



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING
WEDNESDAY, JANUARY 26, 2022 – 2:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Special Meeting on Wednesday, January 26, 2022 at 2:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Rick Smith; Commissioners Gerald Brown, Brian Murdock, Page Dyer and Pat Kwiatkowski; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Inspections Director Tim Evans; Lieutenant Frank Dilworth; Budget & Fiscal Analyst Daniel McRainey; and Town Attorney Rick Green.

PUBLIC COMMENTS ON AGENDA ITEMS

Anne Arnold talked about the change and growth on the island. She is not happy to charge for parking, but it is necessary to deal with all the people. She said she is in support of whatever the Board decides to do.

Bob Babington is in favor of paid parking with a few exceptions. He reviewed his suggestions and encouraged the Board to procure more parking for boats and boat trailers. He also thinks the Town should purchase the pier for the parking.

Jim McCaskill would like the Board to consider making the parking where there are public facilities.

Ammie Archer explained why she is in support of paid parking. She said we need access that is affordable for visitors. She thinks the proposal needs to be reworked to be more affordable. She supports the Board.

Layton Johnson suggested looking into other options for parking, like a shuttle system. He would like research to be done before we move forward.

Jim Toombs talked about his concerns for parking on Ocean Boulevard East. He does support paid parking and generating revenue to support the island, but thinks it needs to be in a measured way.

Larry Blume asked the Board to consider deleting H23 and possibly H22 from the list.

Martie Arrowood spoke on behalf of the owners on Shrimp, Crab and Conch. They are fine with Ranger being used for LSV parking, but they would like their bike and wagon parking to remain. They would like two additional bike racks and additional trash cans. She thinks vehicle parking on the east end

should be limited to the designated lots. Mrs. Arrowood is in favor of the public access shown for the pier property. She is in support of paid parking to help with the trash pickup and police.

Kate Day is for paid parking, but wants it done in a measured, thoughtful way. She is not opposed to parking, but to people using other people's private accesses. She provided information regarding a petition sent to the homeowners on Sea Gull.

Amy White is opposed to any parking on marsh streets. She asked the Board to consider a discount plan for senior citizens, physically disabled people and veterans. She thinks the fees are excessive and would like to see a revision to the fee schedule. She is in support of paid parking, but not on the marsh streets, in front of people's homes or where there is no public access.

Sylvia Pate explained why she thinks the Town needs to ease into the paid parking program.

Lyn Holden is concerned about Ranger and Elizabeth. He would like those streets to remain as they are.

Ava Pailthorp is concerned about changing Elizabeth. She asked the Board to be careful in adding streets to use for parking. She thinks the Town should have paid parking. She said there is too much parking at the east end.

Tracey Thomas supports paid parking, but not at private walkways. She doesn't support purchasing property to create parking or excessive parking of 935 spots. She wants residents to get two free spaces to compensate for the taxes they pay. She thinks \$3.3 million is an expensive parking lot for the pier.

Becky Green is in favor of paid parking at a reasonable price. She is against it at places with private walkways.

Keith Smith provided his notes on Ottos' proposal to include the number of spaces, auto upgrade, enforcement, maintenance and signage. He would like free permits for homeowners.

Elaine Jordan said it is a balance of private property rights versus public need. She thinks the topics of the pier and paid parking should stand alone. She thinks public parking should be in commercial areas. Ms. Jordan would like to know the requirements for access/parking. She asked if the Board considered selling the parcels in the areas that are not consistent with public use and buying in commercial areas. Commissioner Kwiatkowski said the Corps has clear rules for accesses/parking. She provided information.

Craig Bromby thinks the ordinance should reflect low speed vehicles (LSV), not compact parking. He believes paid parking has support, but we need to look at the ordinance and put more thought into locations. He believes the Corps' rules are actually guidance.

Brian Decker said looking at where there is public access should be important in making the final determination on where the parking is.

