

MINUTES  
SPECIAL MEETING – TOWN COUNCIL  
MARCH 5, 2019 – 6 P.M.  
COUNCIL CHAMBERS -- OAK ISLAND TOWN HALL

Present: Mayor Cin Brochure, Mayor Pro Tempore Winecoff, Council members John W. Bach, Sheila M. Bell, Charlie K. Blalock and Loman Scott, Town Manager David Kelly, Assistant Town Manager/Town Clerk Lisa P. Stites and Town Attorney Brian Edes.

Mayor Brochure called the meeting to order at 6 p.m.

Consideration of Contract for Middleton Park Improvements Pursuant to PARTF Grant:

Parks and Recreation Director Rebecca Squires gave a brief presentation on plans for the amphitheater and for lighting at the fields. The stage currently being used for the concert series is a borrowed trailer, which is not adequate and doesn't offer any shelter for the performers. The lights are older and should be replaced; LED lights are recommended. Mr. Kelly said that the contract for the amphitheater installation was still being worked out and would be on Council's agenda Tuesday night, but the lighting portion was ready. Councilor Bell said the memo noted that funds were already available in Capital Reserves. Mr. Kelly said the total project was for \$400,000, with the Town responsible for \$200,000 and the State for \$200,000. He said we have been working on this for about three years. The Town has budget our portion over the last two years.

Consideration of Resolutions Regarding ABC Boards and Sales: Willie Williams, Chairman of the Oak Island ABC Board, said he was there in support of the Resolutions and was prepared to answer any questions. **Councilor Bell made a motion to adopt the Resolution in Support of the Current ABC Control System for the Sale of Liquor and the Resolution Supporting Local Control of Local ABC Boards and Opposing Forced Mergers of Local ABC Boards as presented. Councilor Blalock seconded the motion.** Councilor Bach said that they should weigh the benefits of the current system and the manner it produces for the Town against potential savings for consumers. He said that Council should not adopt this Resolution. Councilor Bell said that the Town takes in about \$250,000 a year in revenue from the ABC store. She said she had information on the States of Alabama, which returned to a state-controlled system after privatization didn't work. Councilor Scott said that he agreed they needed more information. Mayor Pro Tempore Winecoff said that when a town decides it wants ABC sales, it's voted on by the citizens and he doesn't know why the State keeps getting involved in local decisions. **The motion passed 3-2 with Mayor Pro Tempore Winecoff and Councilors Bell and Blalock in favor and Councilor Scott and Councilor Bach opposed.**

Consideration of Contract for Lighting for Softball Field and Pickleball Court: **Mayor Pro Tempore Winecoff made a motion to approve an amount not to exceed \$132,125 for purchase and installation of the (4) 60' concrete sports lighting poles 40' along with LED lighting fixtures, and to authorize the Town Manager to sign the contract, following review by the Town Attorney. Councilor Scott second and the motion passed unanimously.**

Consideration of Implementing Paid Parking/Paid Parking Management Services: Mayor Pro Tempore Winecoff said that when they looked at this, they tried to do what was best for the Town. He apologized to everyone and said they rushed to judgment and didn't take the time to consider all of the factors. He said that there was no way to implement paid parking this year because there were too many things to consider, such as right-of-way (ROW) parking. He said that ROW parking is a problem. He said

considering the fire the other night, if that had happened during the day in the summer, there were streets fire trucks couldn't get through. He said until those issues were addressed, he couldn't see rushing through a decision. Councilor Blalock agreed with Mayor Pro Tempore Winecoff and said that was one of the reasons he had voted against it, because it is a complicated matter and he thought they didn't have enough information. Councilor Scott said that he heard the people loud and clear. Councilor Bell said that she didn't think it was "us." Councilor Bach said that he agreed that the tactics may have been flawed, though he thought vision and the direction will ultimately prove to be the correct one. He said that we clearly have an issue with safety, traffic management, property rights, and it is a challenge to provide infrastructure and services in protecting our natural resource – the beach. He said it was unfortunate that the contract was not consummated and that the taxpayers would now have to come up with that money down the road. Councilor Bach also said at some point we would have to take on this problem, fund beach nourishment, manage traffic and deal with parking. He said that he thought it was the correct direction though he conceded that it may not be the right time. Mayor Pro Tempore Winecoff said as far as ROW parking, they needed to look at issuing permits for residents and their guests for the summer months to park in the ROW. He said that would stop people from parking in the road, bike lanes, etc. He said contractors could get a permit for ROW parking, permits could be issued for yard sales, etc. He said parking in the ROW could be allowed with a sticker for special events. He said that in the summer, everybody is parked everywhere and it is tough to even get down some of the streets. Mayor Brochure asked Mayor Pro Tempore Winecoff if he was suggesting eliminating parking in the ROW; Mayor Pro Tempore Winecoff said he was suggesting that during the summer months, parking in the ROW would be by permit only. Councilor Bell agreed that parking was an issue on the beach side. Councilor Bach said that without a plan to handle growth, these piecemeal things would not work. He said that it would not work with 1,100 spaces unless there were a system.

