30 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 Joel Macon; Mayor Pro Tem (MPT) Pat Efird; Councilman Dan Wilcox, Councilman Lonnie Lashley; and Councilman Bob Lewis. Also present was the Town Manager Tim Owens, Town Clerk Lynn Prusa, Finance Director Dawn Johnson and Town Attorney Steve Coggins.

Mayor Macon called the meeting to order.

PUBLIC HEARING - CONSIDER RENEWAL OF A CONDITIONAL USE PERMIT TO BRING BACK A FAMILY-ORIENTED CARVIVAL CONSISTING OF A SERIES OF LARGE MECHANICAL RIDES, KIDS' RIDES, FUN HOUSES AND FOOD CONCESSIONS TO BE TEMPORARILY LOCATED (UP TO FIVE YEARS) ON THE FOLLOWING PARCELS: PARCEL ONE: 8 CAPE FEAR BLVD. AND 45 CAPE FEAR BLVD. (PIN 5014 AND 4065); PARCEL TWO: 1 CAPE FEAR (PIN 4836); PARCEL THREE: 5 CAPE FEAR BLVD. (PIN 5877); PARCEL FOUR: 7 CBAS AND 9 CBAS (PIN 5870 AND 5778); AND PARCEL FIVE: 102 CAPE FEAR BLVD. (PIN 3038)

The following were sworn in by the town clerk: Ed Parvin, Tim Owens, William Younginer, Gary Ferguson, Charles Eaves, Robbie Megerle and Greg Reynolds.

Ed Parvin presented. He said this is a request to renew the conditional use permit (CUP) that was issued last summer for the amusements at the end of Cape Fear Blvd. He showed the plan that Council approved for last summer rides. There were five parcels, most of them having amusement rides, generator, port-a-lets, and parking lot on parcel five. The proposed 2010 layout is a little bit different. Essentially, instead of the parking lot on parcel five, you now have rides. The Flying Bob ride is moved is moved to parcel five. There is some stacked parking on parcel five and then there is some other parking on parcel one, which is essentially what they were using last summer so they designed it how it worked for last summer's season. For the specific standards, not much has changed. They are still using the same ingress and egress. Parking has changed a little bit. Again, they will be asking for the parking waiver. The general conditions, the one that came up at TRC and Planning and Zoning was the Flying Bob ride had the individual that yelled and everybody screamed and there was a condition on the grant order that there be no audible person, just music for the rides. No person screaming or talking while the rides are going on. That was one of Council's conditions that were added from last year to the grant order in their package, based on concerns that were heard. They are getting rid of the announcer and changing the location from the corner near the Marriott

to the lot behind the lot owned by the town near Canal. He doesn't feel the Flying Bob will be as big a concern if it doesn't have the person on the speaker. He showed pictures of the rides from last year. One of the comments from TRC was potentially adding an additional police officer during the weekend times funded by Mr. Megerle due to the additional presence that was needed last summer. The police chief could speak to that a little bit more. That was a possible condition for this and the next item.

Greg Reynolds spoke for the applicant, Robbie Megerle. He said they are asking for the renewal for five years to bring back the success of the rides from last year. Everybody knows it was a good shot in the arm, economically speaking. They do recognize they had the one problem with the Flying Bob, the concern was the location, he thinks, more than the ride itself. They have relocated the ride. They would like for Council to consider, Mr. Megerle will speak to this, not eliminating completely, the microphone, but maybe limiting the volume of it. Certain rides have to have instructions given so they have to have some type of communication. What they do want to do is look more at the sound system and the level of sound. They are trying to set an atmosphere, not make the neighbors mad. They would like to point out that last year, with the Boardwalk Makeover and the overall feeling in town seemed to have increased dramatically. They were written up in the New York Times, national publications have contacted them wanting to know how they pulled this off and they would like to keep that good feeling going. They do want to correct whatever problems. Last year was the first year they had ever tried it. Mr. Megerle came in mid April and it was up and running a month later. Hope they have a little more time this year. They learned a lot from last year and they would like Council's consideration to extend this on into the next season. Mr. Megerle has a few comments.

Robbie Megerle, applicant, took questions. He said the Gravitron is a ride that goes around and the people are up against the wall. It's inside of like a ship, closed in. That ride isn't necessarily going to be in that corner. The Flying Bob absolutely won't be there. What he wanted to put in that corner was a fun house. Something that is quiet. On the opposite lot where the Scrambler was, they will probably put something like the Go Gator, the kiddie ride that was on the other lot and put more kiddie type rides up around the Marriott. That is where they had their issue, just try to do away with the issue that they had there altogether and put more family oriented rides over there and the more thrilling rides further down the wall of the Marriott and across the street. Just try to eliminate their problem. When they did have the problem last year, when they brought it to his attention, they had a meeting and that day was the end of it. They had no more problems the rest of the year. He kept his word on it and he will do that this year and the future. He is here to be a good neighbor. He doesn't want to have a problem with anybody and is willing to work with everybody. They do need atmosphere, that is why the park was successful and it hurt them when they shut the music off on the one ride but they needed to do it because it was their first year and they were learning. If they could rearrange this where they can try to make everybody happy, which he doubts you will make everybody happy but they will try, let them operate they way they know how, they will do a great job for the town.

Councilman Wilcox said that whatever ride goes in that area needs to be extremely low impact.

Mr. Megerle said that is why he wants to put a fun house in there. There is nothing to a fun house other than the kids going through it. If they saw their fun house last year, they have two different ones, and they play like a 70's music, real quiet out front. It's just an atmosphere thing. There is nothing loud to it and is why he thought it would be good in that corner.

Councilman Wilcox said the Cyclone is not shown.

Mr. Megerle said he just filled in rides. When they bring them up here there is going to be different sizes and they will have to adjust them around.

Councilman Wilcox pointed to the Gravitron, the lot they are talking about. He pointed to the Marriott's pool, their open area. He asked if the fun house would fit backing it up to there and creating a wall, so to speak, to kind of protect it.

Mr. Megerle said that is where they want to put it. He said he also thought about putting the Tilt-a-Whirl in there as well. It's a family ride, intermediate age. It does not have music. The Hang Ten has music but was the furthest away last year and there were no issues with it and he plans to keep it the same place. They will adjust it so that everything around the Marriott is going to be quiet - family/kiddie rides, that's all. No music or thrill rides.

