

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

November 9, 2010

The Town Council of the Town of Carolina Beach met in regular session on November 9, 2010 at 6:30 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 Pro Tem (MPT) Pat Efird; Councilman Lashley; Councilman Lewis and Councilman Wilcox. Also present was the Town Manager Tim Owens, Town Clerk Lynn Prusa, Finance Director Dawn Johnson and Town Attorney Steve Coggins.

MPT Efird called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened in prayer, followed by reciting the Pledge of Allegiance.

ADOPT THE AGENDA

Councilman Lashley made a motion to adopt the agenda. MOTION CARRIED UNANIMOUSLY.

It was noted that Mayor Macon was absent from the meeting due to sickness.

PRESENTATION BY JENNIFER LANGLEY AND REQUEST TO USE CAROLINA BEACH LAKE TO HOLD ALZHEIMERS WALK ON NOVEMBER 13, 2010 AND ADOPTION OF PROCLAMATION RECOGNIZING NOVEMBER 13, 2010 AS "ALZHEIMERS NC, INC.'S ALZHEIMERS WALK DAY IN CAROLINA BEACH"

Jennifer Langley said the Alzheimers Walk will be held at the Carolina Beach Lake next Saturday and she thanked the town for their involvement in the past. They are looking forward to a very successful day. She read the proclamation recognizing November 13, 2010 as Alzheimers NC, Inc. Alzheimers Day. She invited Council to help kick off the event on Saturday at 10:00 a.m. and to join them in the walk.

Councilman Lashley made a motion to adopt Proclamation No. 10-1036 (Exhibit 1) recognizing November 13, 2010 as "Alzheimers NC, Inc.'s Alzheimers Walk Day in Carolina Beach." MOTION CARRIED UNANIMOUSLY.

SPECIAL RECOGNITION OF JUSTIN MAURICE “WATER PLANT OPERATOR OF THE YEAR”

Diane Williams from NCDENR Public Water Supply Section presented an award to Justin Maurice, Chief Water Plant Operator for the Town of Carolina Beach Water Treatment as B-Well Operator of the Year for 2010. He was unable to attend the awards banquet in September to receive this award due to the birth of his daughter. She gave a review of his achievements and accomplishments over the years. The town manager and MPT Efird also thanked him for a job well done.

CAROLINA BEACH COMMITTEE REPORTS

Elaine Stewart, representing the Arts and Activities Committee, asked Olivia Ryan to come up. She said that Miss Ryan was one of the volunteers for the farmer’s market and Island Day who gave 23 Saturdays out of 24. Ms. Stewart commended her for her time and dedication, especially as a teenager. The committee and the Town of Carolina Beach wanted to make a presentation to her as a token of appreciation and present her with a resolution from MPT Efird which she read.

Ms. Stewart said they have Performing Art Night every Friday night and one of the big, strong things that is really developing is the drum circle and fire performers which is drawing a lot of attention. The committee is in the process of getting a new sound system for the town and will be available for everyone to use.

They are a volunteer partner with Boardwalk Makeover and said that November 26, 27 and December 4, 11, and 18 from 5:00 to 9:00 p.m. there will be a fire pit and roasting marshmallows. They also thanked Janet Hoffer for her help. The Island Women will be decorating the gazebo. They are going to have a live nativity scene. There are 12 beachfront coves that will be decorated. The official lighting will be around 7:30 p.m. after the Island of the Lights lighting. There will be arts and crafts and ornament making at the Blackhorn Restaurant thanks to Adam Higgins. There will be entertainment at the gazebo. Contact Michelle Connet if you would like to volunteer at 458-8666.

The Arts and Activities Committee has agreed to move the farmer’s market to the town’s recreation center. Janet Knox will present that to Council.

Janet Knox thanked everyone who was involved with the farmer’s market. They are requesting the town make it a separate ad hoc committee under the town with Parks and Recreation being the liaison between the committee and the town. She believes they will start with a committee of five and solicit volunteers focusing only on the farmer’s market. Right now it is just she and Chris Higgins. Councilman Wilcox asked that she give the town clerk a copy of their mission statement and objectives. On Council’s agreement, the town clerk said she would advertise for applicants to the committee and bring the applications to Council for their approval.

Fred Crouch, 404 Sumter Avenue, Chairman of the Operations Advisory Committee, said they committee deals with water, sewer, and stormwater. He presented two letters which he read. The first letter to Council from the Operations Advisory Committee requested the removal of Frederick Fisher from the committee as he has been unable to attend meetings since May of 2008 due to other commitments. The second letter was to the town manager from the committee stating that they voted unanimously to encourage him to move ahead as soon as reasonably possible on all currently planned Wilmington Beach projects. The town manager said they would talk about it later tonight but they have to re-advertise for financing. They went through the process of applying for USDA financing. There wasn't enough money out there so we have to go after financing. Mr. Crouch said the last issue concerns the road diet and a reminder that the committee unanimously voted in favor of the road diet and believe it is in the best interest of the town and a forward step. He said there are two people who are interested in filling the vacancy.

Rick Knott, member of the Harbor Commission, wanted to make a clarification regarding an article in the newspaper last week about the property adjacent to the street at Sandpiper Lane. The newspaper stated an error that we recommended the purchase of the property when in fact we actually recommended that a property be purchased on Canal Drive but not necessarily that piece of property.

PUBLIC DISCUSSION

Birdie Clark, 233 Florida Avenue, spoke regarding the Special Needs Task Force which is part of the Emergency Operations for New Hanover County. She said there is a thin thread of communication between the task force and Carolina Beach and she would like to find a way to shore that line of communication up and get more people involved to attend the meetings and perhaps a Council member who is a liaison, maybe a sub-committee of the Police Advisory or Parks and Recreation. The task force started out as a registry for people with special needs to be able to contact them during a disaster to find out what their needs were but it has morphed into a huge information gathering and informing NHC of people. She would like to get this information out to our people. Since the town doesn't have a public affairs person, she doesn't know how to disseminate that information. She has spoken to Councilman Lashley regarding this and maybe he could be the liaison. She has been doing home health for years in New Hanover County and had no idea that we have a program through the Sheriff's Department called "R U OK" and if you are someone who is disabled or live by yourself, there is a call that comes through and asks if your are okay and if you pick it up, they know you are okay. If they don't get an answer, then they can act on the fact that they haven't heard from this person. The Sheriff's Department also has a program whereby if you have someone who is wandering they put a wander guard on that family member whereby that person can be located. She said there is a huge amount of information and help out there and we need a way to figure out how to get the information out in the best way possible. At one time the town promoted the registry of special needs people and that is another thing they need to do on a regular basis. There is an application you fill out and then you are registered. They will then call you when a disaster is eminent as well call several times a year to

update the information. The town manager said he needs to be on that list so he can disseminate the information. Councilman Lashley said he would be more than glad to do it.

Leroy Franks, 908 Canal Drive, said the road diet does not work even in November. If you get five cars by Hardee's, it's stopped up. We have to go back to the way it was and he would encourage Council to take a vote on this issue if we are going to keep it or not tonight after everybody gets a chance to speak. He said we have secret deals regarding property, secret meetings, backdoor politics on property and never pay more for a piece of property than it is worth. Look at the financial situation of the world. He said that we are broke and cannot afford it.

Charles Eaves, Sea Colony, 1311 S. Lake Park Blvd., said we are not in a financial viability to do anything on the road diet and suggests we leave it as is even though it was a disaster on the 4th of July. No one could get out of Sea Colony and needed police assistance.

REQUEST FROM BLACK'S MARINA FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE REPAIR OF A BULKHEAD ADJACENT TO A STORMWATER OUTFALL

The town manager presented this item. He said several years ago they had a waterline break on Lake Park and went out through some of our storm drain system into the area of Black's Marina through a stormwater pipe. We decided to take a look at it. They did deliberate and address the issue with the sediment that was washed out into the marina and one of the things they decided to do was to come up with some kind of plan to slow the velocity of the water that might come out of there and trap any type of sediment that might be coming out as well. They did a temporary fix and are looking at some more formal fixes that we are going to fix here shortly. The solution was to install a small rock weir that would slow the velocity of the water and trap sediment that may be coming out of the stormwater pipe. Randy Simon is here representing Mona Black Marina. They had some issues with a bulkhead adjacent to where that weir system is and they claim there is some erosion that happened at the base and they had to fix the wall of the bulkhead. He will turn the meeting over to him to discuss it further. The total fix was \$5,000 and there were some other additions regarding some tiebacks.