Pauley: Pauley said that he was 11 years old and a 3<sup>rd</sup>-generation Oak Islander. He said that he started coming here when he was one month old. He said that he often attends events at Oak Island. He said that he is concerned about paid parking. He said that he is the future of the beach, and he does not want this proposal to go forward. He asked Council to think what the beach will be like when he brings his family to Oak Island one day. He said that his future family would not have the same memories that he had and Oak Island would not be a family-friendly beach anymore. He said he wanted to remind them that the decisions they make today would affect future generations.

Christine Dooley, 155 NW 12<sup>th</sup> Street: Ms. Dooley said she was pleased to hear that we might be pulling back at this time. She said that she had reviewed lots of the information available, but that she still had questions. She asked if anyone knew how many daytrippers were coming to the beach. She asked what would happen if those people went to the other towns where parking is free, what would happen with the lost revenue. Ms. Dooley said that previously, the discussion was that paid parking wouldn't be worth it unless the revenue were more than \$500,000 and asked what had changed. She said that one concern is the cost for cleaning up trash etc. for the daytrippers, but then she heard that the revenue from parking would go to beach nourishment. She asked if people could just be fined for leaving trash or having glass bottles on the beach. She asked about charging for parking for special events. The remainder of her concerns were addressed in a letter she distributed to Council, a copy of which is attached and is hereby made a part of these Minutes.

Ralph Everhart, 3616 W. Beach Drive: Mr. Everhart said that he was for paid parking, within reason. He said that it would be great to fine people for leaving trash etc. if we could find them. Mr. Everhart said that he was all for parking. He said there was not much room for parking at Holden Beach. He said that

the beaches in Wilmington get crowded. He said that people save all year long for a week at the beach, and they should have somewhere to park. But citizens are taxed enough as it is. He said he knew the Town would grow, and the ROW is great, but he knows how difficult it is for people to park when working during the summer months. Mr. Everhart said that we need paid parking, and didn't want to see it being put off. He said he was against people parking at the beach, but he was against non-residents parking, and using our resources. He said it would be good to use the revenue for beach nourishment.

Becky Thomas, 109 SE 56<sup>th</sup> Street: Ms. Thomas said that she has owned a house here for a few years, when she bought a house for her parents to stay. She said that she also owned a house at Emerald Isle. She said she loves this beach and loves the beach access parking. Ms. Thomas said in Emerald Isle, daytrippers pay to park in gated lots and residents pay an annual fee. Ms. Thomas said that parking is a mess and she always has to pick up beer cans in front of her house even though she has a trash can by the road. Regarding Mayor Pro Tempore Winecoff's proposal, she said that she would want her children to be able to park in front of her house when they visit. Ms. Thomas said that the homeowners should not have to pay anymore as the tax rate is already high compared to what she has paid elsewhere.

Deb Leonard, 310 NE 49<sup>th</sup> Street: Ms. Leonard said that she was in favor paid parking and prohibiting ROW parking. She said that it would be nice to not have the views spoiled by having someone else's car in the ROW. She said that the ability of residents to use the ROW for their vehicles and their guests would hopefully not be changed.

Mike Pratt, 308 NE 58<sup>th</sup> Street: Mr. Pratt said it was hard to imagine a Council decision that would affect citizens or the character of the Town more. He said he was thrilled that Council was taking the time to do it right. Mr. Pratt said that he could support paid parking that included 5 considerations: 1) Paid parking would be seasonal and apparatus would be removed the rest of the year, 2) special and careful consideration would be given to our near-beach neighbors, 3) residents would have the opportunity to register their personal vehicles for a reasonable and appropriate fee and would not be subject to citation for parking in any designated parking spot at any time, 4) all net revenues generated would be designated to enhancement and maintenance of the beach/beach accesses and that would be put into law so that any subsequent application of the funds for any other use would require a referendum and a public vote; and 5) all parking signage should convey the Town's commitment to the application of the resources as described to hopefully mitigate in some small part any discomfort or displeasure of guests to the island. Mr. Pratt said that he said he hoped there would be additional open forums on this. He said that there should be an open house for the companies who gave proposals so they can set up their equipment in a parking lot so people can review it. They should be required to provide a graphic of where they would install the equipment.

Terry Dunn, 2728 W. Dolphin Dr.: Mr. Dunn said that they moved here in 2016. He has lived in other beach towns that did have paid parking and that it didn't affect anything. He said that other towns where it is free, like Holden Beach, there are no beach accesses. He said that Oak Island has excellent access to the beach. He said that there was no enforcement of the parking rules as it is and that if you live by the beach, people urinate in your yards, there is trash everywhere, etc. He said that he was a CPA and that he could help with the plan.

Councilor Bell asked for everyone in the audience was a resident of Oak Island and paid taxes; the majority of the audience members raised their hands. She asked those who were in favor of paid parking

to raise their hands and then asked for those who opposed paid parking to raised their hands; the crowd was evenly split.

Bettie Thorne, 2501 E. Beach Dr.: Ms. Thorne said she was just in Florida and that everywhere she went, there was paid parking. She said the Town owes four parking lots. She suggested putting paid parking in three of those lots (not at the Point). She said that she thought that could be managed by Town staff rather than a company. She also suggested reserving all of the spaces in the beach accesses and the Point for residents only. She said she had thrown that suggestion out on Facebook and got positive responses. She thanked Council for trying to figure something out, and that she did want the daytrippers to help pay for beach nourishment.

Jim Aroner 122 NE 34<sup>th</sup> Street: Mr. Aroner asked how many of the people in the audience already had parking decals; the majority did. He also said that more spaces would be needed for resident parking as more residents would be buying the decals.

Bruce Ivey (?), 114 SW 8<sup>th</sup> Street: Mr. Ivey said that he was initially against paid parking because of the change of the character of the island. He said that he is maybe changing his mind a little. He supported Councilor Bach's statement that we need a comprehensive plan on the subject. He asked Council to consider what the beach would be like for the young man who spoke earlier, and for his children and grandchildren when they inherit his home 25-35 years from now.

Niki Cutler, 307 NE 49<sup>th</sup> Street: Ms. Cutler said that she began her trash cart rollout service in 2014 as a public utility and that eliminated the major problem of unsightly, overflowing trash carts left out on the entire beachfront. Ms. Cutler said she holds the annual maintenance contract for the 58<sup>th</sup> Street condominium complex and works with all the major rental companies on the island as she is the bonded key holder for all the units. She said that still owns Beach Parking Service of Oak Island and a business called Barrier Island Parking Service. Ms. Cutler asked Council to reopen the bidding process to allow her to provide a proposal that she is confident is a gradual method of introducing paid parking that would most satisfy the residents, guests, and the Town of Oak Island.

John Falk, 164 NW 2<sup>nd</sup> Street: Mr. Falk said that with all of the hands shown tonight for pro and con, he said there should be a referendum to have a vote of the people, majority rules and then it could not be overridden by Town Council.

Councilor Bell asked Mr. Edes how much it would cost to hold a referendum. Mr. Edes said he didn't know an exact number but that it would be very expensive. Ms. Stites asked Mr. Edes if he knew what topics were allowed to be voted on by referendum. Mr. Edes said that on another matter for another town, a referendum cost over seven figures. Councilor Bell said that she didn't know if parking would be something for which a referendum could be held. Mr. Edes said he was sure we could get cost information from Brunswick County.

Dara Royal, 216 NE 46<sup>th</sup> Street, written comments provided as follows: It is neither practical nor desirable to implement paid parking in our public beach accesses at street-ends and along cross street rights-of-way. There are actions that can and should be taken in our public beach accesses that will improve the quality of life for those who use these parking areas. Like:

- Laying out parking spaces to provide a minimum of 10' by 18' in each vehicle space with a minimum 12' wide travel lane as required by our parking code.

