

MINUTES
BOARD OF ALDERMEN
JANUARY 14, 2021

Mayor Mills called the meeting to order at 5:30 p.m. in the Town Hall Council Chambers, 321 Causeway Drive, Wrightsville Beach, North Carolina.

Attendance: Mayor Darryl Mills, Mayor Pro Tem Hank Miller, Alderman Jeff DeGroot, Alderman Ken Dull (Remotely), and Alderman Zeke Partin; together with Town Attorney Brian E. Edes, Town Manager Timothy W. Owens and Town Clerk Sylvia J. Holleman.

Pledge of Allegiance

Invocation by Pastor John McIntyre, Wrightsville Beach Baptist Church.

PUBLIC COMMENTS: SKIPPER FUNDERBURG – WB WATERMEN REPORT.

Mr. Skipper Funderburg, representing WB Watermen, said, "I'm here to notify you of our recent North Carolina Surfing Hall of Fame (founded in 2019) inductees. This year, we inducted two wave riders from Wrightsville Beach, Mason Barnes and Ben Bourgeois, who are both on the 2021 World Surfing League Tour. Also, during our inductions, we posthumously inducted Jeremy Owens, Captain of the Wrightsville Beach Ocean Rescue and a well-known lifeguard in the community. Before coming home to North Carolina, he surfed and lived in Hawaii for ten years. His name is well known and we celebrate that."

CONSENT AGENDA APPROVED UNANIMOUSLY BY MOTION OF MAYOR PRO TEM MILLER AND SECOND BY MAYOR MILLS, WITH REMOVAL OF 1) APPROVAL OF FLOTILLA EXPENDITURES; 2) SET PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR 520 CAUSEWAY DRIVE; AND 3) SET PUBLIC HEARING FOR A TEXT AMENDMENT TO SECTION 155.6.5.5(A).

- a. Approved Minutes of Board of Aldermen Meetings as follows: Regular Meeting of October 8, 2020; Special Meeting of November 6, 2020; Special Meeting of November 12, 2020; Regular Meeting of November 12, 2020; Special Meeting of November 18, 2020; and Regular Meeting of December 10, 2020.
- b. Approved special event permits as follows:
 - 1) F3 Nation 10-Year Anniversary Event (*approximately 500-600 participants*)
Saturday, October 9, 2021 (7:00 – 12:30 pm) (*setup begins at 5:30 am*)
Scaffolding setup on Friday, October 8, 2021 (12:00 pm)
Location: Wrightsville Beach Park Event Stage
 - 2) Wrightsville United Methodist Church Son Run 5k (*approx.. 150 participants*)
Saturday, October 9, 2021 (5:00 – 11:00 am) (*Run starts at 8:00 am*)
Location: Wrightsville Beach Park and the John Nesbitt Loop
*** Recurring Event
- c. Acknowledged previously approved special events for February.
- d. Approved request from Program Supervisor Katie Ryan for the Parks and Recreation Department to work closely with the Harbor Island Garden Club to proceed with a tour to showcase the gardens to the Wrightsville Beach community on Mother's Day weekend, May 8-9, 2021.

- e. Approved Request to amend the Special Event Permit for the 11th Annual NHRMC Wrightsville Beach Pier to Wilmington Port Marathon to hold the 5k route on Wrightsville Beach on Friday, February 26, 2021 at 5:45 p.m. on the John Nesbitt Loop.
- f. Approved Request from the Wrightsville Beach Elementary School to place environmental educational signs around the John Nesbitt Loop. The Harbor Island Garden Club is a sponsor of the project and intends to fund the cost of the signs.
- g. Consideration of Commemorative Bench Sponsorship requests from Thomas White and Michelle Clark to place two benches (with plaques) adjacent to the John Nesbitt Loop at the Harbor Way Gardens.
- h. Approved revised 2021 Board of Adjustment Meeting Schedule to cancel the January 28th meeting.

ITEMS PULLED FROM THE CONSENT AGENDA FOR DISCUSSION:

1. Set a public hearing for Thursday, February 11, 2021 at 5:30 p.m., or as soon thereafter as possible, to consider a Conditional Use Permit for property located at 520 Causeway Drive for a high-end convenience/shopping store, coffee shop, and restaurant. *(Pulled by Alderman Dull)*
2. Set a public hearing for Thursday, February 11, 2021 at 5:30 p.m., or as soon thereafter as possible, to consider a Text Amendment to Section 155.6.5.5(A) to allow for a conditional use on parcels less than 10,000 square feet in the C-3 Commercial District if the property is already developed and meets all other criteria for a conditional use. *(Pulled by Alderman Dull)*
3. Approval of Flotilla Expenditures for Submittal for Reimbursement from the New Hanover County Tourism Development Authority. *(Pulled by Mayor Mills)*

Alderman Dull requested removal of the setting of two public hearings from the Consent Agenda, the first one for consideration of a text amendment to Section 155.6.5.5(A) and the second one for consideration of a conditional use permit for 520 Causeway Drive. He expressed concern with using a broad brush approach and said he likes to err on the side of caution. He said, "Not to belabor what happened on Augusta Street, I want to make sure that we explore how this affects the rest of the beach. I thought it might make sense to have the Planning Board go back and consider the proposed text amendment with staff." Mayor Mills agreed and noted his concern with the Augusta Street matter due to a lack of vetting as completely as could have been done. Mr. Edes said, "I think the item regarding the text amendment would be appropriately sent back to the Planning Board if that's the desire of the Board. We would just set the public hearing for a later month for the actual C.U.P. So, it's just the text amendment that's going back to the Planning Board." Alderman Dull said, "I would agree with that. It's about the broad brush, not the specific user."

Mayor Mills then pulled the item for approval of Flotilla expenditures from the Consent Agenda. Mayor Pro Tem Miller made the motion to approve the Consent Agenda without the items that had been pulled. The motion was seconded by Mayor Mills and unanimously approved.

Mayor Mills asked if they would need a motion to send the text amendment back to the Planning Board. Mr. Edes said, "The motion would be to send the proposed text amendment back to the Planning Board. You don't have to do anything about setting the public hearing yet. If the text amendment is indeed integral to the conditional use permit application, the applicant may want to provide some guidance on when they want it to be heard. You don't have to do anything with the item to set the public hearing for the C.U.P. other than just take it off and then send the text amendment back to the Planning Board." Mayor Mills confirmed with Alderman Dull that this was what he wanted to do. Alderman Dull said, "I think staff and the Planning Board need to vet this out." He then made the motion to send the proposed text amendment back to the Planning Board. The motion was seconded by Mayor Pro Tem Miller and unanimously approved.

Mayor Mills asked if there was anything different this year with the Flotilla expenditures relative to past expenditures. Mr. Owens replied, "We're asking the TDA to approve the program the Flotilla just had with the door to dock. We'll submit that and see if they will fund it. We had \$29,000 set aside for the Flotilla and the total expenses for the project came to \$9,683.55." Mayor Mills made the motion to approve the Flotilla Expenditures for submittal for reimbursement from the New Hanover County Tourism Development Authority (pulled from the Consent Agenda). The motion was seconded by Alderman Partin and unanimously approved.

FY19-20 ANNUAL AUDIT PRESENTATION.

Ms. Tonya Thompson, Audit Manager with Martin Starnes and Associates, appeared remotely (via Zoom) and reviewed the Town's financials for the year ending June 30, 2020 with the following highlights:

- We had an unmodified opinion which means we believe statements to the Local Government Commission were fair.
- Available Fund Balance (General Fund): \$12,841,819.
- Top three General Fund Revenues: Sales and Services 36% (\$4,585,453), Ad Valorem Taxes 26% (\$3,403,348), and Unrestricted Intergovernmental 18% (2,321,793).
- Top three General Fund Expenditures: Public Safety 51% (5,534,186), General Government 23% (\$2,428,452), and Environmental Protection 9% (\$963,558).
- Water and Sewer Fund Operating Revenues: \$3,523,867; Operating Income: \$468,006.
- Water and Sewer – Quick Ratio: Current Assets \$8,456,125, Current Liabilities \$128,761 = 68.8.

The Board thanked Ms. Thompson for her presentation and thanked Finance Director Melissa Norton for her hard work.

REMOTE ATTENDANCE OF ALDERMAN DULL.

Mr. Edes expressed the need for the Board to vote to allow Alderman Dull to attend remotely and to ratify his prior votes. Mayor Pro Tem Miller made the motion to allow Alderman Dull to attend the meeting remotely retroactive to the beginning of the meeting. The motion was seconded by Alderman Partin and unanimously approved.