Randy Simon, representing Mona Black Marina, which is owned by two ladies, Mona and her daughter. They were not able to be here tonight because of Ms. Black's age and her daughter's visual impairment. He read the letter from Mona Black dated November 4, 2010. Ms. Black has paid \$31,292 for dredging of her two slips which are directly affected by the outflow of this creek but, also, when this easement was granted to the Town of Carolina Beach, Ms. Black accepted a \$1 fee for the easement from St. Joseph Street to the outflow pipe and she also paid for the pipe and the Town of Carolina Beach either put the pipe in or subcontracted it out to have it implemented. In addition to the \$32,000, Ms. Black pays in excess of \$400 a month for landscaping, which includes the easement area, so she has taken on the responsibility even though, technically it states

that the Town of Carolina Beach is responsible for the maintenance of this outflow area and the easement connected to it. Even though the easement was granted to the Town of Carolina Beach and the responsibility to maintain it and the responsibility for what comes out of that pipe, she is not coming here tonight asking for the town to pay, but she would like to have some consideration to work with her on some assistance on this matter. He has the statement and paperwork as far as the maintenance repair. This berm wall was constructed in October 2007 and with that came the statement, "The town will be responsible for all long term maintenance and repair of the device and any associated maintenance that may occur as a result of this device. We will make routine inspections of the newly created basin to remove trash that may accumulate within the basin." Ms. Black is asking for a joint effort and assistance in the monetary value of \$5,000 that she has already paid to have the seawall repaired, lowered deeper into the ground and the addition of wall anchors to that wall. The wall ties were not in there originally and were added. It cost \$250 to take the dirt out, does not know how much the wall anchors were.

Councilman Wilcox said he knows the town is careful about these things because we have 5 or 6 outfalls and a lot of different conditions with water running off into the sound that goes through people's property and we can't be responsible for everything. It is his opinion that had the town purchased property or paid for an easement within their own bulkheads on the side of this outfall, they would have had to maintain this and there should have been tiebacks in the beginning. He feels we should assist her in some of these costs but doesn't know what that would be.

MPT Efird said she feels we were partly responsible and should give some compensation. She suggested that we pay half of it.

Councilman Wilcox said Ms. Black gave the town the easement in good faith for \$1 and she has done a good job of taking care of that property and feels we have some responsibility for the damage done by water outfall there.

MPT Efird made a motion to award Ms. Black \$2,500. MOTION CARRIED UNANIMOUSLY.

Mr. Simon thanked everyone on behalf of Ms. Black and her daughter.

APPOINTMENTS TO POLICE ADVISORY COMMITTEE AND REQUEST TO AMEND CODE OF ORDINANCES, CHAPTER 13 POLICE, ARTICLE III POLICE ADVISORY COMMITTEE, SECTION 13-62 MEMBERSHIP TO INCLUDE ONE ALTERNATE MEMBER, AND AMEND SECTION 13-65 ORGANIZATION OF POLICE ADVISORY COMMITTEE, TO WAIVE TERMS OF SERVICE FOR CHAIRMAN AND VICE CHAIRMAN

Randy Simon, Chairman of Police Advisory Committee, presented. He said the first action is to accept the resignation of Brett Keeler. They now have two openings with that resignation. They have two applicants recommended by the committee, Carl Mckoon and Henry Shotwell. Larry Powell and Kate Miller also applied. The committee is

recommending Kate Miller as an alternate. Mr. Powell's application was not available at the last meeting, nor was he accessible. He suggested 2 alternates to include Mr. Powell.

Councilman Wilcox asked if this is outlined anywhere that would cause us to have a public hearing to change that because we probably need to address that.

The town manager said there is an ordinance, 10-854 in the code, and it's a standing committee and is outlined in our code. We can make the changes tonight or hold a public hearing and if you want 2 alternates you just have to amend that language.

Councilman Wilcox suggested a public hearing and tonight nominate 2 members and tentatively approve the alternates to be appointed after the public hearing. The town manager said it can be advertised for the next meeting. Councilman Lashley said why delay it. We have 4 people here volunteering who want to be on the committee.

Councilman Lewis said Mr. Powell has been around the community for a long time and personally involved in a lot of things and he would hate to have his application pushed aside just because it wasn't brought to the committee meeting, it's not his fault.

Councilman Wilcox said he doesn't like to delay things either but following public process he doesn't consider it a delay. This is a change to the ordinance and we always hold a public hearing when we do that. We should advertise and have a public hearing.

The town manager said that legally it's a town code you do not have to but we usually try to follow that process.

Council agreed.

MPT Efird made a motion to appoint Larry Powell and Henry Shotwell to the Police Advisory Committee. MOTION CARRIED UNANIMOUSLY.

Staff will advertise for the change in the code and to consider 2 alternate members.

DISCUSS REQUEST FOR CAPITAL IMPROVEMENTS TO KATIE B. HINES SENIOR CENTER

Anne Pugh, representing the Katie B. Hines Senior Citizen Center, said that with the recent severe rains it caused damage to their room and problems with the plumbing and some kitchen issues. They have asked what Council's future intentions for the Katie B. Hines Senior Center are because they have heard that there are future plans to combine the senior center, the library and community building into one building and before they go ahead and get bids and start fundraising they want to know what Council's intentions are.

MPT Efird said that when they were discussing the master plan this did come up, but she believes that would be a long range plan.

Councilman Wilcox asked about the budget they submit to the town with regard to their capital improvement line item, and if that is exhausted every year. Ms. Pugh said as far

as she knows they exhaust that money every year on making minor repairs. The repairs they are talking about are serious. They haven't gotten bids yet but believe they are looking at in excess of \$20,000. Their only funds are supplied by membership and fundraising such as pancake breakfasts and donations from individuals. They don't get money from the federal government like the senior center in Wilmington. This will be a long term project for them.

Councilman Lewis asked the town manager if there has ever been a position where the town has ever put up money for improvements and let them pay back the town over a period of time. The town manager said they can check into it further and bring it back to Council.

Councilman Lewis said if the improvements aren't done it will end up costing more.

Councilman Wilcox said he would be glad to refer some contractors, roofers, etc., who work at reasonable prices or if they need someone to review the bids he would be glad to help them with that.

SEWER MAIN REPAIRS IN THE WOODY HEWETT RIGHT OF WAY (MARRIOT PARKING LOT & TOCB HAMLET PARKING LOT)

Mr. Owens presented this item. He said that Council was advised about 2 weeks ago about a problem they had with sewer mains that run across Hamlet through what used to be Woody Hewett across from the Marriot parking lot and extends over to lift station no. 1. The original prognosis when they called for repair would cost about \$60,000 but as they investigated more there were other sections that were decayed beyond repair. It's a clay pipe and it was totally clogged. They did do some camera work in there and there are a lot of laterals and connections that have cracked. They are asking tonight is to take \$130,000 from our Reserve Fund, Water and Sewer Fund to rehab and repair that line and make it as new as possible. It does run two lift stations. Lift station no. 1, which will be put into rehab shortly, there was a lot of water intrusion in the video and it really needs to be put into rehab. They think that by fixing the repairs and lining it like they have a lot of the other areas in town that it will keep that line hopefully in place for another 20 years or so. That is the price for the two, the lining part is about \$45,000 and the rest of it is repairs. It is about 12' to 15' deep and they will need an excavator and trench boxing - a lot of things they can't do.

Councilman Wilcox made a motion to authorize \$130,000 to be transferred from the Water & Sewer Fund to the maintenance fund for repairs to Woody Hewett.
MOTION CARRIED UNANIMOUSLY.

ADOPT THE CONSENT AGENDA

Councilman Wilcox made a motion to approve the consent agenda as follows:

Approval of the minutes:

Regular Meeting	October 12, 2010
Special Meeting	November 1, 2010

Set a public hearing date for December 14, 2010 at 7:30 p.m., or soon thereafter, to consider a conditional use permit and a vested right for a “Site Specific Development Plan” to allow an addition and renovation to the existing fire station located at 9 S. Dow Road (PIN # 3130-15-2967), 815 Cape Fear Blvd. (PIN # 3130-16-3009) and 811 Cape Fear Blvd. (PIN # 3130-16-4004); Zoning: R-3.

Set a public hearing date for December 14, 2010 at 7:30 p.m., or soon thereafter, to consider a conditional use permit for a Planned Unit Development (PUD). Approximately 1,500 sq. ft. (3 beds, 2 baths) single-family unit on the northern end of the lot in combination with an existing duplex located at 303 South 3rd Street (PID #R09006-041-013-000; Zoning: R-1.

Set a public hearing date for December 14, 2010 at 7:30 p.m., or soon thereafter, to consider amending Article 3.9 of the Zoning Ordinance to allow for a reduction of the minimum front yard setback where adjoining lots have less than the required minimum yard.

Amend Policy A for allowance of residents and non-residents for appointed boards, commissions, committees or authorities of the town when such appointment is not prohibited by state statute or by town ordinance as presented.

Adopt Resolution No. 10-1035 (Exhibit 2) updating the Water Shortage Response Plan.

Authorize the demolition of the single-family dwelling located at 815 Cape Fear Blvd.

PUBLIC HEARING - PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON COMPLETED CHANGES TO LAKE PARK BLVD. THAT INCLUDE REDUCING THE NUMBER OF TRAVEL LANES FROM FOUR LANES TO TWO LANES AND THE ADDITION OF A BIKE LANE ON THE EAST AND WEST SIDE OF LAKE PARK BLVD. IN THE TOWN’S CENTRAL BUSINESS DISTRICT

The town manager presented this item. He said the purpose of the public hearing tonight is to solicit residents and business owners regarding the changes that have been made to Lake Park Blvd. and to hear their concerns. They are also seeking solutions and recommendations from the public. He said there are representatives from the Department of Transportation (DOT) there as well as from Wilbur Smith who did a lot of work on the

project. He reviewed the history of the project starting with studies: Northend Circulation Study - 2004; Carolina Beach Master Development Plan - 2008; Dow Road Corridor Study - 2009; and Carolina Beach Streetscape Design Development Study - completed 2009. The process to transform Lake Park Blvd. from a thoroughfare to a Main Street began in 2004 with a variety of solicited input from engineers, landscape architects, planners, NCDOT, Wilmington MPO, many workshops, public hearings and meetings over 6+ years. The Master Development Plan (MDP) followed on the heels of an unprecedented rise in real estate values and development. The town received 20+ responses from an "RFP" process. Peter J. Smith and Co. was chosen to move forward with the MDP which was completed in 2008. This effort continued the consensus that the town wished to create a Main Street as a destination point in the CBD. Goals of the MDP: land use, economic development, urban form, natural resources and circulation. Circulation objectives: create a connected pedestrian system that promotes walking by developing high quality pedestrian orientated streetscapes, parks, plazas and trails that provide easy access to all key destinations in the town; improve visual quality of the primary streets and implement traffic calming measures and techniques; provide attractive, organized and well designed on/off-street parking areas; and to implement a way-finding system that clearly identifies destinations and helps visitors navigate their way through town. The MDP created a street classification system: Main Street, Main Street transition, commuter street, transit street, commercial street, and town street. The main focus tonight will be the Main Street and Main Street transition of Lake Park Blvd. He showed the classification map. The Main Street core is Lake Park Blvd. from Harper to Hamlet, eastside of Harper, Cape Fear and Hamlet. It was created as a traditional "main street" whose primary function is retailing; create wide pedestrian promenades; reinforce the urban wall; develop intersections as public space nodes and portals to the beach; develop a center median with one travel lane in each direction; provide bicycle lanes on both sides; provide parallel on-street parking; and formalize street tree planting. He showed a picture of the future core area streetscape design of what Lake Park could look like, the road striping is the portion of what they implemented. He showed the objectives of the Main Street transition, the Main Street transition south area, and the Main Street transition north area. The commuter street designated by Peter J. Smith, Dow Road and western portion of Ocean Blvd., is to create a bypass of the CBD to accommodate commuter traffic, develop off-road multi-use trail on one side of the street and accommodate future road widening to accommodate traffic volume. There is a Dow Road Study that adds to that. Other road concepts, he showed design concepts of Cape Fear Avenue from Lake Park to 3rd Street and Harper Avenue from Lake Park to 3rd Street. He showed an illustration of materials, overall design and streetscape amenities. Events leading up to the restriping of Lake Park Blvd.: the town was aware of NCDOT's plans to resurface Lake Park Blvd. and decided to move forward on the CBD Streetscape Design Development Study. The purpose of the Streetscape Design Development Study: to define in greater detail the specifics of how the streets in the CBD should be redeveloped to meet the goals and objectives of the Master Development Plan and it is an intermediary step between development and detail design/engineering. Put in simpler terms, the Streetscape Design Development Study was pursued in order to make the Carolina Beach CBD a destination that relies less on automobile travel and more on pedestrian and other forms of transportation. The current downtown streets that primarily

include Lake Park Blvd., Harper Avenue, and Cape Fear Blvd. and other adjacent streets can and should be improved upon to make Carolina Beach a competitive resort and potentially a year-round destination that residents can continue to be proud of and keeps visitors looking forward to their return. He showed pictures of Lake Park Blvd. prior to resurfacing and following resurfacing/restriping. The roads look a lot better than they did and they were in desperate need of repair. An important element of the Streetscape Design Development Study was that the town hired Wilbur Smith and Assoc. to do the Traffic Circulation Study. They have performed a lot of traffic services for the town including the North End Circulation Study, Dow Road Corridor Study and many traffic impact analyses. They were charged with coordinating with Peter J. Smith & Co., NCDOT and the town to determine if the proposed streetscape would function adequately well into the future. They used traffic count data for Lake Park Blvd. and inflated those for higher traffic volumes. Traffic modeling was used to determine the performance during peak conditions for 2008 existing traffic, 2030 No Build Scenario, and the 2030 Build "Road Diet" Alternative. All scenarios showed acceptable levels of service including the 2030 road diet alternative. What is a road diet? It is a term used by transportation engineers and planners involving the removal of travel lanes from a roadway and utilizing that extra space for other uses such as on street parking and/or bicycle lanes. An ideal candidate is a four lane roadway with 12,000 to 18,000 vehicles per day. He showed an illustration of a road diet. Anticipated benefits of a road diet: safety, reduced vehicle speeds, improved mobility, improved transit access, improved bicycle and pedestrian accommodations, improved air quality, enhanced neighborhood character, improved sight distance for left turns and emergency vehicle access. The final decision was to implement the restriping of Lake Park Blvd. As described, the town went through a very long process with the help of qualified consultants and determined that reducing Lake Park Blvd. from 4 lanes to 2 lanes with a center turn lane would not only provide for a better streetscape but would perform at an acceptable level during peak traffic conditions. NCDOT was aware of all the planning and plans that went into designing a more appealing CBD and converting Lake Park Blvd. into more of a Main Street. After discussion with NCDOT and their review of the studies performed, the town was presented with the opportunity to restripe Lake Park Blvd. following the resurfacing of the roadway in the spring of 2010. The Town Council held a public hearing. NCDOT agreed to create the restriping plan that the resurfacing contractor would later implement. All changes were done with no cost to the town. The restriping allowed the town and NCDOT to determine if the new configuration would work prior to spending a significant amount of money on the implementation of the entire streetscape project. Concerns expressed at the town Council public hearing: changing from 4 lanes to 2 lanes would restrict travel along Lake Park and create travel delays; the added bicycle lanes behind the existing angled parking would create a safety hazard for bicyclists; and the new road configuration could make it difficult for motorists to reach businesses along Lake Park Blvd. Positives expressed at the Town Council public hearing: the restriping would allow the town to begin the implementation of the streetscape plan with limited cost and less disruption during the future construction phase; the new road configuration would slow vehicles down and allow them the opportunity to see what the town has to offer, as opposed to, the roadway acting as a thoroughfare; and the new restriping would allow for better flow and facilities for