Councilman Lashley said he enjoyed it last year. He has no problem with Flying Bob as long as it is at the other end. He would like to see a first aid kit in the ticket booths for safety reasons. He asked how many local employees he had last year. He also said he would like for them to come back on a yearly basis for the CUP in case there were any concerns or issues.

Mr. Megerle said he had no problem with having the first aid kits and he hired about 25+/- locals. They used about 70% local employees.

Steve Coggins, town attorney, said there is usually a ceiling of 5 years on CUP's. So far Council has shown a desire to do it on an annual basis.

Tim Owens, Town Manager, said the only concern he has is with regard to the Marriott. They met with them and said their business was pretty substantially impacted by some of the noise associated with the Flying Bob and he would hate to have that happen again this summer. If there can be anything that goes there that shuts down early or has less impact as possible that goes beside that pool, that is what he would recommend. He does have concerns about the Wanda Inn which is another place where folks go and stay and he is concerned about the noise there on this site as well as another CUP we will be hearing about shortly. Other than that, it was wonderful, didn't have any incidences. Pedestrian traffic could be a concern. Folks, when they come to the beach, like to sleep with the air

conditioning on and keep the door open. He also had some complaints about the Christmas music. Folks like to hear the ocean and not anything else.

Councilman Wilcox said he had extensive talks with Robbie about redesigning the sound system on those two rides that have more sounds. The way those systems are designed is to use at a big field and point the sound all the way down the fairway and try to draw people to the rides. That concept doesn't really work here for what we are doing. They talked about designing a sound system that would be more like a Disney World ride, with very small speakers and low projection. To the rider it sounds the same but it drops off dramatically as you step away from it a little bit. He said Robbie agreed last year to do that for those rides. Mr. Megerle said he wants to do that.

Councilman Lewis asked about the hours of operation. Mr. Megerle said he would like to stay the same as last year which were from 6:00 p.m. until 11:00 p.m. weeknights and 12:00 p.m. on weekends but he closed early sometimes whenever people went home. He needs those hours to make a living. Councilman Lewis said he feels 6:00 p.m. to 11:00 p.m. is reasonable but after that it is too late. He would like to see the hours limited. He also wants the rides repositioned away from the Marriott. The smaller, lower impact rides there would be great.

Mr. Megerle said they will definitely put the low impact rides next to the Marriott. They learned a lot last year and they want to fix it. They want to do it the right way and not cause any issues. He feels the hours are fair and they close early if the people are not there. He thinks he talked to police 3 times last summer about music. That was about the time they had their meeting and they didn't speak again after that. He didn't call the police for anything the entire summer that he needed help on.

The town manager said because they decided to encroach into the town's rights-of-way/sidewalks and he will need to name the town as additional insured on the insurance policy. Mr. Megerle said he believes he did that last year and will do it again this year.

Chief Younginer said they didn't have many late hour complaints and if they did, they took care of them very quickly. It ran a whole lot smoother than he thought it would.

Councilman Lewis asked how many officers would there be in the CBD, in that boardwalk area. Would you have somebody there most of the time every night? Chief Younginer said they will but sometimes they get called away from there. He would like to hire somebody to put down there, which would cost about \$300 a week for 5 hours on Friday and Saturday nights. That would ensure one officer would stay there at the rides. If an emergency happened, they would respond to that and then come back.

Mayor Macon made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

Councilman Wilcox asked if Mr. Megerle had talked to someone about the officer.

Mr. Megerle said this is the first he has heard about it but doesn't have an issue with it.

Charles Eaves, 1311 S. Lake Park Blvd., said he approves of the use of the carnival but doesn't want any unusual lawsuits against Carolina Beach. He wants to see what he requested last year, criminal background checks and drug testing of all employees. That was mentioned last year but not this year. This is a great asset for the town.

Jerry Bigley was sworn in. He thinks the rides are a great thing for the town and we definitely need it. He would like for everybody to get together and help these people and they can do us a good job because we sure need it.

There being no further public comment, **MPT Efirm made a motion to close the public hearing. MOTION CARRIED UNANIMOUSLY.**

Mayor Macon said, for the record, that a letter was submitted by Brett Darlington, General Manager with the Marriott, not in support of the return of the carnival.

Councilman Wilcox asked if a background check and drug test was done last year and Mr. Megerle said only the background check for full-time employees only.

Councilman Wilcox made a motion to approve the CUP for a 2 year period with the understanding that the applicant come back to Council before the start of next season to inform them of any changes in the layout or to address any corrections to problems they might have this year as a courtesy; meets staff, TRC, Planning, Fire, 7 specific conditions, 4 general conditions, have first aid kits in ticket booths, same requirements as last year with regard to late hours of operation and the police chief gets complaints hours can be curtailed, list the town on the insurance policy to address encroachment of any of the town's rights-of-way, do background checks for full-time employees, that they be allowed to have announcements on the rides provided the sound systems are redesigned in the manner that meets the concerns of the town with regard to annoyance of surrounding property owners.

Councilman Lewis said he would like to make sure they are in compliance with the noise ordinance and would like that in there.

Councilman Wilcox added that they be in compliance with the noise ordinance and including the 18 conditions provided in the grant order unless they conflict with the other specific conditions. MOTION CARRIED UNANIMOUSLY.

The conditions are as follows:

Specific Standards:

1. Ingress and egress to property and proposed *structures* thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the *conditional use* on adjoining properties and properties generally in the district;
3. Refuse and service area, with particular reference to the items in (1) and (2) above;
4. *Utilities*, with reference to locations, availability, and compatibility;
5. Screening and buffering with reference to type, dimensions, and character;
6. *Signs*, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required *yards* and other *open space* and preservation of existing trees and other attractive *natural features* of the land.

General Conditions:

1. It is the Town Council's conclusion that the proposed use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted and approved by the issuance of the conditional use permit.
2. It is the Town Council's conclusion that the use meets all required conditions and specifications.
3. It is the Town Council's conclusion that the use will not substantially injure the value of adjoining or abutting property.
4. It is the Town Council's conclusion that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Town Land Use Plan and policies.