Stephen Will asked how a fire truck will access a road if there are cars on both sides of the road.

Ron Verenese agreed with protecting the marsh. He said that also applies to Ocean Boulevard West. He said putting parking in the 800 block will affect the natural beauty and wildlife. He is also concerned about traffic.

John Pearce talked about scaling the plan back. The key is getting the plan right. He suggested using decals to exempt owners from paying.

Rick Paarfus is in favor of a paid parking plan. He understands that the Board may be considering Block Q. He thinks any properties being considered to be purchased should be included in the plan. He suggested advertising the information to the public when there is a final plan. He asked for more information to be provided on executive session items.

Bob Bean questioned what the goals for paid parking are.

Joe Utley is in favor of paid parking. He suggested having it more congregated than having it all up and down the island. He asked that considerations be made for seniors and military. He is for more handicapped parking.

Don Braswell understands the need for paid parking, but is against parking on canal streets and in highly residential areas. He thinks paid parking should be reserved to the bridge and common areas.

Patty Braswell said the Town needs to think about safety. She suggested keeping it centralized.

John Williams asked that the Town doesn't change the parking in rights-of-way in a way that affects the property owners. He wants the appropriate parking needed. He doesn't want to change the feel of the community.

DISCUSSION AND POSSIBLE ACTION ON ITEMS NECESSARY TO PROCEED WITH PAID PARKING

Commissioner Kwiatkowski went over her three scenarios that she shared with the Board (hereby incorporated into the minutes). The Board needs to look at the information Otto provided and come up with a reasonable plan. Mayor Pro Tem Smith said he wants to make it clear that they want to rename compact car to low speed vehicle. The Board discussed how to proceed with moving forward and designating spaces.

Motion by Commissioner Dyer to eliminate paid parking from H01 – H08; second by Commissioner Kwiatkowski. The Board agreed by consensus.

Motion by Commissioner Dyer for H09, H10, and H11 for paid parking with LSV with four at each one; second by Commissioner Kwiatkowski.

The Board discussed the motion and asked for audience feedback.

Commissioner Dyer amended her motion to H09, H10, H11, LSV two each; second by Commissioner Kwiatkowski. The Board agreed to the motion and to change compact to LSV by consensus.

Town Manager Hewett inquired about the layout for Deal Street. After discussion, the Board said we need to look at it to determine the layout.

The Board discussed H12 and H13. Commissioner Brown suggested that before we get a number on the canal streets, he would like to delineate the wetlands and if it is wet, we don't need to park there.

Motion by Commissioner Dyer to eliminate parking on H12; second by Mayor Pro Tem Smith. The Board agreed by consensus.

The Board discussed delineating the wetlands.

Motion by Commissioner Dyer for delineation of H13, H18, H21, H24 H25 before we determine. The Board agreed by consensus.

For purpose of this document, those zones will stay on the document for now.

Commissioner Dyer said for H14, H15, H16, H17, we have LSV, two spots; second by Commissioner Kwiatkowski. The Board agreed by consensus.

The Board talked about options for the 800-block property owned by the Town. Commissioner Kwiatkowski doesn't feel it will be ready for the first year.

The Board's consensus is to take H19 off the list for right now.

The consensus is H20 stays.

The consensus is to keep two LSV spots at H22 and H23.

The consensus of the Board is to make Raleigh H31.5.

The consensus of the Board to make H26, H27, H29, H30, H31, H31.5, H32, H33, H34 and H35 as two LSV spots.

The consensus of the Board is to take off H28.

The Board agreed to eliminate H36, H37 and H38 from paid parking.

Motion by Commissioner Dyer for H39 to have 10 full size spots. The Board agreed by consensus.

The consensus of the Board is that it will be close timing to get permits and to have the lot at H40 ready, but they will leave it on the list.

Motion by Commissioner Dyer that H41 be both sides of the street, full sized parking. The Board agreed by consensus.