pedestrians and bicyclists. Completion of the project and observations: all of the work was completed by NCDOT prior to Memorial Day weekend and continued to observe traffic and maximized the synchronization of all traffic lights to accommodate the flow along Lake Park Blvd. traffic counts on holidays and summer weekends exceeded 20,000+ cars a day creating traffic delays and back-ups primarily from mid-afternoon to evening hours. Those were basically on Saturdays and Sundays from about midday into the early evening hours. He believes that a majority of the northbound traffic may be a result of not knowing alternate routes such as Dow Road. There are a lot of folks leaving at the same time towards the end of the day - Ft. Fisher, NC Aquarium, ferry, a lot of folks heading into Carolina Beach or other northern areas for dinner, etc. Also, some are leaving their vacation accommodations or weekend homes to return to their place of residence. The new road configuration appears to function adequately during all other periods. Summer weekends were a big concern and there was a little bit of an issue on Thursday nights when they had fireworks. The light synchronization attempts to optimize the flow on Lake Park Blvd. creating longer waiting periods along side streets. The new road configuration does appear to accommodate more pedestrians and bicyclists. In summary, Lake Park Blvd. changes have been discussed, studied by professionals, viewed by the public and commented on by citizens since at least 2004. The NCDOT resurfacing effort allowed the town to implement a portion of the overall master plan without any expense to the town. Options: (1) Allow the new road configuration to remain and continue to improve upon the new design to include signage improvements, light synchronization, work with NCDOT and traffic engineer to improve the functionality of the roadway and changes in motorists behaviors. (2) Seek a different design that could increase the capacity of the roadway (additional lanes) and still maintain some of the elements as proposed in the Master Development Plan and the Streetscape Design Plan. This option would require additional funding, studies, permitting and implementation time. (3) Return to the original 4 lane configuration of Lake Park Blvd. This option would require additional funding, studies, permitting and implementation time. As with option 2, this option is not a simple blacking out of lines and restriping the pavement. Lake Park Blvd. is an important NCDOT roadway that would require that the roadway be milled and resurfaced prior to the roadway lines being repainted. In addition, new light sensors, additional signal lights and synchronization of all new lights would have to be accomplished. This option would require additional funding, studies, permitting and implementation time. Those are just 3 of the options, there are many options out there and that is sort of what they are sticking to tonight, some input from residents and visitors. The meeting will continue with questions from the Town Council then they will open up the public hearing, they will take input and then hopefully have a session where they can entertain suggestions, recommendations and ideas.

Councilman Lewis said one of the things he thinks they haven't taken into consideration and also impacts the traffic on Saturdays is the huge success of the farmer's market because people don't understand where to park, what to do, where to go, how to turn left and that is something we need to get a handle on before next summer. One of the things he questioned Wilbur Smith about was with regard to any community that implemented this process and he only found one with diagonal parking with a bike lane behind. To

him that has always been an extreme safety issue and continues to be one. They had a number of accidents there this year, probably more than they had prior to putting those lanes in. He thinks Wilbur Smith did a nice job planning the idea but, conceptually, somehow the traffic planning never really pushed the issue about parallel parking vs. diagonal parking. As soon as we go from diagonal parking to parallel parking we're going to lose 2 or 3 spaces for every 1 space we have. Without having additional parking facilities, it is really going to put a hamper on any of the businesses in the CBD. He was curious when Wilbur Smith was talking about it and he has asked the question and they didn't seem to have an answer for it. Why would you let this thing continue and the recommendation if you had no past practice to compare it to. He found tons of places on the web that talk about the values of the road diet. One other area he thinks they didn't think about, from his standpoint, is how it might impact certain businesses - McDonald's and Hardee's are 2 businesses who were probably tremendously impacted because they rely on buses coming through there and their ability to turn into their lots is gone, you cannot do it because there is no room for a bus to make that turn. Those are some things they need to take into consideration.

The town manager said, regarding the parking issue, he thinks it was compromised. DOT did the restriping plan and in engineering terms, it was probably the most effective way to do it but it was compromised to be able to keep the parking. They explored other alternatives such as back-in parking but there was not a good alternative.

Councilman Lewis said that coming from Cape Fear, coming from Wilmington over Snow's Cut Bridge that the traffic coming into town was a lot less than in years past. The congestion on Winner Drive was pretty much alleviated, not that there wasn't congestion coming northbound.

The town manager said he heard the traffic on Freeman Park was broken up better too and less problems. He is not sure if that is because of the way things are flowing now.

Councilman Wilcox said Council and Councils before them had come to some decisions to provide a better downtown for our citizens. By taking away the 4 lanes which is clearly more difficult for people, pedestrians and bicycles to negotiate better. Other towns a lot larger than us have basically done the same thing. He believes the concept that this would over time reduce traffic and bring all the other important elements to the town. But we clearly have some performance issues, especially with the northbound traffic into the beach. He has watched the traffic here coming in on the holidays, coming across the bridge. There is backup on Memorial Day and the 4th of July to the bridge 4 years ago and about the same distance this year but there is a substantial difference with the northbound traffic. We have speculated a lot on what that is but we haven't been able to identify it, what the cause is or the remedy. For those who don't think that we are racking our brains trying to figure that out, how to address this problem and fix it - we are. There is a document written with some good information in which they had 17 towns and cities in there that implemented road diets similar to what we did and of the 17, 15 of those improved traffic flow or stayed about the same, 2 of them slightly reduced. Apparently that means we have some unique situation. He wondered if anyone

has contacted these 2 gentlemen because they seem to have a vast amount of knowledge with regard to these types of traffic engineering issues. He would think that some like this would be valuable to fly in here and take a look and see what is going on and try to help us in figuring out what the problem is. He doesn't know what would happen if this road was moved back to 4 lanes for that 3 ½ block area but he does know that we have an increasing amount of cars coming to the beach each of the last 3 years and one thing we are definitely getting a lot more of is day trippers so instead of people coming in on a Saturday and staying a week and leaving the following week or coming in for a long weekend, they are coming in every day and leaving every day which is putting a lot more cars on the thoroughfare. He has talked to a lot of people and they are on both sides of this issue. A lot of them like it and like what it would bring to the town and a lot of them are upset about it, concerns we might hear from a business that they feel their business is being affected because of this. Everything we have done down here is to bring more business to this island and make out businesses more successful. We just need to find some solutions and he questions the buses being able to turn into McDonald's. If you look at the structure of the street, there used to be 5 down the middle so that the bus turned from the outer lane which means it had a tighter radius to make it if it turns from the center lane because the center lane is now halfway into the farthest lane where the lane used to be. Now that center turn lane is right in the middle of the street which puts it further away from McDonald's than it used to be. There are those and there are other issues out there with businesses that are of concern. Tourist areas have a lot of traffic. He is as concerned as everyone else about trying to figure out what the problem is and hopefully we will make some ground on it tonight.

Councilman Lashley said certainly we have a problem and we need to fix it and we are looking for the answer. There is a problem coming north. He lives by Texas Avenue and he has watched the traffic backed up all the way to Kure Beach or further. He doesn't know what the solution is, that is what they are looking for and the reason they are asking for the public's input. He usually listens to the people and it seems that most of the people he has talked to are against this. It's not a 50/50 thing but more like 70% to 80% of the people he has talked to are against the road diet. We need to come up with a solution to change this. He doesn't know what that solution is but he likes Councilman Wilcox's idea about bringing people in that know a lot more than he himself does to analyze this problem. We have a problem and we need to fix it, it's not going to go away.

MPT Efird said she knows there are concerns about the traffic and a lot of people are very concerned about the bike lane. They are dangerous in some places and there have been some accidents. A lot of people say they could get used to it and others say they cannot, they don't like it and I guess we have created the problem and we need to try work out a better solution, if there is one and it will probably be costly but we certainly need to try.

Councilman Wilcox said it is clear that anytime somebody rides a bike in any downtown it is going to be more hazardous than riding in a residential neighborhood. We have a situation where we had diagonal parking down there with 2 lanes of traffic running each

way and everybody that rode their bike down there rode it behind the cars, exactly where the bike lane is right now. That is how it has always been. Everybody seems to find it acceptable to have a bike lane on the inside of parallel parking but there are plenty of instances of people opening their door and bikes running into them and people pulling out in front of the bikes that have parallel parking as well so he thinks what we were doing there was dealing with the existing situation of people riding their bikes back there anyway. You can't take the bikes and go the back 3 blocks and have a successful multi-road downtown. You have to have bikes and people walking. What we were trying to do is take a situation that already existed and make it as safe as we could make it. He feels a little bit safer now because when you pull into the parking space you can see the bike lane there and understand it is running behind your vehicle and, hopefully, people will think when they pull back out. He thinks it is important to remember that we never had a situation where we have never had bikes. People always rode their bikes down there and always rode them behind the parking so let's be conscience of these existing conditions that we are trying to work with. We held public meetings and talked about parallel parking and pretty much almost got run out on a rail because people didn't want to lose parking. They wanted diagonal parking, they wanted a bike lane, they wanted traffic calming, they wanted the streetscapes, they wanted all this stuff. We took a lot of public input on that and they worked hard to get all.

Councilman Lashley asked for a 5 minute break. MPT Efird called for 5 minute break.

MPT Efird returned the meeting to open session.

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

Charles Hill, Kure Beach, said he is a mailman and he drives the entire length of Lake Park from the bridge to Kure Beach and back, 6 days a week, and he does not like it. He wrote in the Island Gazette a little while back and quoted from scripture which said, "Two are better than one because they have a good reward for their labor." A good reward of 2 lanes is a flow of traffic. "For if they fall, one will lift up his fellow but woe to him that stands alone when he falleth where he hath not another to help him." In other words, what happens when one lane gets shut down because of a traffic accident and the police and the ambulance can't make it down there. He doesn't know how to fix it. He would like to see it changed back to two. He has had to reroute his mail route. He had a person with him today on his mail route and told them he has to do this just so he doesn't have to go out onto Lake Park. He cuts through grass lots, he gets out and walks and one time he stopped his truck in traffic and delivered 3 boxes, got back in and pulled up to stop in traffic again. He goes to a mailbox on the side of the road and sits there until somebody graciously lets him out. He is on a time limit and his job requires that he be at a certain place at a certain time. He has had to bypass places and then come back at the end of the day. This is from a person who spends his whole day on Lake Park Blvd. Regarding the bike path, there are lines with arrows pointing but he sees people traveling in the opposite direction. Are we enforcing this at all? He is not allowed to do that on one-way streets. He tries to follow all the rules on his bicycle but when he has someone

traveling at him when they are supposed to be going along with him, it's disconcerting.

Leroy Franks said he, like his neighbors, has been trapped in the traffic nightmare on Lake Park Blvd, numerous times. The town manager has publically stated that the engineering study on the traffic flow at about \$100,000. After reviewing these studies, it is obvious the Town Council has not read these studies. The Master Plan was done at a cost of \$65,000 in May 2008. The Streetscape Plan was completed in October 2009. The Traffic Study Plan cost \$34,000 in June 2010. The Master Plan states and recommends a new east/west (*note: inaudible*) extend Charlotte Avenue east to Lake Park Blvd., reestablish Woody Hewett Ave. south to Hamlett. None of the above has been accomplished before you try to incorporate the road diet. This was a prerequisite to incorporating a road diet. It also recommended a transit system which is non-existent in Wilmington. The Streetscape Plan states, page 8, the first mention of traffic congestion at Lake Park Blvd., why was this change made in 2009 after it was already decided as shown in the other plan of 2008 as a 4 lane road, why was it reduced to a 3 lane road or 2 lane road, really? The bicycle paths are 3'6" wide and takes up 7' of this space. That is cutting it close. How many bicycles do they recommend being able to access this or the boardwalk? There is a beach ordinance that bans bicycles and skateboards on the boardwalk. So what is the purpose? As far as the economic issue of bicycle riders, I do not understand where they can keep all that much cash in the spandex. The Streetscape Plan shows Lake Park Blvd. as 88' wide and page 3 of the Traffic Study shows that it is 55' wide. How do you explain these differences if these are well engineered documents? I can't explain it. My engineering outfit wouldn't let us make 31' mistakes. The Streetscape Plan on page 3 states that annual usage on Lake Park Blvd. was 18,000 vehicles per day in 2007 with 6,000 vehicles per day turning off on Carl Winner and Canal Drive. It should be noted this is 2010, not 2007. Page 13 says that two different traffic counts performed by the WSA and the WMPC, one in April and one in October. Why was that done? To avoid an accurate traffic count? Page 13 states the traffic growth of 1.5% should be applied so in 2007 it was 18,000 per day, 2008 it would have been 20,700, 2009 it would have been 21,010 and 2010 it would be 21,325 vehicles per day. Any engineering studies will show you that Lake Park Blvd. cannot survive that traffic flow as a 2 lane road. It has definitely got to be returned back to a 4 lane road and he encourages Council to take positive action tonight because there is an election coming up.

Laura Cropkee of 104 Tennessee Avenue, said she has to leave the island to go to work. At 7:00 a.m. she can be stuck behind people who are trying to decide if they want to go to town or Hardee's, etc. and it backs up traffic. On the weekends, unfortunately, she has to leave the house in the middle of the afternoon and her only way out is Dow Road. If you are talking about telling people about Dow Road, the people who find it have no idea what the speed limit is so if you are going to put signage, she encourages more signage with the speed limit on it. There are people driving golf carts through the downtown district, down Lake Park Blvd. and there is no way around them. This has become a public safety issue. She and her husband have sat in their front yard and seen the fire and police department attempt to make their way down toward Kure Beach and cannot get there. People attempt to cut down from Ocean Blvd. thinking they can miss the traffic on

Lake Park and they end up in a dead end on Tennessee Avenue. She has not found a time of day when it is easy to get home.

Linda Gordon of 211 Teakwood, challenged people to try to figure out a way to fix this now. She thanked Council for agreeing that we really have a problem and need to fix it. She doesn't know if we really want to go back to 4 lanes because she can understand. Time is of the essence, we've been studying it all summer, we already know what we need to do. If we could put 2 lanes going north bound and 2 lanes leaving the island since that is the biggest issue then we can come in, we can't get off. And if we have parking on Cape Fear Blvd. that's diagonal down the middle of Cape Fear and the same thing on Harper where we have just green grass now we would have parking on those streets, we could do that immediately. I don't know why that has to be a study. Then we could take the parking away, initially, from Michelangelo's. We could maybe keep the light turning off Canal Drive and we have people walking and we can encourage them to get out and walk and go to Michelangelo's. If we have to keep the bike paths, I don't know if we do or not, on both sides, once you have it can you take it away? If you can't take it away you would have the 2 lanes because there is plenty of room. We had to make the 1 lane really big because we took up so much space. I don't know if you can change it to where you have public walking and bikes on the walkway too, everybody does it anyway just to get there. But there is enough room to have 2 lanes leaving which would alleviate some of it and give us more parking. They are having a hard time during the summer getting their postal staff back by 5:00 p.m. If he doesn't make it back by then, none of your mail will go out and people are going to get upset. That throws us into a real whirlwind with transportation to Fayetteville and heads rolling. We are having a really hard time in the summer getting our staff back by 5:00. Most of it is because of the traffic. That is what I am suggesting and I'm asking other people to come up with something and let's brainstorm and figure out what we can do in the least expensive way.

Charles Eaves, retired police officer from Washington, DC. He said that he knows a little bit about traffic and congestion with major parades, etc. There is no sign directing traffic to turn right at Dow Road after you cross Snow's Cut Bridge proceeding south. Kure Beach Council complained to DOT that they didn't want a sign put up directing traffic to the Kure Beach area. Why should we suffer the traffic backup if the autos are going to Kure Beach and points south. On July 4th at 2:00 p.m. he was going north and no one would let him out of Sea Colony and he wasn't going to call the police. He rode his bicycle to the Kure Beach pier. He analyzed all the traffic in each area from Kure Beach south to the (*note: in audible*). There were 99 vehicles parked at the Kure Beach pier, not public or paid parking but parking at Jack Mackerel's and along the new area at the pier. At the Ft. Fisher Historic Site there were 109 vehicles parked. At the battle acre site, the rocks, there were 110 cars there. At the Ft. Fisher State Park there were 185 cars parked there. At the aquarium there were 167 cars parked there not counting the buses. As a police officer he gets on the 6:15 a.m. ferry to go over to Southport. On July 7th, one of the ferry operators went on his computer, operated by DOT, and there were 371 cars coming from Southport into Ft. Fisher on July 4th with 1,503 people in those vehicles. He said they turned away 200 to 300 cars because they were backed up. If they are going to keep the diet, which he will put up with even though the traffic is

unbelievable, is to override the traffic signal to a flashing yellow light and have 3 officers assigned to the intersections of Cape Fear Blvd., Harper and Carl Winner to diversify the traffic if it is gridlocked all the way to Kure Beach. You divert some of the traffic up Cape Fear Blvd. to Dow Road to go north and a few up Harper Avenue up to Dow Road and then you turn right to go north over the bridge. The third officer at Carl Winner, all he would do is help the pedestrians across the street and direct traffic. What he is trying to do is facilitate a faster traffic flow.

Dean Lambeth, Mayor of Kure Beach, said the MPO representative from Kure Beach, Mr. Dugan, is here tonight. Mr. Lambeth said they have concerns about using Dow Road as a feeder road to Kure Beach to help with the road diet. He has been working with Carolina Beach and the folks in Raleigh and would like to work with them again to approach DOT about improvements to Dow Road before it is used as an enter or exit for Carolina Beach. He said if there is anyway we can work together, let him know.

Randy Simon, 1410 Snapper Lane, said he operates two boat marinas in Carolina Beach and is in the traffic lane all the time back and forth to his residence several times a day in his golf cart. He commended both communities for working together to improve Dow Road which is obviously one of the main avenues for diverting traffic. He looks at the situation from a safety issue. We had 4 lanes of road in that three block area that we changed and our state law and ordinances shows that bicycles are a vehicle, a slower vehicle, and must stay to the extreme right edge of the roadway. When we had 4 lanes that extreme right edge was actually closer to the diagonal parking than it is now with the new lanes. The safety feature of that aspect he sees as a plus as the bike lanes striping tells the public that is a bike lane and an arrow showing which direction that bicycle should be traveling and is further back away from the diagonal parking. He heard with the new diet vs. the 4 lanes you always have the courteous driver. With 2 lanes going southbound and 2 lanes going northbound, if we have a courteous driver in the passing, northbound lane of Lake Park Blvd., he stops to let someone make a turn into Hardee's or McDonald's and that is a larger vehicle, the turning vehicle still has to deal with the blind lane. A lot of accidents have been attributed to that. With the 3 lanes that we have, which are larger, and you have a bus or larger vehicle, they only have to cross 1 opposing traffic lane to make a turn into a parking lot. Those are some safety features. It's not perfect. Did we drop the ball for the July 4th holiday with the new diet; absolutely. It was incomplete, some of the traffic signals were not even applied correctly, timers were off, it was a nightmare. Anytime you have change, especially in poor economic times and you add that aspect of opening it up without the proper instruments being in place, it's an avenue for disaster. There were no fatalities just a lot of aggravated people slowed up and not being able to leave or enter our island. He is also a retired highway patrol officer and has been trained in dealing with traffic. Safety is first, then education and the broader picture of economics. He has been led to believe it will take \$500,000 to revert it back to what it was. That's a lot of money. His suggested having the timers looked at and adjusted on the side streets, both during the week and on the weekend. Again, signage and towns working together are excellent tools to remedy and make better what we have today.

Michelle Connet, 1321 Cabot Court, thinks the road diet has been phenomenal. You are only talking about several blocks and it has slowed traffic down some which creates a better atmosphere in the CBD to try to accomplish what they want to do. She thinks they need to focus on tweaking what is in place now and with that they would get a better flow of things. They specifically went out into the traffic on a regular basis when they could have gone around it just to get a flavor of it and, at the very most, it was 2-3 minutes that they were delayed. They were down at Kure Beach when the traffic was backed up headed north but when they got to around Atlantic Towers, the problem had nothing to do with the road diet. It was people not knowing where they were going. There was a gap where traffic was wide open. It is not constant. The Saturdays of the farmer's market, turning left onto Lake Park Blvd. at that intersection there could be an issue. Again, that's just a tweaking thing. She thinks what they have is better, safer, creating what they want to go towards and the only thing they need to do is tweak it a little, perhaps at different intersections. She thinks the thing that set it all off was, yes it was paved but nothing was signed properly or to its fullest that it could have been for Memorial Day weekend. Most people are not accustomed to change and with better signage and tweaking they can be on the right track. She appreciates their efforts it making that go forward. The comments she has heard from people it is more of a blend, not 80/20.

John Childers, 910 N. Lake Park Blvd., said he feels diverting traffic down Dow Road will not be good for his business. He depends on traffic coming through, whether they are going to Ft. Fisher, etc., he needs that exposure and he needs the money.

Birdie Clark, 933 Florida Avenue, said she remembers being in this room during the study with computer models and everything was really great. Then she went down Canal Drive and started thinking of that issue and translating in her mind what she saw on that computer and the real world of what is on Canal Drive and doesn't see how that could ever happen. She thinks that is what they are having a problem with - the paper/computer ideals virtual world and the real world. She would like that the next time they make a change, and she is not for spending a lot of money to go back, do a temporary change for a little while before we spend a lot of money to dry run it in the real world. Police could be used during peak times. She is a cyclist and that type of bike lane gives the bicyclist and the car drivers a false sense of security. She doesn't ride her bike down there and never has.

Mark Miller, Carolina Sands, he would like to see it go back to the way it was before but doesn't think they can afford it. He thinks the engineering firm who helped designed this didn't get the car numbers straight and we have more cars now than we expected. Getting out of Carolina Sands to go to work on the weekends prior to the diet, he went out on Dow Road because he couldn't get out. Tweaking is what we will have to do.

The town manager said DOT gave us the option of keeping it the way it was or going to 3 lanes with the bike path the way it is so we went that route. They came and did the temporary lines. You can't do that because of sensors. Even now DOT will require that we grind and mill the whole area back up to go back to 4 lanes.

Jimmy Ramsey, 119 Georgia Avenue, said he and his wife are opposed to the current road diet plan. Traffic is not conducive to any kind of business or relaxation or recreation. The plan prevents some people from turning into some businesses. It's not working good now and is not going to get any better. Traffic is going to increase. One of the biggest assets that Carolina Beach has is 421 going right down the middle of town. We don't need to take that traffic and throw it away. With respect to comments about Dow Road, he doesn't disagree that Dow Road needs some improvements and some expansion, but we don't need to take traffic away from Carolina Beach that we are so fortunate to have come right through town and give it away. We need to make all our guests and visitors welcome here and make sure they can facilitate their moves from one direction to the other. With all due respect, there has been some editorializing and self-serving rationalization about it. This is already done and we can't back up. The public was told back in 2004 and 2006 that this plan would work and it hasn't. To sit here tonight and say that we had public input and the public agreed to it and the town agreed to do this, the town didn't agree to do this, Council agreed to do this. Not only this Council but other Councils. We need to acknowledge, as most of them are, there is a problem and we have to find a way to solve it. He wants to see what is best for the community for the next few years. If we are already at 20,000 cars and exceeding the parameters, what are we going to do 5 years from now? It's not going to work. If it costs \$500,000 to do it now, it's going to cost \$1 million to do it 5 or 10 years from now. We need to be careful and analyze that and be aware of what our goals are in Carolina Beach and how we can keep our businesses and guests served and keep the community viable. It helps the tax dollars to help us do the things we need to do in the future.

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

Councilman Lewis said that based on what they are hearing tonight, the public comments, everyone agrees that the road diet is not working for us. He suggests we immediately establish a steering committee to include residents with some members of Council and maybe a consultant and bring this thing together, see what the options are that we might want to consider without grinding and milling up the whole street. Number 2 is that a lot of this is predicated on the Master Plan and he feels it is just out of whack, it's not written in stone, not something we're executing. A lot of the costs associated with this streetscape have never been discussed and we are just starting to discuss costs of the streetscape. He is not so sure if the general public were given a referendum opportunity to vote for to change the whole structure of the CBD to support the streetscape project, especially when you know what the cost is going to be to the taxpayer and the property owners. So he thinks the steering committee or a group of people to put together and have an action plan to make some decisions and get this information back out to the people.

Councilman Wilcox said he has no problem with a steering committee but he thinks that we as Council and Councils before them participated in the process and acted on the

same information. He disagrees with Councilman Lewis on the Master Plan He doesn't think that 5 or 7 members of the community are going to be able to figure out how to fix this plan. No disrespect to the community, it's just a fact of life. He can't believe one or two of these fellows in here that have vast expertise in these types of road diets to figure out where we are. It doesn't matter to him what side of the fence people are on, he thinks even people who are opposed to the road diet would like to see an improved downtown and would like to have a lot of these key elements. There is personal interest, there are people in business, people trying to get in and out of traffic, mailmen, all kinds of people that have personal interests in being able to get around in this town. Traffic is going to continue to get bad over the years so even if we had 4 lanes right now, we have to prepare for some type of a bypass plan that is crafted properly that gets people to our downtown who want to get there and gets people around our downtown who are coming from the ferry and want to get off. We have to get prepared for that future impact and we are not prepared for that now. He is interested in seeing if the problems we have can be fixed. He was in Virginia Beach recently where they have more density in one block than we have in our whole town. There is a huge amount of traffic and huge amount of businesses there. What they have done in the past few years is follow suit with a lot of other towns who want to encourage multi-modal transportation, they took Atlantic Avenue and reduced it to 2 lanes, from 4 to 2, with one lane being a trolley lane and a bicycle lane and taxi cabs. There is some science and engineering behind this and we apparently have some kind of unique situation we haven't identified yet and we need to figure out why it's not working as it was intended to. But, we can't ignore, when you talk to a business owner they wanted it rerouted, but we're not going to have that option so we have to figure out a plan that is going to help us now but is also going to handle that increased amount of vehicular traffic in 3-5 years. That should include coming up with a plan between Kure Beach and Carolina Beach. He would really like to see us contact these folks.

Councilman Lashley said we need to fix this before next summer. There were about 13-14 people who spoke tonight with 9 against the road diet and 3 for it. It is not 50/50 from what he has heard from the public. He is not sure we need to go back to 4 lanes. He liked the lady who talked about the 2 lanes going north, he hasn't heard any conversation about that. He likes parallel parking to take care of the bike lanes. We discussed that when we voted. We voted unanimously back in March or April. We didn't discuss parallel parking that night and we missed the boat. We should have put in parallel parking. A lot of businesses would not have like that because it would have reduced parking in the CBD. The streetscape incorporates parking and there are a lot of elements in the plan where all we did was take one minor slice of it and he thinks it was a bad decision. He knows we have money in our Tourism Fund, \$500,000 is what they are talking about, he doesn't believe that quote. Our Tourism Fund is to incorporate having tourists come here. We are a tourist town and this is a problem for our business people and the people who visit us so he thinks we need to do something before next summer.

MPT Efird said she thinks they all agree they need to do something but what. She doesn't have any solutions. She voted for it because she thought it would be a good thing. She has had so many people complain to her and she has been looking at the

traffic at the busiest times, it was ridiculous. She has had people who rent from her complain constantly about the traffic. We all know we need to do something.

The town manager said his suggestion would be to go back to our engineering firm and DOT and see what they have to offer, see if they have any suggestions. The way he understands the capability of the signal lighting is that it is not as smart or interactive as some lighting could be. Saturdays and Sundays are the worst days in the summertime and is the main concern. He can solicit other input from Wilmington MPO or anybody who will listen and give us some comments, he can do that.

Councilman Lewis said he can solicit some as well.

The town manager said he could schedule a workshop setting if that is what Council would like to do.

Councilman Wilcox said if we have this unique a problem that no one has come up with the answer yet. There have been a lot of engineers and professionals involved and he thinks they would really be remiss not to contact, he thinks the planning director said he already talked to this gentleman one time.

The planning director said Mr. Dan Burnam, he is has been instrumental in trying to move forward some of the concepts we have been talking about tonight. Harrison Marshall, who is with DOT, said we have talked personally about it and he said he would be willing to take a look at it and come down and take your suggestions.

Councilman Wilcox said \$500,000 is a big chunk of money. If that is what ends up having to happen because we can't figure it out, then that's how it goes. He thinks we would be remiss to spend that money before really knew whether there was a tweak. He thinks we can tweak some things and make it better. He would hate to see us spend the money to put this back to 4 lanes only to find out it's the same traffic problem. Everybody is basing how the 4 lane traffic pattern worked 3 years ago. He doesn't know the same conditions exist right now. We have to make an honest effort at looking at some professional advice. There is too much at stake for everybody in the community. We followed all of the experts' advice.

The town manager said they can come up with a workshop in the next 2-3 weeks, a month at most, and if any of Council has suggestions of whom you might like to see there, send the names of people to him. He will talk to them and get back with Council on a meeting date.

PUBLIC HEARING - REQUEST FOR A TEXT AMENDMENT TO CREATE MORE

ALLOWANCES FOR STORING BOATS IN CAROLINA BEACH. CONSIDER AMENDING APPENDIX A ARTICLE 3.8-1 TABLE OF PERMITTED USES; ARTICLE 7 OFF-STREET PARKING AND LOADING REQUIREMENTS; ARTICLE 12.2 DEVELOPMENT STANDARDS FOR PARTICULAR USES. THIS AMENDMENT IS FOR THE I-1 AND HB ZONING DISTRICTS BUT ALLOWANCES MAY BE MODIFIED/EXPANDED DURING MEETING DELIBERATIONS

Ed Parvin presented. He said several meetings ago Council asked staff to look at this amendment regarding allowances we have for boat storage yards and to look at potentially bringing something back and having some buffers in there and have some kind of limitation on the numbers of these things being allowed. We put some background of this allowable use in your memo. Essentially we put an allowance for recreational vehicle storage yards in 2007. The direction we are going tonight is not only allowing it for boats but for all recreational vehicles, pretty much how we have been allowing it and how they exist today. Today we have 3 grandfathered in or non-conforming in town located on Bridge Barrier, Lewis Road and Lake Park Blvd. He showed pictures. The one on Bridge Barrier is mostly full, is about 13,500 sq. ft. and is a little bit older boat storage yard. Bames Hardware has one with a fairly large area and was approved in the late 90's. It is about 50% full and has about 2 ½ acres of storage area. There is another one across the street from Otter Creek where they store their boats for that HOA which is full. It's mostly trailers and a couple of boats and it is over 17,000 sq. ft. Some concerns they have talked about in the past: (1) They are not very aesthetically pleasing. (2) Potential for junk or abandoned boats. Staff brought this ordinance to Council several years ago and hopefully we have shored up some of those conditions in our new ordinance they are proposing. What areas should accommodate them? Before when staff brought it to Council in 2007 it was I-1 after obtaining a conditional use permit. With proper standards in place RV storage yards could also be allowed in HB as long as we put those conditions in place. Permitted by right or conditional? In I-1, our industrial area, storage yards seems like permitted by right. Industrial area, manufacturing type uses that can be a lot more intense than storage yard so they had no issues with that. Council's concerns regarding a buffer and limiting numbers and sizes, a small recreational vehicle storage yard would be appropriate in HB as permitted by right. The 2007 Land Use Plan, looking at the vision for this area, the HB, it really talks about retail, office space, restaurants, those types of uses - storage yard doesn't typically fit into that. There is a desire in the Land Use Plan to have the use but there are conditions that you can put on it to make it a little bit better with its environment. Some of the options they came up with: (1) No change, keep everything the way it is. Right now it is only allowed in I-1 by conditional use. (2) Bump up the standards from what we have now for boat storage yards and create a limited allowance in HB. What he means by limited allowance, what they did is this white area is a 100' buffer along Lake Park Blvd. so you have to be 100' back from Lake Park Blvd. You also have a limitation on lot size. The minimal lot size in HB is 10,000 sq. ft. and the maximum lot size for a boat storage yard would be 15,000. He showed the lots (16) with those parameters. This is the option that staff and Planning and Zoning were leaning towards. After the Planning and Zoning meeting, (3) and (4) were not reviewed by

Planning and Zoning but these were also options that we discussed that Council might be interested in as well. (3) Same as Option (2) but instead of only allowing on these 16 lots, you would allow it on any lot but the actual area of the storage yard could be no longer margined at 15,000 sq. ft. on the lot. (4) This is the least restrictive. You still have the 100' buffer on HB, you also have a 50' buffer on the backside along the residential areas and you could have the storage yard on any of the lots as long as they are not in the buffer areas. One thing he should mention on this, this does take away some of your lots that you could on the other option that you can't on these because the lot is pretty much taken up by the 50' buffer so they kind of go away with that option. As he mentioned, staff and P&Z were looking at option (2). They think (3) and (4) are feasible as well. They could take that back to Planning and Zoning is Council would like to get their opinions on those two options. Outside of what he is talking about, the different options, there are standards that they all looked at as what they would want to see for a boat storage yard. The 10 to 15 (10,000 to 15,000) was what he has been talking about, 100' from Lake Park Blvd. They also looked at having a buffer around the storage yard of 5' and suitable landscaping so there is no evidence of use. It is not very specific like most of our type A, type B buffer yards but all we are saying there is you have to look like the Bame picture where you can't see anything. That is what that condition is attempting to say. No junk vehicles and we defined what a junk vehicle is, consistent with the general statutes. Maintenance only, can't be doing major repairs. No flammable liquids stored on site. You can't live in stored RV's. There is no specific parking requirement they put on these. They would be reviewing their design and making sure that they have proper turning radius coming in and out of the parking spaces. You have to meet all your zoning code requirements in the zoning ordinance and there is allowance to go up to 8' by right for your fence. We created that allowance in Article 10 as well. There is no dry stack storage allowed in Carolina Beach. This is a different use than an impound yard which they put in for clarity. They can bring something back for impound yards. They felt that is something that is a more intense use. Impound yards are something that will have traffic coming in and out all the time and have a lot of different issues than these storage yards like what we are seeing today.