Subject to the following conditons:

1. Final project shall be designed to provide 5 employee parking spaces on parcel 1 and 3 parking spaces on parcel 5. As provided in Article 7 of the Town's Zoning Ordinance, "where properties are located within the CBD, parking requirements may be waived if public parking spaces adequate to meet the requirement are located within 500 feet of the use." Parking for the 92 required spaces shall be waived after the applicant

- signs a parking waiver stating the Town is not liable for any deficiency of public parking spaces.
2. Solid waste is handled collectively by the boardwalk area businesses. The owner will be required to continue to participate in this program. In addition a dumpster shall be provided on the west side of parcel 2. Trash receptacles shall be provided throughout the five parcels. Trash receptacles shall be emptied daily as needed. Surrounding areas shall be patrolled by employees for any amusement trash throughout the day and at the closing of rides each day.
 3. A sign permit shall be obtained for any signs located on the property.
 4. All permits and approval letters/final inspections required by all Federal, State, and Local Agencies must be submitted to the Town of Carolina Beach Planning Department prior to beginning operations.
 5. Major changes to approved plans and conditions of development may be authorized only by the town council after review and recommendation by the planning and zoning commission in the same manner as outlined in this article for original submission. Moving of rides on-site may be approved administratively by TRC.
 6. Outdoor artificial lighting fixtures shall be designed and positioned so that:
 - a. The point source of light from a light fixture is not directly visible from the beach.
 - b. Areas seaward of the frontal dune are not directly or indirectly illuminated and
 - c. Areas seaward of the frontal dune are not cumulatively illuminated.
 7. Off-Street loading requirements have been waived by the Town Council. The following loading plan shall be utilized:
 - Loading area is anticipated to be in the designated space on Raleigh Avenue,
 - Loading will typically take place prior to 10am.
 - The largest truck anticipated will be the food delivery typically seen serving the Boardwalk area.
 - The loading period for the vendors should be less than 15 minutes.
 8. This conditional use permit may be revoked in accordance with the provisions of Article 19 and 21 of the zoning ordinance on various grounds as allowed therein. Further, the conditional use permit may be revoked if any of the following are discovered:
 - a. Upon a preponderance of evidence that the establishment's patrons display a pattern of disorderly, violent, indecent or unlawful conduct;
 - b. If the application contains any material misrepresentation, misstatement or omission, concerning information required to be provided.

9. Hours of operation shall be limited to Sunday – Thursday: 10am to 11pm; Friday and Saturday 10am - 12am.
10. A manager shall be on-site at all times when the amusements are open.
11. The amusements shall maintain compliance with the town code and zoning ordinance to include but not limited to the Carolina Beach Noise Ordinance (Section 10-4 through 10-10 and 10-27 of the Town Code). No additional sound producing devices shall be used outside of the music be designed for the rides (i.e. persons utilizing sound amplifying equipment to gain attention to rides shall be prohibited). If sound amplifying equipment is utilized, it's use shall be limited to relaying safety information (i.e. explaining the rules of the rides to patrons). Mr. Megerle shall be available to have a weekly meeting to discuss issues/complaints with adjacent property owners.
12. No temporary living facilities shall be located on the site.
13. Criminal background checks shall be performed on all amusement ride operators and full time employees prior to commencing the event. Employees convicted of a felony or a sexual offense shall not be hired. The cost of these checks shall be at the applicant's expense.
14. The amusements approval is for Robby Megerle. A change in management shall result in a review of the permit through the CUP process.
15. The amusements shall be allowed for two (2) summer seasons (2010-2011). The CUP shall be reviewed for compliance with the Town Code of Ordinances and with the original business plan after the 1st season. If the use continues to operate with no violations, the Town Council may grant an extension to the CUP for additional summer seasons. Mr. Megerle shall give a presentation on plans for the 2011 amusements to Town Council no later than April 2011.
16. The site plan corresponding to this approval was designed by Reynold's Architecture Corporation dated 2-1-10 with TRC revisions noted as being completed on 2-4-10 and stamped received by the Town of Carolina Beach on February 4, 2010 (see enclosure 1).
17. Waivers are granted for landscaping, sidewalks, curb, and gutter.
18. The material used to stabilize the unpaved lots shall be approved by public works and shall be designed to meet ADA requirements where applicable.
19. First Aid kits shall be available in all ticket booths.
20. Small children oriented rides that will have a low impact on the surrounding area (i.e. noise) shall be located on parcel 4.
21. The Town shall be named as additionally insured on the insurance policy for the amusements where any encroachments on Town property exist.
22. A minimum of four (4) port o lets shall be provided in accordance with the approved site plan.

PUBLIC HEARING - CONSIDER A CONDITIONAL USE PERMIT TO ALLOW A FAMILY-ORIENTED CARNIVAL WITH A SERIES OF FIVE LARGE MECHANICAL RIDES, SIX FAMILY/KIDS' RIDES, TWO FUN HOUSES, TWO SLIDES AND CONCESSIONS BEGINNING IN APRIL OF 2010 TO BE LOCATED AT 111 HARPER AVENUE (PIN: 313011.55.3342.000). THIS AMUSEMENT SITE WILL BE IN ADDITION TO THE RIDES AT THE CAPE FEAR BLVD. SITE THAT OCCURRED LAST YEAR. THE FACILITIES WILL REMAIN IN PLACE FOR A PERIOD NOT TO EXCEED SIX MONTHS PER YEAR.

The following were sworn in: Ed Parvin, Tim Owens, William Younginer, Gary Ferguson, Robbie Megerle, Greg Reynolds.

Ed Parvin made presentation. He said this is a proposal very similar to the last amusements you saw, it's just an expansion of the existing amusement rides down to the Astor lot. This lot was used just basically for parking last summer. The plan for the site is a very similar layout, 5 large rides, 6 children's rides, 2 fun houses, 2 slides, 2-3 ticket booths, 2 concession stands, 4 port-a-lets, 1 generator, 2 storage trailers and 1 dumpster. This is very similar to the last layout. He showed the proposed layout. A couple of things he wanted to note. One was the landscape buffer which they are looking to implement the town's landscape buffer on Canal Drive. One thing he wanted to bring out was that they had some discussions about last year and TRC recommended and they had the applicants draw on here was Canal Drive going from a two-way traffic to a one-way traffic going from south to north. They show landscaped planters to block off that south bound lane. That is one change and that was something talked in favor of by police and fire and at the TRC meeting. Also, they had the Wilmington MPO review that proposal and they were also in favor of making that a one-way. Anthony Prince of Wilmington came up with this design. Instead of using the landscape planters, he has thermoplastic down to mark off the one-way lane giving a little more room, couple extra feet off of Kelly's so you don't have a blind corner. That still lines up pretty good with the spotlight. Mr. Prince has drawn in the potential of adding some parking in there for the evening hours. Another thing he wanted to point out about the site plan was there is an easement off of Raleigh to access those businesses that front Lake Park Blvd. so they can have deliveries come in for that area. The applicant is willing to do that. Ingress and egress points are going to be in the area he just showed on Raleigh, Harper Avenue where there is an existing driveway cut, and Canal Drive. They are requesting that parking be waived and loading to be used on Raleigh. They are providing a dumpster on site for refuse and using our facilities at the boardwalk, which is right next door to them. They will have a generator on site for utilities and the 4 port-a-lets. They are proposing to do a type E buffer on Canal. No proposed signs will be on site besides what is already on the rides. The existing landscaping along Harper will be kept there. It was reviewed by TRC and Planning and Zoning as consistent with the four general conditions. He showed pictures of the site, the lift station, and the refuse area for the boardwalk. One of the conditions put in the grant order, there is couple of these that have been sitting there for a couple of years and asked that they be removed and also the barricades to be removed and replaced by their planters. He said the individual rides are fenced and arranged so that people cannot easily walk out and leave the site.

Council expressed concerns about safety along Harper and suggested that some of the applicant's fencing could be run between the openings.

Councilman Lashley suggested that the road be closed after 6:00 p.m. until closing.

Councilman Lewis feels that would require another public hearing as business owners need to be able to speak to that issue.

Councilman Wilcox asked to see how it was advertised because if it is not clearly stated and separated somehow, then you have owners down there that don't know this issue is being heard tonight. It says this was a consideration by the TRC

The town manager said it is not. He doesn't think there is anything formally you have to do. He agrees there would be some concerns particularly if you shut it down after 6:00 p.m. because there are pizza delivery folks, Brit's Donuts, etc., who would probably want that to remain open. If you want to do something permanent, he agrees with the MPO. If you want to do something temporary, the western side of the roadway could be shut down at some point and then barricade run all the way down either using planters or whatever. If they want to consider that later, they can separate this out and re-advertise that for consideration later just to get some more public input.

The planning director said, in that respect, they need to pay attention to item 16 on the grant order you would perhaps like to delete that one because that one speaks to this specific requirement. He thinks that is what Ed was trying to say when he spoke to Councilman Wilcox's concerns about whether or not it was, speaking to the grant order not necessarily the advertisement. He just wanted to clarify what he thinks he heard which was whether it had been advertised for a street closure and the answer is no, it hasn't been advertised, or changing the traffic pattern on Canal. It was not advertised that way.

Councilman Wilcox feels this issue should be separated and brought back.

Council asked about parking, with the private lot being used for rides. Did the business owners have some kind of agreement to park behind their buildings?

Mr. Parvin said they did not have any formal agreement. They had parking passes. The only thing they do have is an easement he showed earlier. In talking to them, they are very supportive of the rides coming to their area.

Councilman Wilcox asked how much space is between the generators and the 125 Harper building? He knows some of the buildings have rear entry doors. Mr. Parvin showed a picture of that area which showed some propane tanks as well as some entry doors.

Greg Reynolds, applicant, 711 Canal Drive, referred to Island Floral, Pop's and the location of the propane tanks, etc., the easement is 20' and at the first two portions. They show it all the way across. What he has shown is the maximum number of rides there. They are looking at the potential is putting a straight line across there and letting all this be open and accessible. The shaded area is the easement. More than likely the two entrances will be where the curb cut is and off Canal. The more they looked at it, the less people they think will be walking down Raleigh. He said they have some dimensional errors right now, they assume the 20' is from the back of their building. The building is a lot bigger on the site than it is on the easement. They are not sure exactly what the easement is but they are willing to say the 20' they will leave open. The 20' lines up perfectly with that block wall, so our theory is that it is straight across there and all of it will be used for the back of those buildings. This lot probably works better as a layout than the other 5 lots but without the other 5 lots, this lot may not work. They need it to be all connected with the boardwalk. He agrees with Councilman Lashley. Last year, even without the Astor lot, they had a lot of people in that road. Coming east on Canal and going to the north end, they will always have to leave that open for emergency vehicles, he believes. The one-way, he would love to see the whole road closed and for emergency vehicles only. He agrees that Brit's Donuts and Frank's Pizza definitely have concerns about what they are used to using there. Public safety is of the utmost importance and they want to make sure they take care of that.

Robbie Megerle, said they did a general layout. They don't really have it completely figured, what they're going to do, but he doesn't want to get up close to those buildings. He wants a buffer zone anyhow and they don't want to put that much equipment over there. It will be a smaller amount. It is up to the town how the roads are worked out. They will make sure it is fenced so the children can't run out in the streets. That is his concern too. He was concerned with that last year on the other lot on Canal. Once they get it all laid out, they will make it where it is not accessible except where they have an entrance.

Councilman Wilcox mentioned an area where there might be some noise concerns with one resident and also the Wanda Inn and the Cabana.

Mr. Megerle said they will have to maneuver rides around where they can put the louder rides away where they won't do any harm.

Councilman Lewis asked what kind of food concessions will be offered.

Mr. Megerle said last year all they had was funnel cakes, popcorn, cotton candy, candy apples, etc. He said they are still trying to get their food approved by the Health Dept. and are still working on that.

Councilman Lashley reminded him about the first aid kits in the ticket booths.

Mayor Macon made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

Mayor Macon made a motion to close the public hearing. **MOTION CARRIED UNANIMOUSLY.**

Mayor Macon asked if there was any rebuttal from the applicant.