- Maintaining DOT standards for line-of-sight for vehicles backing out of street-end parking areas onto Beach Drive and Ocean Drive.
- Keeping parking areas properly graded, potholes filled, and wheel stops painted and in place. Our public beach accesses serve the needs of our beach-going residents and second homeowners along with their families and friends, not to mention occupants of short-term vacation rentals - all of whom deserve to have public beach access parking that is properly laid out and maintained. These people already pay more than enough in either property tax, sales tax or accommodations tax to take care of our public beach access parking areas without anyone from anywhere paying more. It is neither practical nor desirable to implement paid parking in our off-street public parking lots in the beach area. What about all the state grants, accommodations tax, and FEMA \$\$\$ that have been given to the Town to initially buy and now rebuild the pier? In a sense, hasn't everyone already paid for the pier complex? And you want people to pay to park to be able to go to property they own? Have any of you ever been to Southport to walk along the waterfront, watch the ships come and go, attend an event at the Southport Community Center, or eat at one of the waterfront restaurants? Did any of you pay anything to park in order to do so? The off-street parking lots on 2nd row at the Cabana were purchased by the Town at various times with significant help along the way from CAMA Land Acquisition Grants. The Town of Long Beach bought the land used for the ball fields, the Ocean Education Center, the Skate Park, and Water Rescue. I vividly remember the signs erected on the ballfields stating, "You're Tax Dollars at Work." Although there is a charge to use the Skate Park, no one has ever paid to park to use the Skate Park or paid to park to engage in any other activity on any of these properties. There are two off-street parking lots at the Point – at the end of W. Beach Dr. and Kings Lynn Dr. The land for both parking areas was donated to the Town. And no fisherman has ever paid to park there. Maybe you think it's high time they started paying. I do not, and I never will. Accountants can and do assign a dollar value for goodwill, which is the most common long-term intangible asset on a corporation's balance sheet. Goodwill allows a corporation to earn a greater rate of return than normal. And a loss is recorded when goodwill is impaired. So, what's the goodwill value of free parking in our public beach access parking areas? What's the value of our way of life? I believe it's priceless. When it's all said and done, I hope that at least four of you will decide that it's not for sale at any price for any reason.

Darlene Portaluppi, 1602 E. Dolphin Dr.: Ms. Portaluppi said that they live near the Ocean Crest Pier, that they get a lot of parking in their yard on busy days and that she doesn't mind it. She said she is opposed to paid parking. The beach is free and the parking should be free. She said there would be no guarantee how the money raised by paid parking would be spent. She asked if we wanted people to pay to sit on a bench at the beach for an hour. In any event, parking should be free for the fireworks, for the Farmers Market, etc. because all of that will go downhill if there is paid parking. Regarding trash on the beach, she said that there used to be trash barrels on the beach, that everyone used them and that the beach was clean. She said the trash barrels should be put back on the beach if they want a cleaner beach.

Belinda Stutts, 238 NE 65<sup>th</sup> Street: Ms. Stutts said that she opposed paid parking. She asked if it was true that there were only 200 spots available for residents in the proposals. Mr. Kelly said that was one of the things they would have to negotiate with a contractor. Ms. Stutts said that even though they pay for a decal, there would be no guarantee they would get a spot; Mayor Brochure said that was correct because there was no way to guarantee 15,000 parking spaces. Ms. Stutts asked if that even if they have a decal, they might still have to pay \$18/day to park at the beach; Councilor Bell said that was correct,

Tasha Ahers, 168 NW 11<sup>th</sup> Street: Ms. Ahers said that she was against paid parking. She said that she fell in love with this town in 1992. The feel of this island keeps changing. Ms. Ahers said that she feels like

there is less and less to do. She asked how long it would be that residents would get by with using a decal. She said she was very much against it and she hoped that they would preserve something of this island.

Mike Sylvis, 301 E. Yacht Drive: Mr. Sylvis asked about having only 200 spots for residents and that there would not be any guarantees for a spot. He said that it sounded like paid parking had already been approved, that citizens wouldn't have any input and that it would be left up to a company to decide how many resident spots we have. He said that the reason that he bought a house here was that it was a nice, quiet, family beach but that there were trying to make it something it wasn't. He said Council had already made a decision and there was nothing the citizens could do about it.

Dana Buckley, 206 NE 39<sup>th</sup> Street: Ms. Buckley said that she opposed paid parking. She said that she would be 1000 percent opposed to having to pay if all of the resident spots were full. Mr. Kelly said that the proposals said that the proposals received by the Town included the number of resident spots the Town has. He said that the Town has sold more than 7,000 decals for those resident spaces. One of the items that would be negotiated before a contract was signed was how to handle resident parking. The parking companies use formulas to figure out usage, as not every space will be filled every day. He said that the number of spots for residents was not a final number. Ms. Buckley said her point was what would happen when the residents spots were filled, and Mr. Kelly again said that currently, more than 7,000 stickers have been sold, and that there are only 1,110 spots total, so that's where we are now.

Ed Drzewiecki, 128 SW 19<sup>th</sup> Street: Mr. Drzewiecki asked if residents would have to pay to park if all the resident spaces were full. Councilor Bell said that according to the proposals, they would. He asked if the decals would still allow residents to park without paying for it. He said that everyone had the understanding was that residents would not have to pay to park.

Mr. Edes said that he thinks the public needs to understand that the proposals have not been implemented by Town Council. Councilor Bell said that nothing had been decided.

Kate Siegler, NE 24<sup>th</sup> Street: Ms. Siegler said that she wanted Council to consider what paid parking would do to businesses. She said that her family owns a popular business 4320 E. Beach. She said that in the summer, they would also become parking enforcement with having a business on Beach Drive. She said they barely have standing room in the restaurant, let alone parking spaces. She also said that residents should not have to pay to park.

Liz Carolan, 106 NW 13<sup>th</sup> Street: Ms. Carolan said that she thought all could agree that this has been a valuable learning experience. She said that she didn't know where she stood on paid parking. She said people still go to towns that have paid parking, but that putting in paid parking here would change the flavor of the island. She said when she visits her family in the Outer Banks, she takes a gift, and offers some sort of reciprocity for using their house, and that there is nothing wrong with asking people to do the same here. She said it is not an easy solution but that it should be left up to the citizens. She said that we cannot continue to bear all the costs alone.

Sherry Rikard, 316 NE 52<sup>nd</sup> Street: Ms. Rikard said that she is a property owner but does not vote here. Because she is a non-resident, she asked how Council would hear the property owners' opinions as well. She opposes paid parking but she does not vote.

Mayor Brochure encouraged her to contact all the elected officials and share her views.

Mayor Pro Tempore Winecoff said that their previous decision was rescinded and that a parking company had not been chosen. He said that details would be negotiated with the company chosen. He said that the reason paid parking was being discussed was the \$20-\$40 million it would cost for beach nourishment. He said the County and State would not help us fund it. He said that he understood paid parking would not cover all of the cost of beach nourishment, but that there would be ongoing costs for maintaining the beach. Mayor Pro Tempore Winecoff asked how many people would be in favor of limiting ROW parking in summer months; most indicated they would. Mayor Pro Tempore Winecoff said that we have to do something because he was concerned that someone would get hurt with people just parking everywhere. Regarding limiting ROW parking in the summer months, Mayor Pro Tempore Winecoff said that would be for the beach areas, not the entire island.

Councilor Bell said that her biggest issue was that we only have 1,110 parking spaces and if we allow all of our residents to park for free, there would be no money to be made.

Councilor Bach said that clearly the community was divided but we needed to work harder to find a resolution because this problem would only intensify. Councilor Bach said that we would have worked with the company regarding how many spaces would be available for resident parking. He also said that we want to preserve the world the way we found it but that we cannot stand apart from the trends and do something. This discussion has been going on for four or five years and there is still no resolution. He said that the problem will not get better. He said he thought the meeting was helpful, that there were differing points of view expressed in a civil manner, but that some point, they would need to take action.

Mayor Brochure said that she wanted to make it clear that there was no action taken tonight regarding paid parking tonight. Mr. Edes said, to clarify, that the approval of the prior proposal was rescinded Feb. 23 and that the Town Council has not approved any other proposals.

**Councilor Bach made a motion to adjourn at 7:22 p.m. Mayor Pro Tempore Winecoff and Councilor Bell seconded the motion and it passed unanimously.**

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Cin Brochure, Mayor

Attested: \_\_\_\_\_

Lisa P. Stites, MMC  
Assistant Manager/Town Clerk

*Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 so that the Citizens and the Public may view and listen to the meetings in their entirety.*