The Board came to a consensus to leave H42, H43, H44 and H45 as is.

The consensus of the Board is to designate H46 as boat trailer.

The consensus is to leave H47, H48 and H49, H50 and H51 as it is.

The consensus is H52 will stay. The discussion of the fee for that area will take place when discussing the fee schedule.

The Board agreed to make H53 two LSV spots. Halstead Park will remain free.

The Board came to a consensus to make H54 two LSV.

The Board came to a consensus that H55 & H56 will remain as it is.

The Board talked about the need to move parking if it blocks somebody's developable lot.

The Board agreed to leave H57 and H58 as is, in the current setup. The homeowners want LSV on the west, bike on the east for Ranger and the same as it is currently for Elizabeth. Staff will count the number of spots.

The Board came to a consensus for the following:

H59 will be two LSV spots

H60 and H61 will remain as is.

H62 will be two LSV spots.

H63 northside parking only, 40 spaces.

H64 will remain.

To eliminate H65.

H66, H67, H68, H69, H70 and H71 will remain.

Mr. Varner said the total is 506 spots.

Lieutenant Dilworth said H41 is closer to 30 spots.

Mayor Holden announced a five-minute recess at 4:26 p.m.

Mayor Holden called the meeting to order at 4:38 p.m.

Mr. Varner said the breakdown is 445 full size vehicle spaces and 61 LSV.

The Board will wait until a future meeting to discuss the remaining parking items.

EXECUTIVE SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTE 143-318.11(A)(5), TO INSTRUCT THE STAFF OR AGENT CONCERNING THE NEGOTIATION OF THE PRICE AND TERMS OF CONTRACTS CONCERNING THE ACQUISITION OF REAL PROPERTIES

Motion by Commissioner Brown to go into Executive Session at 4:40 p.m.; second by Mayor Pro Tem Smith.

Town Clerk Finnell read the reason for Executive Session.

The motion was approved by unanimous vote.

RECESS

Motion by Mayor Pro Tem Smith at 5:18 p.m. to recess until Wednesday February 2nd at 3:30 p.m., second by Commissioner Brown; approved by unanimous vote.

Mayor Holden announced the meeting will reconvene at 3:30 p.m. on February 2nd in this room.

RECONVENE

The meeting was reconvened on Wednesday, February 2, 2022 at 3:30 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Rick Smith; Commissioners Gerald Brown; Brian Murdock, Page Dyer and Pat Kwiatkowski; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Inspections Director Tim Evans; Police Chief Jeremy Dixon and Lieutenant Frank Dilworth; and Attorney Rick Green.

Mayor Holden reconvened the meeting.

Town Manager Hewett explained that staff revised the ordinance based on the Board's guidance from the last meeting.

Town Manager Hewett said he detailed in his memo to the Board in October that there is a specific difference between on street and off-street parking. In our table, there are some instances in language that use the words lot and in lot. He recommended that the language in those instances be changed to reflect verbiage that is more in line with using the terms on street and off-street parking. It is an important difference to provide clarity to ensure our ordinance is generally in sync with the general statutes regarding parking and the descriptive terms. He suggested that staff be provided with the administrative leeway to adjust that accordingly. Town Manager Hewett said additionally he would like

to be able to recalibrate the zone designations to begin sequentially at one, provided it's the best thing to do. There were no objections from the Board.

Commissioner Kwiatkowski provided the Board with her notes and suggestions for the ordinance (hereby incorporated into the minutes).

Commissioner Kwiatkowski brought up the definition of driveway. Lieutenant Dilworth explained staff made an assertive effort to clean the definitions up and make sure they agree with state law.

Commissioner Kwiatkowski questioned the Park or Parking definition. Lieutenant Dilworth answered it follows the state statute. He said it could be changed to any amount, instead of period. Bus/trolley stopping to drop people off was discussed. Lieutenant Dilworth explained these are definitions. He said something could be added in Section 72.02 to allow for loading or unloading or designated with signage.