Councilman Wilcox made a motion to approve, per the applicant's request, the conditional use permit for 2 years with the same condition as Item #15, to come back to Council before next season to let them know if there are any changes and, if there have been any problems, how those changes would be addressed; they comply with the police chief's recommendations with regard to the extra police officer for all those rides two nights a week for 5 hours for this CUP and not the prior CUP so if they don't do this site next year they can go back to what they did previously; have first aid kits in available locations; make sure there is fencing along Harper Avenue; that it meets the 7 specific requirements, 4 general requirements, TRC, planning, fire, police, staff recommendations and is consistent with the grant order with the exception of item 16 and including background checks for full-time employees. **MOTION CARRIED UNANIMOUSLY.**

The conditions are as follows:

Specific Standards:

- (1) Ingress and egress to property and proposed *structures* thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- (2) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the *conditional use* on adjoining properties and properties generally in the district;
- (3) Refuse and service area, with particular reference to the items in (1) and (2) above;
- (4) *Utilities*, with reference to locations, availability, and compatibility;
- (5) Screening and buffering with reference to type, dimensions, and character;
- (6) *Signs*, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
- (7) Required *yards* and other *open space* and preservation of existing trees and other attractive *natural features* of the land.

General Conditions:

1. It is the Town Council's conclusion that the proposed use will not materially endanger the public health or safety if located where

proposed and developed according to the plan submitted and approved by the issuance of the conditional use permit.

2. It is the Town Council's conclusion that the use meets all required conditions and specifications.
3. It is the Town Council's conclusion that the use will not substantially injure the value of adjoining or abutting property.
4. It is the Town Council's conclusion that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Town Land Use Plan and policies.

Subject to the following conditions:

1. As provided in Article 7 of the Town's Zoning Ordinance, "where properties are located within the CBD, parking requirements may be waived if public parking spaces adequate to meet the requirement are located within 500 feet of the use." Parking for the 92 required spaces shall be waived after the applicant signs a parking waiver stating the Town is not liable for any deficiency of public parking spaces.
2. Solid waste is handled collectively by the boardwalk area businesses. The owner will be required to continue to participate in this program. In addition a dumpster shall be provided on the south side of property. Trash receptacles shall be provided throughout the parcel. Trash receptacles shall be emptied daily as needed. Surrounding areas shall be patrolled by employees for any trash throughout the day and at the closing of rides each day.
3. A sign permit shall be obtained for any signs located on the property.
4. All permits and approval letters/final inspections required by all Federal, State, and Local Agencies must be submitted to the Town of Carolina Beach Planning Department prior to beginning operations.
5. Major changes to approved plans and conditions of development may be authorized only by the town council after review and recommendation by the planning and zoning commission in the same manner as outlined in this article for original submission. Moving of rides on-site may be approved administratively by TRC.
6. No outdoor lighting shall be installed on the site outside of the lights that are designed into the rides. Outdoor artificial lighting fixtures on the rides shall be designed and positioned so that:
 - a) The point source of light (light bulb) is not directly visible from the beach.

- b) Areas seaward of the frontal dune are not directly or indirectly illuminated and
 - c) Areas seaward of the frontal dune are not cumulatively illuminated.
7. Off-Street loading requirements have been waived by the Town Council. The following loading plan shall be utilized:
 - Loading area is anticipated to be in the designated space on Raleigh Avenue,
 - Loading will typically take place prior to 10am.
 - The largest truck anticipated will be the food delivery typically seen serving the Boardwalk area.
 - The loading period for the vendors should be less than 15 minutes.
 8. The CUP approval is for Robby Megerle. A change in management shall result in a review of the permit through the CUP process.
 9. The use shall be allowed for two (2) summer seasons (2010-2011). The CUP shall be reviewed for compliance with the Town Code of Ordinances and with the original business plan after the 1st season. If the use continues to operate with no violations, the Town Council may grant an extension to the CUP for additional summer seasons. Mr. Megerle shall give a presentation on plans for the 2011 amusements to Town Council no later than April 2011.
 10. This conditional use permit may be revoked in accordance with the provisions of Article 19 and 21 of the zoning ordinance on various grounds as allowed therein. Further, the conditional use permit may be revoked if any of the following are discovered:
 - a. Upon a preponderance of evidence that the establishment's patrons display a pattern of disorderly, violent, indecent or unlawful conduct;
 - b. If the application contains any material misrepresentation, misstatement or omission, concerning information required to be provided.
 11. Hours of operation shall be limited to Sunday – Thursday: 10am to 11pm; Friday and Saturday 10am -12am.
 12. A manager shall be on-site at all times when the operation is open.
 13. The use shall adhere to the provisions of the zoning ordinance and town code to include but not limited to the noise ordinance listed in Chapter 10-4 – 10-10 and 10 – 27. No additional sound producing devices shall be used outside of the music designed for the rides (i.e. persons utilizing sound amplifying equipment to gain attention to rides shall be prohibited). If sound amplifying equipment is utilized, it's use shall be limited to relaying safety information (i.e. explaining the rules of the rides to patrons). Mr. Megerle shall be available to have a weekly meeting to discuss issues/complaints with adjacent property owners.
 14. No temporary living facilities shall be located on the site.
 15. Criminal background checks shall be performed on all amusement ride operators and full time employees prior to commencing the event. Employees convicted of a felony or a sexual offense shall not be hired. The

- cost of these checks shall be at the applicant's expense.
16. Existing landscaping on the NW side of the property shall be maintained. The barrier poles located along Canal Drive shall be removed and replaced with landscaping planters to create a buffer on the eastern side of the property. The telephone poles lying on the ground in the vicinity of the barrier poles shall also be removed.
 17. The site plan corresponding to this approval was designed by Reynold's Architecture Corporation dated 2-1-10 with TRC revisions noted as being completed on 2-4-10 and stamped received by the Town of Carolina Beach on February 4, 2010 (see enclosure).
 18. Waivers are granted for: landscaping along Raleigh and the east side of Harper; sidewalks; and curb, and gutter.
 19. Bollards shall be place at the curb cuts of Harper and Raleigh to prevent vehicular traffic from entering the site.
 20. The material used to stabilize the unpaved portion of the lot shall be approved by public works and shall be designed to meet ADA requirements where applicable.
 21. First Aid kits shall be available in all ticket booths.
 22. The applicant shall pay for one police officer, two (2) nights per week for a minimum of five (5) hours per night.
 23. Fencing shall be included along Harper Avenue to limit access to the planned entry point show on the approved site plan.
 24. A minimum of four (4) port o lets shall be provided in accordance with the approved site plan.