PRESENTATION REGARDING A REQUEST FROM CALIBER RECYCLING TO PROVIDE SUBSCRIPTION-BASED CURBSIDE RECYCLING SERVICE IN THE TOWN.

Mr. Miller Diggs, representing Caliber Recycling, said, “I’m here seeking approval for my business, Caliber Recycling, to provide recycling pickup services to the businesses and residents of Wrightsville Beach. Caliber is a subscription-based recycling pickup service providing weekly pickup to its subscribers. Our goal is to increase the amount of people who are recycling by providing a convenient service and, in turn, keeping more waste out of oceans, off our beaches and off our streets. I’m a twenty-three-year-old college student currently finishing my business degree at UNCW. I grew up on Wrightsville Beach and I’ve always been in love with the outdoors and the ocean. So when I saw the opportunity to provide this service and give back to my community, I immediately started looking into it. To sign up for our services, simply go to our website at caliberrecycling.com, choose your bin and check out. This signs you up for our monthly payment plan and your bin will be delivered to your house and then picked up on a weekly basis. All recycling will be taken to the Recycling Plant on Highway 421. Our bin sizes are listed: we have fourteen, thirty-two and fifty-gallon bin size options. Both our thirty-two and fifty gallon bins will be equipped with lids to keep everything inside. The smaller fourteen-gallon bin will be an inside bin only.” When asked if the amounts shown represented the entire charge or if there were any additional charges, Mr. Diggs replied, “The fourteen gallon – that’s for the month. Then there’s a ten-dollar delivery fee due the first time you pay.” When asked if people would have to separate their recyclables, Mr. Diggs replied, “It’s mixed recycling. This service will benefit the Town of Wrightsville Beach in a few ways. There’s currently no other service available to pick up recycling on Wrightsville Beach. Right now, the only option is to take it yourself. This works but it’s definitely an inconvenience for a lot of residents. This service is going to encourage residents that were not recycling before to begin recycling now that there’s a convenient option available. And the more people we can encourage to recycle, the cleaner our town and beaches will be. While my services are centered around households, I think it would be a great idea to have the Town provide bins around popular areas of Wrightsville Beach to encourage and give everyone the opportunity to recycle. For example, Wynn Plaza and the Boat Ramp are very popular hangouts for locals, tourists and fishermen. The Wrightsville Beach Park is another example and a few locations around the John Nesbitt Loop. Also having bins on a handful of the more popular beach accesses during summer months where the Town also provides trashcans would keep quite a bit of recycling from going into the trash. If the Town does decide to use this service, I would recommend starting with one bin at each of these locations and two bins around the Loop as a trial, just to see how it goes and if people enjoy this service. The trial would not include the beach accesses. I’ve already invested around \$7,000 in getting Caliber Recycling Services up and running with an active website and bins ready to be delivered upon approval from the Town. I have a general liability insurance policy limit of one million dollars naming the Town as additional insured set up and ready to be activated if approved.”

Mr. Edes said, “If the Board is inclined to be in favor of this, the additional insured component – we need to make sure the Town is not only named but also endorsed as an additional insured.” Mayor Mills noted that this was just a presentation.

Mayor Pro Tem Miller said, “The rumor on the street is that the trash that we have doesn’t actually go to get recycled. Not necessarily ours, but there’s recycling and then there’s recycling.” Mr. Diggs replied, “Certainly fraud is a big problem in America. Those bins right there would go exactly where I would take mine, which is not the landfill. That is the hazardous waste recycling – the proper place to take it.” Mayor Pro Tem Miller said, “You said something about separating.” Mr. Diggs replied, “They do it there. It all goes to the same place and they end up separating it regardless of if you put glass in one bin and plastic in another; it’s all going to get mixed in and sorted.” Mayor Pro Tem Miller said, “My only concern about this is the same thing I got with the people on the beach that don’t live there – like renters. We have a problem now with getting the cans back in.”

Following a brief discussion regarding a franchise agreement, Mr. Owens said, “We have not developed a franchise agreement.” Mayor Mills said, “Any approval will have to be made subject to the contract being reviewed.”

Alderman Partin asked why the Town has to be named an additional insured. Mr. Owens replied, “It basically protects us to do a franchise agreement; if he does not perform up to whatever our standards are in that agreement, then we sever ties. We have all of the responsibility for solid waste. We can farm that out or we can do it in-house. He would be providing a service in Town that we do not have. We need a franchise agreement to set some standards in there.” Following another discussion regarding the previous provider, Green Coast, Alderman Partin said, “I live in a townhouse community; so I can individually have a service, right?” Mr. Owens said, “It depends on how you want to structure that. You can have all the recycling cans in one area.” Alderman Dull said he was excited to have this service coming.

Mr. Edes said, “An option would be a motion to instruct staff to move forward with the proposal and prepare the necessary legal documents.”

Mayor Pro Tem Miller said, “He did mention in his proposal about Town participation. Do we need to discuss that?” Mayor Mills replied, “I don’t know that we have to make that decision right now. I think we can move to get the documentation forward. He can set up his business. My position is the Town is not going to get committed to do anything right now.” Mayor Pro Tem Miller said, “I agree.” Mayor Mills said, “We’ll see how it plays out for a while first.” Mayor Pro Tem Miller said, “So, we’re going to approve his business and he can go get the business. Do we just want to give them direction or do we want a motion to give direction. What do we want to do?” Mr. Edes said, “If you direct us to bring back an agreement – you can vote to approve but I would rather you just give direction.” Mayor Mills said, “It is the Board’s preference, Mr. Edes, that you get started on the documents and bring it back to us with flexibility built in so Mr. Diggs can get started, assuming everything works out right. We’ll hold in abeyance whether the Town is going to get on.” Mr. Edes said, “I don’t believe you even need a vote for that.” Mr. Owens said, “Does that mean he can get started?” Mayor Mills said, “We’ve got consensus. We’re going forward.”

Mr. Diggs said, “So I can start?” Mayor Pro Tem Miller said, “You’ll have to give us a franchise agreement.” Mayor Mills said, “You will need to get with Mr. Edes or have your lawyer get with Mr. Edes. It’s moving forward as quickly as we can.” Mr. Diggs said, “Can I start marketing and acquiring customers?”

Mr. Edes said, “I’ve been instructed to bring back an agreement that the Board, based on what we’re hearing tonight, is going to pass. You would be doing it at your own risk until the vote actually formally happens. I think you know these folks well enough; they’re telling you to bring back an agreement next month for them to sign off on.” Mr. Owens noted that there was also the possibility that it may not pass. Mr. Edes said, “That’s what I’m saying. You would be doing it at your own risk but you heard the same discussion I heard. But it will not be official until the Board votes and that will not occur until their meeting in February.”

PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE SURF CLUB, INC. TO ALLOW FOR A SECOND-LEVEL DECK EXTENSION ON THE NORTH AND EAST CORNER OF THE OCEANFRONT PAVILION.

Mr. Edes said, “This is an application for an amendment to a conditional use permit. Therefore, we’re going to have to conduct a quasi-judicial hearing. The purpose of the quasi-judicial hearing will be to insure the procedural and substantive due process rights of the applicant. The applicant is entitled to a fair and impartial decision-making body. To that end, all witnesses that testify will be sworn in and subject to cross-examination. We’ll only allow competent evidence to come in. We may allow some hearsay-type evidence to come in. We will follow rules of evidence for courts but not as strictly as courts do. We will first hear from staff that will present the item. Then we will hear from the applicant. The applicant has the burden of proof to prove by competent substantial evidence that its application meets the criteria of our Code of Ordinances. Before we open up the hearing, I need to ask a few questions of the Board members:

- 1) “Does anyone on the Board have a financial interest in the outcome of this application?” (All noes) Mayor Mills verified that Alderman Dull had responded with a ‘no’.
- 2) “Do any of the Board members have a familial-type or business relationship with the applicant?” (All noes)
- 3) “I’m sure that you’ve been to the site but my question is more narrow than that. Has anyone made a visit to the site for the purposes of this specific amendment application?” (All noes.)
- 4) “I’m sure you’ve talked to some folks involved in the applicant but have you had any ex-parte conversations with any high-level member of the applicant about this application?” (All noes.)
- 5) “How about staff members about this specific application?” (All noes.)
- 6) “Can you think of any reason why you should not be fair and impartial and base your decision tonight solely on the competent evidence you hear during this hearing?” (All noes.)

Mr. Edes said, “Mr. Mayor, at this point we can open up the evidentiary hearing and hear from staff.” Mayor Mills administered the oath to those wishing to address the subject. He then opened the public hearing at 6:15 p.m.

Planning and Parks Director Tony Wilson gave the following overview: “This is consideration of an amendment to a conditional use permit application for the Surf Club’s oceanfront pavilion; it’s not the building on North Lumina. We received this application on October 29, 2020 for this conditional use permit for 1 East Mallard Street. The property owner is Surf Club and they appointed Joe Taylor to serve as

their authorized agent and to speak on behalf of this application. The proposed project for this existing C.U.P. is to modify the existing oceanfront pavilion to add a new deck area on the north and east sides of the existing building. The open deck is approximately 900 square feet. The Surf Club is located in the PC (Private Club) Zoning District and permitted as a conditional use. There are a couple of conditional use permits already for the project. On April 8, 2015, the Board considered a conditional use permit to add a metal roof over their building on North Lumina. And on November 14, 2019, the Board approved an amendment to the conditional use permit to add bathrooms on the backside – expanded deck area. There are no parking requirements. There's no seating shown there for this open deck area. They have parking; there's probably ninety to a hundred in the paved area; they have other areas for overflow (previous parking on the other side). Then, considering the 155.5.3.2 Performance Standards A-H – they've answered those. Departmental Review – there were no comments from the Police Department; no comments from the Fire Department; and no comments from Public Works. We advertised in Star News for two consecutive weeks – December 26, 2020 and January 2, 2021. We posted signs on site on December 22nd and we sent out adjacent property owner letters that same date. This did go to the Planning Board in December. At that meeting, the members voted 7-0 to forward a favorable recommendation to the Board of Aldermen for the amendment of the conditional use permit for the Surf Club's oceanfront pavilion. Staff's recommendation is that the Board consider and approve the amendment to the existing conditional use permit for the oceanfront pavilion."

Mr. Edes said, "Mr. Wilson, would you like to offer pages 133 through 154 of the agenda packet into evidence as Exhibit 1? That's the portion of the agenda packet that pertains to this application." Mr. Wilson replied, "Yes." Mr. Edes asked if there were any objections from anyone who was sworn in. (No objections heard.) Mr. Mayor, I recommend that we accept that as Exhibit 1." Mayor Mills replied, "So accepted."

Mr. Edes said, "Mr. Wilson, in your staff report, you indicate that staff recommends that the Board of Aldermen approve this amendment?" Mr. Wilson replied, "Yes, I do." Mr. Edes said, "And that was based on your review of the application as compared to our Town's Code of Ordinances?" Mr. Wilson said, "Yes, it is." Mr. Edes continued, "You believe that the application meets the criteria within the Code?" Mr. Wilson replied, "I do, yes." Mr. Edes said, "Mayor, I asked Mr. Wilson that simply because there's a relatively recent case on a conditional use permit which would also include an amendment to a conditional use permit. If there's no evidence offered to rebut evidence that the application meets the criteria, it would be the Board's duty to approve it. I don't know who all was sworn in. Is there anyone here in opposition to this application? You can let the applicant go forward now if you'd like, but if there's no evidence to the contrary, again, according to a North Carolina Court of Appeals Case, unless you don't believe Mr. Wilson, absent evidence to the contrary, it is your duty to approve this." Mayor Mills said, "What's the Board's pleasure? You've heard what our Town Counsel has so advised us. There does not appear to be any opposition or rebuttal or questioning of the evidence that it is in accordance with our ordinance."

Mayor Pro Tem Miller said, "I want to make sure that Mr. Wilson did say that our ordinances and codes do not require any more parking." Mr. Wilson replied, "Yes."

Mayor Pro Tem Miller said, “It’s not seating; it’s uncovered deck.” Mr. Wilson replied, “Correct.” Mayor Pro Tem Miller said, “I just want to be sure that that’s clear in the record.” Mr. Edes said, “And he was not cross examined on those statements.” Mayor Mills said, “Mr. Taylor, as representative of the applicant, do you feel the need to present any further evidence?” Mr. Taylor replied, “No, Mr. Mayor. Thank you.” Mayor Mills asked if Alderman Dull had any questions or comments. Alderman Dull replied, “I understand it and I’m ready to take a vote.”

Mayor Mills closed public the hearing at 6:25 p.m.

Alderman Partin made the motion to approve the amendment to the conditional use permit as presented. The motion was seconded by Mayor Pro Tem Miller and unanimously approved. Mr. Edes said he would draft an Order based on the evidence.

CONSIDERATION OF FOUR FULL-TERM APPOINTMENTS TO THE PLANNING BOARD WITH NEW TERMS TO EXPIRE JANUARY 2023.

Using ballots, the Board made the following appointments and reappointments to the Planning Board with terms to expire January 2023. Mayor Mills noted that Alderman Dull had submitted his ballots before the meeting.

PLANNING BOARD APPOINTMENTS	
APPLICANT	VOTE
Laurence Nancy Asseraf	
Lisa J. Beller	Alderman Partin
Catherine Brunjes – Appointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Sam Catlett, Jr. – Appointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote
Les Robinson Edwards	
Leigh Ann Joyner – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Cheryl Koballa – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Hans W. Pruim	
John M. Sandlin, Jr.	
Todd Schoen	
Tim Winslow	

CONSIDERATION OF FIVE FULL APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY COMMITTEE WITH TERMS TO EXPIRE JANUARY 2023 AND ONE PARTIAL APPOINTMENT TO EXPIRE JANUARY 2022.

Using ballots, the Board made the following appointments and reappointments to the Parks and Recreation Advisory Committee with full terms to expire January 2023 and one partial term to expire 2022. Mayor Pro Tem Miller noted that the applicant coming in sixth would be the Board’s appointment to fill the partial term of Eric Leach.

PARKS AND RECREATION ADVISORY COMMITTEE APPOINTMENTS	
APPLICANT	VOTE
Bridget B. Bendjy – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Sonya Henry – Appointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote
Casey Reid Keen – Appointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Edwin Martin – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Sami Winter – Appointed to fill unexpired term of Eric Leach.	Alderman Dull, Alderman Partin
Frances Woodbury – Appointed	Mayor Mills, MPT Miller, Alderman DeGroote, Alderman Partin

CONSIDERATION OF THREE APPOINTMENTS TO THE HISTORIC LANDMARK COMMISSION WITH THE NEW TERMS TO EXPIRE JANUARY 2023.

Using ballots, the Board made the following appointment and reappointments to the Historic Landmark Commission with terms to expire January 2023.

HISTORIC LANDMARK COMMISSION APPOINTMENTS	
APPLICANT	VOTE
Peggy Daughtry – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Tom Hanna – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Martha (Martie) Rice – Appointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin

CONSIDERATION OF TWO THREE-YEAR APPOINTMENTS OR REAPPOINTMENTS AS FIRST AND SECOND ALTERNATES TO THE BOARD OF ADJUSTMENT. NEW TERMS TO EXPIRE JANUARY 2024.

Using ballots, the Board made the following reappointments of the First and Second Alternates to the Board of Adjustment with terms to expire January 2024.

BOARD OF ADJUSTMENT APPOINTMENT FOR FIRST AND SECOND ALTERNATES	
APPLICANT	VOTE
First Alternate Catherine Brunjes – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin
Second Alternate Cheryl Koballa – Reappointed	Mayor Mills, MPT Miller, Alderman Dull, Alderman DeGroote, Alderman Partin

CONSIDERATION OF REAPPOINTMENT OF MAYOR MILLS AND MAYOR PRO TEM MILLER TO THE BOARD OF ADJUSTMENT FOR THREE-YEAR TERMS TO EXPIRE JANUARY 2024.

Alderman Partin made the motion to reappoint Mayor Mills and Mayor Pro Tem Miller to the Board of Adjustment for three-year terms to expire January 2024. The motion was seconded by Alderman DeGroot and unanimously approved.

CONSIDERATION OF ASSIGNMENT OF ALDERMAN PARTIN AS THE TOWN'S REPRESENTATIVE TO THE CAPE FEAR COUNCIL OF GOVERNMENTS FOR A ONE-YEAR TERM TO RUN FROM FEBRUARY 1, 2021 TO JANUARY 31, 2022.

Mayor Pro Tem Miller made the motion to appoint Alderman Partin as the Town's representative to the Cape Fear Council of Governments for a one-year term to expire January 31, 2022. The motion was seconded by Mayor Mills and unanimously approved.

CONFIRMATION OF ALDERMAN DULL'S VOTES.

Mayor Mills stated that Alderman Dull had sent in ballots prior to the meeting. He asked Alderman Dull if he could confirm the votes that he sent in to Tim Owens. Alderman Dull confirmed that those were his votes that he sent in for the purposes of this meeting for the selection off applicants to fill these vacancies.

CONSIDERATION OF APPROVAL OF MYRTLE COURT DRAINAGE IMPROVEMENTS AND RESURFACING PROJECT AND CONSIDERATION OF ADOPTION OF BUDGET ORDINANCE NO. (2021) 535-B.

Mr. Owens said, "This is one of those projects we've talked about awhile and we're ready to start now. We bid it out and we have two bids. We have used the lowest bidder before and they did a good job for us. There is \$350,000 in the budget. The lowest bid was \$273,970. I have requested a contingency of \$26,030 for a total of \$300,000. We're asking to move the Storm Water money over to the General Fund in the amount of \$300,000. That would be Budget Ordinance No. (2021) 535-B. And I'm requesting that we move forward with Carolina Civil Works as the contractor for the project and allow the Town Attorney to review all construction contracts." Following a brief review of the work to be done, Mayor Mills made the motion to adopt Budget Ordinance No. (2021) 535-B. The motion was seconded by Alderman Partin and unanimously approved.

ALDERMAN PARTIN: OTHER ITEMS AND REPORTS.

- Alternative Flotilla option (door to dock) was successful and went off well. They may want to do something similar next year. Mayor Mills expressed the need to look at the timing (the beginning and the termination) before next year.

ALDERMAN DEGROOTE: OTHER ITEMS AND REPORTS.

- Update on Marketing Committee: We will continue the hybrid unified strategy for FY21-22. ROT was down 8.52% at the end of FY19-20. It is currently up 16.09% FY20-21 through October.
- Sue Bulluck put out a letter that will go out to the businesses and residents of Wrightsville Beach revamping the Wrightsville Beach Chamber of Commerce. When asked if an individual could join the Chamber, Alderman DeGroot replied, "Yes."

MAYOR PRO TEM MILLER: OTHER ITEMS AND REPORTS.

- Status of Bike Path: Mr. Owens said he would be meeting with SEPI next week. Mayor Pro Tem Miller said, “I just want to let people know it is still on course. If you would invite the two mayors and myself to attend that meeting.”
- On Harbor Island, there is a house that has a yellow sign with Wrightsville Beach logos showing when workers can work and when they can't work. Mr. Wilson said, “We did not require it but we've had so many complaints.” Mayor Pro Tem Miller said he thought it was awesome and the Planning Department should take a look at it and maybe look at requiring that on the jobsite because it would make a lot of complaints go away.
- Commendation to Mr. Wilson on the notices and the signage for the public hearings.
- Update on the Potentially Dangerous Dog Committee: Mr. Edes said, “It's my understanding that we are the only municipality in New Hanover County that has taken on the penal process and the hearing process. All of the other municipal entities go through the County. The statute clearly authorizes us to do it. Staff and I are looking at getting us back into the queue with the County.”
- Trolley Stop Bathrooms: Mr. Owens said, “They are out of the ground now. Tony has done some inspections. With the rain, we may be a week off from what the schedule was but they'll try to make up ground.”

MAYOR MILLS: OTHER ITEMS AND REPORTS.

- Update on Sir Tyler Drive Site: Mr. Owens said, “We have been in contact with the attorney for the person that wants to close. They are supposed to start work Monday and they're supposed to finish within two weeks. I'm guessing that we'll get some kind of notification. Hopefully within 30-60 days we will be able to sell the property.”
- Update on Town Hall Renovations: Mr. Owens said, “We hired a firm and I gave them authorization last week to give us cost estimates for their floor plan.”

ALDERMAN DULL: OTHER ITEMS AND REPORTS.

- The Senate passed a Resolution to fund Wrightsville Beach through 2035.
- Status of Coral Drive Sidewalk: Mr. Owens said, “I just submitted the last bit of information to the state. All of the steps have been done with the exception of the state actually authorizing the funding; then we can go out for bids.”

MR. EDES: OTHER ITEMS AND REPORTS.

- Former Chief Justice Beasley's Order expired on its own terms and in its entirety today. Newly sworn in Chief Justice Newby re-implemented a lot of the COVID protections for the courts but he also pretty much delegated to the local level each County/District to make their own decisions.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 6:45 P.M.

Respectfully submitted,

Sylvia J. Holleman
Town Clerk