Public Right-of-Way (ROW) versus Street ROW in definitions were discussed. After discussion, no changes will be made.

Street or Highway in definitions was discussed. After discussion, no change will be made.

Commissioner Kwiatkowski discussed her suggested changes to Section 72.02. After discussion, no change was made.

Construction/maintenance vehicle parking was discussed. After discussion, the Board agreed to change the corresponding exemption to "private contractor or maintenance service vehicles performing legitimate services at a specific location receiving services, except".

Signage was discussed. Signage needs to be approved by the Town.

Mayor Pro Tem Smith asked about covering the Turtle Patrol under Section 72.02. Lieutenant Dilworth explained the Turtle Patrol would currently be covered under 72.02D in the proposed ordinance.

The Board discussed adding loading/unloading to exemptions. Town Manager Hewett suggested that the Town may want to have the Police Department assess the best locations for trolley stops.

The Board agreed to add designated loading zones to 72.03(B) Signage. The language can be added and the stops can be figured out soon.

Adding no parking between the hours of 2:00 a.m. – 5:00 a.m. back to the ordinance was discussed.

Motion by Commissioner Kwiatkowski that we maintain the no parking between the hours of 2:00 a.m. – 5:00 a.m., with the omission of boat trailers. No second was made.

Commissioner Kwiatkowski read her revision for the opening of Section 72.03. No action was taken.

Commissioner Kwiatkowski suggested adding annual permits for one or two vehicles. She doesn't think annual permits should be available for rental golf carts. The Board discussed her suggestions.

After discussion, the Board agreed to allow parking permits for one or two vehicles.

Commissioner Kwiatkowski inquired about Section 72.03(D). She said people want to be able to put their cars in the ROW adjacent to their own home. This section was discussed. Enforcement was also discussed. Otto will be enforcing the areas with paid parking.

Motion by Commissioner Kwiatkowski that 72.02(D) be added as written (There will be no parking in the street ROW except in designated places from April 1 – October 31 between the hours of 9:00 a.m. – 5:00 p.m. as stipulated in 72.03(A). Parking in the street ROW outside these times will be enforced according to prohibitions and exceptions outlined in 72.02 (B), (C) (D).), lettering issues can be corrected if necessary; second by Commissioner Murdock; approved by unanimous vote.

72.02 (B)(6) or (7) will be corrected to reflect the correct section.

Commissioner Murdock suggested lowering the parking fee. He recommended that for the first year, the prices be dropped to Otto's minimum by the hour and proportionally from there up to a day price.

Motion by Commissioner Murdock that we go to Otto's lowest allowable number on parking by the hour that he can afford to be a vendor and then proportionally increase it from there.

Commissioner Kwiatkowski suggested that the target be \$3 per hour, \$15 per day based on Otto's feedback. The per week rate could be reduced to \$70 and we can keep the annual rate where it is, but also allow for a single vehicle, one at \$125 and two at \$250. The Board discussed the motion.

Motion by Commissioner Dyer to ask his (Otto's) minimum requirement to execute the parking plan.

Mayor Holden suggested that the Board direct the town manager to get that information. The Board agreed.

EXECUTIVE SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTE 143-318.11(A)(5), TO INSTRUCT THE STAFF OR AGENT CONCERNING THE NEGOTIATION OF THE PRICE AND TERMS OF CONTRACTS CONCERNING THE ACQUISITION OF REAL PROPERTIES

Motion by Mayor Pro Tem Smith to go into Executive Session at 5:23 p.m.; second by Commissioner Murdock.

Town Clerk Finnell read the reason for Executive Session.

The motion passed by unanimous vote.

OPEN SESSION

The Board went back into Open Session at 6:23 p.m.

ADJOURNMENT

Motion by Commissioner Brown to adjourn at 6:24 p.m.; second by Commissioner Kwiatkowski; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk