



***AGENDA***  
**REGULAR MEETING OF THE  
CAROLINA BEACH TOWN COUNCIL**  
**Municipal Administration Building**  
**1121 N. Lake Park Blvd.**  
**Carolina Beach, NC 28428**

***Tuesday - October 13, 2009***

***6:30 P.M.***

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***ESTIMATED  
TIMES***

***ITEMS OF BUSINESS***

6:30 p.m.	ITEM #1	Call to Order
6:35 p.m.	ITEM #2	Invocation
6:40 p.m.	ITEM #3	Pledge of Allegiance
6:45 p.m.	ITEM #4	Adopt the Agenda

***SPECIAL PRESENTATIONS***

6:50 p.m.	ITEM #5	Recognize Employees for Years of Service
6:55 p.m.	ITEM #6	Carolina Beach Committee Report (This time is allotted for chairman and/or representative from various town committees to present topics of interest, updates, etc. Due to the number of items of business that must be conducted this evening we respectfully request that you limit your comments to 5 minutes per person.)

**ESTIMATED  
TIMES**

**PUBLIC DISCUSSION**

7:10 p.m.      ITEM #7      Public Discussion (Citizens who have signed in prior to the meeting will be called to the podium to speak. Due to the number of items of business that must be conducted this evening we respectfully request that you limit your comments to 5 minutes per person.)

**CONSENT AGENDA**  
*(See agenda packet for detailed items.)*

7:25 p.m.      ITEM #8(a)      Approval of the Minutes:

Special Meeting	September 4, 2009
Regular Meeting	September 8, 2009
Special Meeting	September 15, 2009

*Recommendation: Approve minutes as presented.*

- (b) Consider a Request for a Planned Unit Development to Allow a Single Family House and Pool in Conjunction with the Existing Duplex at 1418 Canal Drive (PIN: R08807-021-004-000) and 105 Periwinkle (PIN: R08807-021-002-000)

*Recommendation: Set a public hearing date for November 10, 2009 at 7:30 p.m. or soon thereafter.*

- (c) Request to Amend Carolina Beach Code of Ordinances, Chapter 16 Utilities; Section 16-3 Separate Meters, Requiring Separate Meters for Irrigation

*Recommendation: Set a public hearing date for November 10, 2009 at 7:30 p.m. or soon thereafter.*

- (d) Review and Approval of the Contract Extension with Waste Industries

*Recommendation: Approve contract as presented (refer to agenda packet for details).*

**PUBLIC HEARINGS**

7:30 p.m.      ITEM #9      Consider amending the Code of Ordinances to regulate activities at the proposed day docks being constructed at the Carolina Beach Municipal Marina

***ESTIMATED  
TIMES***

***PUBLIC HEARINGS CON'T***

- 7:40 p.m.      ITEM #10      Request to consider amending Article 3.8-1 Table of Permissible Uses. The Last Resort of Carolina Beach, Inc., is requesting Carolina Beach add an allowance for open air commercial platforms in Highway Business District (HB) or to delete this use from the Zoning Ordinance. The use is currently only allowed in the Central Business District (CBD).
- 7:50 p.m.      ITEM #11      Request to hold a public hearing regarding the purchase by the town of property identified as New Hanover County Parcel ID #R08818-016-011-000 or known more commonly as 309 Carolina Beach Avenue North and transactions and any finance contracts in connection with the same, pursuant to the town's authority provided by NCGS 143-318.11 and 160A-4, -11, -12 and -120; Article I of the Town Charter; and any other applicable provision of law
- 8:05 p.m.      ITEM #12      The Town of Carolina Beach is considering the purchase of approximately 2 acres of property, that includes 309 Carolina Beach Avenue North, located between the Atlantic Ocean and Canal Drive which contains parcels that were part of the former Arcadius project. The likely use of the property will be an oceanfront access/park facility and parking for a proposed NC Aquarium Pier at Carolina Beach.
- The price of the land acquisition only, if pursued, will be \$4,075,000. The town will pursue all grant and funding opportunities available which could help defray debt service on the project. In the event that no grant funding is available and based on financing terms, it is estimated that there could be the potential for a maximum tax increase of \$.015 per \$100 dollars of assessed valuation as a result of the land acquisition only (this would equate to a \$75 increase in taxes for a \$500,000 home for the year). Additional costs to the project are anticipated for; closing costs, structure demolition, engineering and permitting and the construction of beach access and parking facilities.

***ESTIMATED  
TIMES***

***PUBLIC HEARINGS CON'T***

- 8:25 p.m.      ITEM #13      Request to hold a public hearing regarding the purchase by the town of property identified as New Hanover County Parcel ID #R08007-015-003-001 known more commonly as 1710 Carolina Beach Avenue North currently owned by Michael and Delores Kirkbride and transactions and any finance contracts in connection with the same, pursuant to the town's authority provided by NCGS 143-318.11 and 160A-4, -11, -12 and -20; Article I of the Town Charter, and any other applicable provision of the law
- 8:35 p.m.      ITEM #14      Consider amending Section 12.2 of the Zoning Ordinance to address types, standards, and definitions of eating and/or drinking establishments in Carolina Beach; and Article 19 and 21 to address remedies for violations associated with: eating and/or drinking establishments as well as all other land uses in Carolina Beach

***OLD BUSINESS***

- 8:45 p.m.      ITEM #15      Discussion and Update on October 13<sup>th</sup> Workshop and any Action taken at that Workshop
- 8:50 p.m.      ITEM #16      Approve drawing for location of day dock area at the Carolina Beach Municipal Marina and request to advertise for bids
- 9:00 p.m.      ITEM #17      Consider a Resolution Requesting that New Hanover County Authorize the Use of Room Occupancy Funds for a Feasibility Study for Local Beach Renourishment Permitting for Carolina Beach
- 9:05 p.m.      ITEM #18      Consider Sending a Letter to our Federal Elected Officials Requesting Funds to Complete a 216 Study for Federal Funding Reauthorization
- 9:10 p.m.      ITEM #19      Resolution of Support for the Findings Made as Part of the Dow Road Improvement Study

***ESTIMATED  
TIMES***

***NEW BUSINESS***

- 9:15 p.m.      ITEM #20      Request from Bill Wells to Consider Lowering the User Fees for Wilmington Beach Stormwater Drainage Area or to Reconsider the Town's Ordinance Requiring that Properties in the Wilmington Beach Drainage Area Pay the User Fee Instead of having the Ability to Treat Stormwater On-Site
- 9:25 p.m.      ITEM #21      Presentation of ITRE Street Condition Survey and Proposed Actions taken to begin the implementation of the recommendations made by the street study
- 9:35 p.m.      ITEM #22      Appointments to Parks & Recreation Committee
- 9:40 p.m.      ITEM #23      Appointment to Ad-Hoc Budget Committee
- 9:45 p.m.      ITEM #24      Appointment to Ad-Hoc Harbor Committee
- 9:50 p.m.      ITEM #25      Call a Special Meeting for October 27, 2009 at 7:30 p.m.

***NON-AGENDA ITEMS***

- 9:55 p.m.      ITEM #26      Non-Agenda Items:
- Town Council  
Town Manager and/or Department Heads  
Town Clerk  
Finance Officer  
Town Attorney
- 10:15 p.m.      ITEM #27      Request for Closed Session to Discuss Real Estate and Attorney/Client Matters in Compliance with NCGS 143-318.11(a) 3 and 5

***ADJOURNMENT***

- 10:30 p.m.      ITEM #28      Adjournment