The town manager asked Council if they want to consider making the street one-way or keeping it two-way.

Mayor Macon said he thinks they should advertise and have a public hearing on it.

PUBLIC HEARING - CONSIDER AMENDING THE CAROLINA BEACH CODE OF ORDINANCES TO REFLECT RECENT CHANGES TO THE NC GENERAL STATUTES. AMEND: ARTICLE 12-37 TO UPDATE THE DEFINITION OF A SUBDIVISION; AND SECTION 12 ARTICLE 4 TO REFER TO THE CURRENT DATUM AND REFERENCE DATE. THESE AMENDMENTS ARE RELEVANT TO ALL AREAS OF CAROLINA BEACH. MODIFICATION TO THE PROPOSED LANGUAGE MAY OCCUR DURING MEETING DELIBERATIONS.

Adam Short made presentation. He said these are some housekeeping changes to the town code to make it consistent with the general statutes. The two changes will be to Section 12, Articles 3 and 4. The first change, Article 3, subdivision regulations and are simply clarification changes: Any division out of a parent tract will be considered a subdivision. The second, under subsection 3, includes that public transportation corridors, lands acquired for the public, will not be considered as part of that definition. Under Subsection 4, there is a clarification statement indicating that the town may

provide for expedited review of subdivisions which they also reference in Section 12-85 so they reference it here as well. This definition is taken practically verbatim from the general statute and they are just trying to keep it up to date. He said that on all three changes the information was just inserted, nothing was struck. In Section 12, Article 4 is updating the datum reference in our ordinance. Currently it is referenced in two definitions. The old datum was from 1929, the new one is from 1988. It is important to remember that this is a tool for surveyors. Staff should be aware of the change. Surveys being submitted should be in the 1988 datum which makes for more accurate surveys. He showed the two definitions.

Mayor Macon made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

MPT Efirm made a motion to close the public hearing. MOTION CARRIED UNANIMOUSLY.

MPT Efirm made a motion to approve Ordinance No. 10-820 (Exhibit 1) and Ordinance No. 10-831 (Exhibit 2). MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING - CONSIDER AMENDING THE CAROLINA BEACH CODE OF ORDINANCES, CHAPTER 9 MOTOR VEHICLES AND TRAFFIC, ARTICLE II TRAFFIC REGULATIONS, SECTIONS RELATING TO REGULATION OF GOLF CARTS

Chief Younginer presented this item. He said that last year they passed an ordinance about golf carts and the state allowed Carolina Beach and other towns to operate golf carts on the streets over 35 MPH limit. After that, the state passed an ordinance to let all cities and towns to do that if they wished and then they put an extra requirement that no person less than 16 years of age may operate a golf cart on a public street so they just wanted to clean the ordinance up. Under item g where it says, "with a valid licensed driver" to add in what the state says, 16 years of age and possess a driver's license or driver's permit.

MPT Efirm made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

MPT Efirm made a motion to close the public hearing. MOTION CARRIED UNANIMOUSLY.

MPT Efirm made a motion to adopt Ordinance No. 10-823 (Exhibit 3). MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING - CONSIDER AMENDING THE CAROLINA BEACH CODE OF ORDINANCES, CHAPTER 11 PARKS AND RECREATION, ARTICLE IV FREEMAN PARK

Chief Younginer presented this item. He said that when they put together the Freeman Park ordinance they inadvertently left out two items and, if they wanted to change Section 11-57 to talk about human and animal waste, because we don't have an ordinance where they can write citations for that. And Section 11-70, regarding firearms and fireworks, that was also inadvertently left out and wanted to add that it shall be unlawful for any person to carry, use, possess firearms or other dangerous weapons of any nature within Freeman Park and this subsection shall not apply to law enforcement officers who are engaged in the discharging of their duties.

Mayor Macon said that in the area of the Cupboard Grocery he has received some calls about dogs running loose, frequently, knocking people down, and a lot of dog waste in that particular area on the beach side. He would like the police to keep a closer eye on that area.

Councilman Wilcox asked if the chief has a general definition of what are other dangerous weapons. Chief Younginer said it is in the state laws and that is how they wrote it so it would coincide.

MPT Efird made a motion to open the public hearing. MOTION CARRIED UNANIMOUSLY.

Councilman Lewis made a motion to close the public hearing. MOTION CARRIED UNANIMOUSLY.

Councilman Lewis made a motion to adopt Ordinance No. 10-822 (Exhibit 4). MOTION CARRIED UNANIMOUSLY.

SCHEDULE A BREAKFAST MEETING WITH STATE REPRESENTATIVES AND DONNA MOFFIT WITH THE NC AQUARIUM

The town manager said this was something they discussed at a prior meeting about getting our state representatives and senator into town to talk about different issues and needs. It will be up to Council as to who they want to include - Boseman, McComas and or Justice or all three and what the date would be. Mayor Macon said to check with Councilman Lewis who said his schedule would be more open in mid-April. The town manager said he will try to work something out. They could also have it on a Saturday too.

ESTABLISH A ROTATING SCHEDULE FOR COUNCIL TO ATTEND NEW HANOVER COUNTY COMMISSIONERS' MEETINGS

The town manager said this item was also discussed by Council. He said the meeting dates are on the first and third Mondays of the month. The first meeting appears to be more planning oriented and the second being more county business oriented. It is up to Council as to how they want to proceed and if they want to send representatives. He suggested that the second meeting of the month is probably more important than the first

meeting which is televised. If Council wants staff to just go down the list and hit all 5 and all 5 again and just assign it and if there are conflicts, they can switch with another council member. Council agreed.