Councilman Lewis said he had several people approach him who said they don't mind having storage yards but there are already people who have junk boats and vehicles sitting on lots all over town and they are concerned that we don't do anything about that. How are we going to enforce this?

The planning director said that was the idea. He thinks what they heard from Council when you said big boat storage yard, our concept going into this, the idea was to create a small allowance in the HB as a permitted use and create that buffer so it's not going to detract from our appearance of our highway. They came up with 16 locations on the GIS map that was shown. That may be too few or may be too many, he is not sure but that was a value they tried to incorporate into this. Maybe we went too far. He thinks the town manager has some concerns with the size limitation. He wants to make it clear that it is between 10,000 and 15,000. The lot has to be over 10,000 but the storage yard can't be any greater than 15,000 and that is problematic. That does create some issues because, but with that we limited the numbers. You could say, okay, no storage facility greater

than 15,000 sq. ft., it could be on 100,000 sq. ft. lot. That was the other option that we incorporated later and presented it as option (3). That was the dialogue. Your question on enforcement is an issue. One of the things that is a little bit different about this ordinance was the prescriptive standard vs. the performance standard and that option was no visual appearance of it. That gives the developer or owner a lot more flexibility on how he wants to conceal what he is doing. He thinks that is a good thing and may be something Council would want to entertain as being a different measurement standard as opposed to a fence so many feet high and buffered by so much vegetation. Those are the small pieces of this.

Councilman Wilcox asked of the 16 lots that were identified, how many of those are available? The planning director said he didn't know.

Councilman Wilcox asked how did we come up with the 15,000? Mr. Parvin said we were looking at the size of existing boat storage yards and then we wanted to look at a limitation on size. We were looking at HB as the area for accommodating these and it doesn't fit with what you would normally see there so they were trying to come up with a limitation and 15,000 sq. ft. seemed to be a good fit. Bridge Barrier Road kind of came up as one of them and that is one of the ones that was highlighted and it fits right in there. The other one was the Lewis Drive. There is no real objective answer he can give for it.

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.

Councilman Wilcox said the important part to him is the buffer between the residential areas and the setback from the business corridor. He thinks when you get into the size of lots we may be dallying in an area we shouldn't be, the size of a facility. Someone might say it would be better to have one large facility than 6 or 7 small ones, less problematic. I have concerns about the visual thing. Some of the boats that are put in there you are going to see them because something is going to stick up above the wall. The boat storage on Carolina Beach Road with the iron fencing, it's an attractive facility. You can see their boats in there. They can always come back and implement some type of standard if there is a problem with the dilapidated boats or visual or something like that. He would personally lean towards creating a 50' buffer residential and 100' from the highway business not dictating the size the facility can be and not dictating that you can't see something over the fence.

The town manager said the 50' buffer would exclude a lot of the lots too.

Councilman Wilcox asked, regarding lot size and use size, would we be better off with the use size that helps create more possibilities, is that what you are saying? The town manager said he didn't like the size of the lot dictating the use. He is less concerned about trying to minimize the intensity of the use by making it a smaller use.

Councilman Wilcox said if you didn't have a minimum lot size, what would then be the purpose for having a minimum usage size? The town manager said to minimize the impact. Larger numbers of boats in one area makes more of an impact than smaller numbers.

The planning director said a couple of things that need to be mentioned as well in this, there are no parking standards associated with it, the paving material can be as minimal as gravel, signage is going to be allowable based on the frontage, so there are some opportunities here. They were trying to juggle between not too many because the storage facilities in and of themselves are not too pretty looking so their goal was to try and minimize the numbers and keep them setback as far as possible from the road and that is how they came up with the 16 but they can revisit this again.

Councilman Wilcox said he would like to see it. The town needs boat storage. With all the condos they have, people vacationing with boats who would like to leave it here, the Land Use Plan supports these facilities and supports boating.

The planning director said this will accommodate RV's as well, not just boats. Council may not like the notion of this performance standard. If you want to go with just a regular buffer, an 8' fence, we can use that as well.

Councilman Wilcox said if there is a fence he is still confused why you want a buffer. Anyplace else you allow a fence on the property line and be able to use the area within but when you set a fence back from the property line say 5' he thinks what they are setting in motion is for that property not to be kept well and becomes less visually appealing than if the fence were there.

Councilman Lashley said he thinks the bottom line is if they have someone who wants to bring their business to this town, he is certainly in agreement with that. That is not the reason we are doing this but certainly we should encourage anyone and accommodate them if we can.

Councilman Wilcox asked if we couldn't walk through those requirements and get a consensus from Council on each one of them and end up with an ordinance.

Council agreed on:

1. Allowed on conforming lots (10,000 sq. ft.) that are no greater than 15,000 sq. ft..
2. Setback at 20' from residential zones.
3. Put recreational vehicle/boat storage in table.
4. Visual - shadowbox fencing or some form thereof – wood fence or landscaping to a height of 8'.

Councilman Wilcox made a motion to adopt Ordinance No. 10-853 (Exhibit 3) based on the specifics listed:

- 1. Allowed on conforming lots (10,000 sq. ft.) that are no greater than 15,000 sq. ft.**
- 2. Setback at 20' from residential zones.**
- 3. Put recreational vehicle/boat storage in table.**
- 4. Visual - shadowbox fencing or some form thereof – wood fence or landscaping to a height of 8'.**

and that it is in conformance with the Land Use Plan. MOTION CARRIED UNANIMOUSLY.

NON-AGENDA ITEMS

The town manager is asking for Council to allow the finance director to advertise for financing for Wilmington Beach.

Councilman Lewis made a motion to allow the finance director to advertise for bids on financing the Wilmington Beach Project. MOTION CARRIED UNANIMOUSLY.

Councilman Lewis said there have been a lot of complaints about taking down signs and he thinks we need to open up an opportunity for someone who is going to build something of significance in the community allowing them the ability to also put signs up if they can make application. The planning director said that is what the rule is. They have talked to Harris Teeter about possibly asking them to consider amending our ordinance to allow for that instead. Councilman Lewis said he would like for Council to consider amending that and bring it back to the next meeting. He also said that members of the P&Z talked to him regarding issues that are brought forward to Council that they are not getting represented what they were thinking of and their thought process when making recommendations. Council might want to consider bringing one of the commissioner members to talk about it. The planning director said that was suggested at the last P&Z meeting, it could be an agenda item. They thought maybe they should come and express their opinion on their recommendation and it usually comes from the chair

but it doesn't necessarily have to. Councilman Wilcox said he always thought that should be something that P&Z would want to do. There are pros and cons behind the vote. The planning director said he would bring that to them at the November 18th meeting.

Councilman Lashley said he needs someone to e-mail him what a FEMA lot is and what properties the town owns sent to him or Council.

MPT Efirm made a motion to go into closed session to discuss attorney/client and real estate matters in compliance with NCGS 143-318.11a(5). MOTION CARRIED UNANIMOUSLY.

MPT Efirm made a motion to return to open session. MOTION CARRIED UNANIMOUSLY.

MPT Efirm said action is not needed as a result of the closed session.

MPT Efirm made a motion to adjourn. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Lynn N. Prusa
Town Clerk

Approved: _____