DISCUSSION AND CONSIDERATION REGARDING A REDUCTION IN THE COST OF FREEMAN PARK PASSES FOR RESIDENTS OF CAROLINA BEACH

The town manager said this is an item that was discussed and asked to be placed on the agenda. There has been some discussion about lowering the price of a season pass for Carolina Beach residents. Based on some information their parking folks gave staff, they believe there is about 763 permits that claim a Carolina Beach address or zip code. There are roughly 3,800 that claim New Hanover County and around 3,200 that claim North Carolina and another 240, roughly, that claim out-of-state zip codes. He gave them some concerns that he has with changing the rate for the yearly pass for residents. Mainly, at this point, there are a lot of folks that have already bought their pass. That was probably one of the primary concerns. If they wanted to change anything, they would do that prior to December. There are a bunch of other concerns that he has. They try to treat that almost like an enterprise fund where the majority of the revenue goes back to Freeman Park. He knows they are impacted by it so any revenue that they do generate, that's outside of what we give back to Freeman Park, he thinks he can justify using that for other purposes. It's not even in Carolina Beach, that was another concern. It's actually in New Hanover County and he would say that probably New Hanover County residents may have a concern if they lowered the cost. Those are just some of his concerns. He will leave it up to Council. He said the department heads have discussed it. There is a Freeman Park Committee meeting this week. He recommended they have some kind of workshop. They can bring things forward but there are so many differing opinions. Maybe after the summer season a workshop can be scheduled with Council and invite the Freeman Park Committee. It is too late to make this change now. He would recommend some more bathrooms and more police presence and, on holiday weekends, try to do some things that he and the police chief have been talking about such as having a wrecker there, maybe open up two lanes of traffic going in and none coming out during peak times and make sure it stays that way for a certain amount of time and then start letting people out.

Councilman Lewis said there are a lot of residents that are still very angry about what goes on up there on big weekends and he can't believe they can't come up with some way to mitigate the traffic problem on the 3 big weekends. They all talked about it last year, about putting some type of sign or something to say they are at capacity at that park. When they know it's overloaded on Friday and keep letting people drive up Canal Street on Saturday and sit all the way down Canal and allow them to drink and party out of the back of their pickup trucks doesn't make any sense. That is what everybody is upset about. We need to find some way to alleviate some of it, not all of it, but just for those 3 weekends.

Mayor Macon said he thinks part of the answer is you put two lanes of traffic coming in and anybody wanting to leave will have to wait.

The manager said that is something they will definitely try to implement this year.

Mayor Macon said maybe use some sand fencing to delineate two way traffic for a way onto the beach and an exit at another place.

The manager suggested also using a full staff of our folks and a full staff of the parking folks to get them in as fast as possible.

Councilman Lashley said the Freeman Park Committee only meets once a quarter. Maybe we should make some decisions on our own.

Mayor Macon said they meet this week and should report back to the manager and then the manager let Council know by e-mail how many people showed up. Then let's come to a conclusion on some solutions that we can address that come out of the people that do show up for that meeting. Then we will have a meeting about it.

Councilman Wilcox suggested e-mailing the committee a copy of the goals and objectives. He said they could have a joint work session and that might be the best way to get some decisions made.

The manager said he will put it on the April agenda.

Mayor Macon said that Councilman Lashley and Councilman Lewis will attend the Freeman Park meeting on Thursday night and bring back some solutions to Council.

The manager said he would give them the list of their brainstorming.

Rick Rogee, Freeman Park Committee member, said he would like to get a copy of those items to take to the meeting.

***DISCUSSION AND BUDGET AMENDMENT REQUEST TO CONSIDER
CONSTRUCTION OF A TEMPORARY PARKING FACILITY AT 309 CAROLINA
BEACH AVENUE NORTH***

The town manager presented. He said this was on the last agenda. They talked about a cost estimate for graveling and making it a functional parking lot which would be about \$25,000 and a conservative anticipated revenue would be about \$8,900. Right now they are working on CAMA permitting. There are still some questions as to the water quality permit, the Arcadius folks got a permit, and they are still trying to hold the town to a 13 story building. They are still trying to work through those bugs with Division of Water Quality. If Council wants to do this, they need to authorize \$25,000 from the Tourism Fund Reserve Fund. He is okay with not doing anything with that lot. There is some parking in front of Harbor Masters that they can delineate as free parking, if Council wants to do, that because that is already surfaced. He thought it was the wishes of Council to open that up. Council said to do nothing a this time.

DISCUSSION AND APPROVAL OF A TRAFFIC REVIEW AND INSPECTION AGREEMENT FOR THE REVIEW OF CHANGES TO THE TRAFFIC SIGNALIZATION AT CARL WINNER AVENUE ASSOCIATED WITH THE CARL WINNER IMPROVEMENT PROJECT AND AUTHORIZATION OF PAYMENT TO NCDOT

The town manager said this is a DOT item. There is a municipal agreement project that they need to approve and authorize the finance director to get a certified check for \$5,000 to move forward with their review of the plans. Staff is moving forward with this. DOT is really busy. They were supposed to have it done by July 1 but they are busy with a lot of ARA projects so it took them outside of the summer season. They are still going to do this project, the money is still there. They have recorded everything - the land swap was recorded yesterday. He doesn't have a copy of it yet. He just needs approval of this agreement and authorize the finance director to move forward with the funding.

Mayor Macon made a motion to approve the request and the funding of the request for the Winner Avenue improvements.

Jerry Bigley said he appreciates all the effort the manager has put in working with him on this and would like to see it done before Labor Day

The manager said DOT pulled back on it because there were so many projects in the hopper so we will have to wait until fall.

MOTION CARRIED UNANIMOUSLY.

SWEEPSTAKE PARLORS

Gary Ferguson said that Councilman Lashley asked about this at the last meeting about what is happening with sweepstake internet cafes in Carolina Beach. Staff provided a memorandum on February 18th that describes what has been going on. What they have is four principal use, sweepstakes café locations. In addition to that, they have four other ones that are considered accessory use cafes to existing establishments. The Planning and Zoning Commission, at their last meeting, raised this as a concern, particularly about the boardwalk. They were fearful that there could be a preponderance of these activities on the boardwalk and would take away from the family atmosphere that the town has been working so hard to achieve. They recommended that an amendment be brought forward to them at their next meeting on April 8th. Council's meeting will be on April 13th, after theirs, so if there is any urgency on Council's part to do something in terms of getting a rule to a public hearing to listen to people's comments about this, we could begin the advertisement as early as possible and get this to Council on the April 13th agenda, if they would like.

Councilman Lashley said he wouldn't mind having a temporary moratorium until they hear from planning.

The planning director said that it typically goes to the Planning and Zoning Commission first for a recommendation and then it comes to Council for a decision. Staff can't adopt a moratorium. They would have to go through Council, as well as the Planning and Zoning Commission for a recommendation for a moratorium.

The town manager said the planning director's thought was that they could do an ordinance amendment just as fast as they could do a moratorium.

Steve Coggins, town attorney, asked if Planning and Zoning Commission would have the authority or the desire to explore the privilege license taxation as a means of revenue for the town or would they be strictly looking at zoning restrictions, land use. The planning director said land use. The attorney asked if he would have any recommendations to Council about also preparing recommendations regarding the appropriate taxation.

The planning director said yes. He thinks that is the mechanism that most communities are using today in conjunction with land use regulations. The locations are Snow's Cut Business and Internet Café Center, which is in the shopping center; Treasure Island, across the street; Boardwalk Internet Café, 12 Carolina Beach Avenue North, on the boardwalk; and The Pavilion Café on 7 N. Pavilion Avenue.

The manager said that staff originally had some concerns with the actual use early on and went down the path saying you had to have a text amendment to allow these in town. Obviously the Board of Adjustment thought these were retail or considered retail. New Hanover and Wilmington are also going down the moratorium path which might push more this way.

The attorney said the town has the ability to limit it to a particular zone, limit the number, the distances between them, and the number of machines. The four would be grandfathered.

Mayor Macon said the town attorney and the planning director need to hash this out.

The planning director said that some of the things that P&Z were talking about was relegating it to the industrial zone, I-1, as a principal use; put age restrictions on it so children cannot go into these places; right now you can bring in beer and wine in a cooler - that would be another prohibition they were looking at; the distances from churches, schools, residences, etc., are some of the conditions that P&Z briefly touched on at their last meeting.

NON-AGENDA ITEMS

MPT Eford asked about the spring clean-up. Staff said they will advertise for that very soon and will be going out in the water bill. She asked about the paving of the road and the town manager said they are supposed to start today paving the road and will be done shortly.

Councilman Lashley had a question for the attorney. He read the farmer's market agreement and on the last page there is a statement he is not too kosher about. It says, "All rules may be revised by the decision of the Arts and Activities Committee for the Town of Carolina Beach." He doesn't want any committee making any rules for the town. He doesn't know if it is legal to even have it in there. The attorney said Council has the ability to delegate that authority, to devise certain rules on day to day operations. He thinks Council would be comfortable with that language if it adds, rules consistent with the ordinances of the Town of Carolina Beach. Councilman Wilcox said to change it to say event guidelines and get rid of rules. The manager will talk to Elaine about that.

The town manager said that at the last Council meeting the Council approved Boardwalk Makeover Group funds in the amount of \$45,750. At that time he took that to mean starting in July 1 but it seems that they need some funds to start the season off. If Council wishes, they can take \$22,500 out of the Tourism Fund Reserve Fund and then he can budget the remaining \$23,250 into next year's fiscal year 10/11 budget. They will go ahead and seek room occupancy tax funds to reimburse that.

Mayor Macon made a motion to accept the town manager's recommendation for the funding for the Boardwalk Makeover Group and direct the finance director to make the appropriate budget amendments. MOTION CARRIED UNANIMOUSLY.

The town attorney said he forgot to mention that he senses that perhaps Council would like to have more clear guidance and specific provisions sometimes for conditional use permit proceedings that may be contentious. He thinks they have found out that the ordinance from provisions as long as 25 years old. It can be awkward and other local governments have provided a great measure of clarity than what they have been dealing with and he would be happy to provide those suggestions for Council's consideration. Council agreed.

The fire chief said a few weeks ago we went through our ISO rating procedure. The manager congratulated the fire chief. It was a big undertaking in a short period of time to pull it together and hopefully we will be proud of our fire rating.

The planning director said he is going to assume what the attorney said about revisiting the CUP. He was going to bring up a notion about the Planning and Zoning Commission's involvement in that process. At the meeting on the 9th, he recalls some of the information being discussed that this did not include the recommendation by the Planning and Zoning Commission. He does not want to go through a process that is not exactly what Council would like for staff to do. He doesn't want to minimize the importance of Planning and Zoning Commission but he doesn't want to put them through a process that is really not necessary. He would like some direction. The manager suggested a pre-application process with P&Z for CUP's for review purposes, with public comment. The concern would be the prolonging of the process. Staff will think about it.

The town clerk reminded Council of the upcoming Cape Fear Council of Government's Dinner to be held on March 30th at 6:30 and dinner at 7:00. Council would not be able to attend this year due to a conflict with a meeting in Pine Knolls Shores and/or other prior commitments.

Councilman Wilcox said a while back Councilman Lashley asked that the Parks and Rec Department get together come back with some recommendations for skate park rules. Do we know what the status is? The manager said he does not. He knows they were supposed to get together with the police department for a joint meeting. Mr. Bigley said they did not because they feel it is the Parks and Rec Department's job. Councilman Wilcox said he would like to get this scheduled for the next agenda and Council is looking for those recommendations that were requested. Also, he said they talked at the last meeting about the sales tax. He needs some clarification. The amount of sales tax we collect is not representative of the amount of sales tax we receive back from the county, correct? In other words, sales tax is collected everywhere, it goes into the county, and then by the size of our locale or however they determine that, that is how much money they give us back. They don't give us a percentage of the amount we collect. The finance director said right. It is based on the amount collected. The manager said he thinks it is two-fold. He thinks it is down sales for the rest of county as well as there was an annexation which might have had some impact. Councilman Wilcox said we are just getting a percentage of that regardless of how much we take in. The finance director said correct.

Ryan Nelson with the Longberry Group and they are interested in making Carolina Beach Volleyball USA. They are thinking about bringing a sand volleyball park here and would like to bring something back to Council the next time they meet with more detail. Sand volleyball has now become a scholarship sport and Carolina Beach has a close proximity to four major universities.

There being no further business to discuss at this time, **MPT Efirm made a motion to adjourn. MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

Lynn N. Prusa
Town Clerk

Approved: _____