

MINUTES
BOARD OF ALDERMEN
JANUARY 15, 2020

Mayor Mills called the meeting to order at 5:30 p.m. in the Town Hall Council Chambers.

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

Absent: Alderman Ken Dull due to a scheduling conflict.

Pledge of Allegiance

Invocation by Rev. Pat Rabun, Little Chapel on the Boardwalk

AGENDA ITEM CLARIFICATION FOR THE AUDIENCE.

Mayor Mills referenced an item further down on the agenda regarding a public hearing for a text amendment to amend the definition of lot frontage and said that item would be opened and continued to the next meeting in case anyone was in the audience for that item.

PUBLIC COMMENTS: JEFF TURPIN – PARKING ON CAUSEWAY DRIVE.

Mr. Jeff Turpin, 105 Island Drive, referenced parking on Causeway Drive and said, "I've complained about this before. For us that live on Harbor Island and try to walk from Harbor Island to the post office and other restaurants, we have to cross the street twice. A solution would be to eliminate parking on Causeway Drive or make it paid parking year round. People only park there on busy weekends. If you could give some consideration to that, my first choice would be to eliminate parking; if not, make it paid parking year round. I will donate paint to paint over the white lines."

CONSENT AGENDA APPROVED WITH A 4-0 VOTE BY MOTION OF MAYOR PRO TEM MILLER AND SECOND BY ALDERMAN PARTIN.

- a. Approved Special Meeting Minutes of August 6, 2019, Special Meeting Minutes of August 16, 2019, Special Meeting Minutes of September 3-6, 2019, Regular and Closed Session Minutes of September 12, 2019, and Regular Meeting Minutes of October 10, 2019.
- b. Approved special event permits as follows:
 - 1) WB Longboard Association Pro/Am Contest (*100 participants*)
Saturday, October 3, 2020, 8:00 am – 6:00 pm (*setup begins at 6:00 am*)
Sunday, October 4, 2020 Rain date
Location: Oceanic to Birmingham Street
*** Recurring Event
- c. Acknowledged previously approved special events for February.
- d. Acknowledged departmental quarterly report covering the months of July, August and September, 2019 for the Planning and Inspections Department.
- e. Approved Commemorative Bench Sponsorship requests from Ken Dull (Beach Access #20 at East Fayetteville Street); Ken Dull (Beach Access #29 at Stone); and Henry Browning (Beach Access #44 at Jack Parker Blvd.).

- f. Designated Tim Owens and Melissa Norton as Debt Setoff Hearing Officers for the Town of Wrightsville Beach.
- g. Set a public hearing for the Board of Aldermen on Thursday, February 13, 2020 at 5:30 p.m., or as soon thereafter as possible, to consider a Text Amendment to Sections 155.6 Zoning District/Article 155.7 Supplemental Regulations; 155.6.4 Table of Permitted/Conditional Uses; and a new Section 155.7.27 Temporary Residential Connector Structure in the R-1 Residential District.

PRESENTATION OF CENSUS 2020 NEW HANOVER COUNTY COMPLETE COUNT.

Former Mayor Bill Blair introduced Tim Buckland, New Hanover County's Intergovernmental Affairs Coordinator and said he was also heading up the County's 2020 Census "Complete Count" Initiative. He said Mr. Buckland was here to talk about why it is important to count everyone on Wrightsville Beach to get maximum funding.

Mr. Buckland gave an overview of our census (taken every ten years) and why it is important including: 1) it dictates representation in Congress and provides the basis for state legislative districts; 2) it is the basis for billions of dollars in federal spending and programs; and 3) it forecasts future transportation networks and how money is spent on roads. He said the eighteen-member Complete Count Committee was co-chaired by Commissioner Barfield and Mayor Saffo and the membership consisted of representatives from local government, education, community advocacy, faith community and business leaders. Mr. Buckland noted that the first committee meeting had been held on September 10, 2019. He said he was here to ask for the Town's help. Mr. Buckland said, "Our task is to promote the census, engage people and convince them it is a good idea. Our goal is 80% of estimated County residents counted. I personally set a goal of 85% for New Hanover County. For the first time, you can take the census online to, hopefully, boost participation. We were tasked with forming the following five subcommittees: 1) Community; 2) Government; 3) Faith-based and Homeless; 4) Education; and 5) Business and Housing. We are trying to remind people that this is a census year. March 23rd is the big day when everyone can go online and participate. April 1st is the official census day. Where do you live for the most of the year on April 1? College students are residents. People that do not respond, we go out there with paper knocking on doors. By the end of July, self reporting ends. Online submission has been extended to July 31st. Then the US Census reviews the data and it becomes official. We're asking for your help by coming up with your own ideas for outreach; maybe on water bills or other forms of outreach. We have #capefearcounts and I will reach out to Tim Owens to get it on the Town's Facebook page."

Mr. Blair said, "This is important to the Town; the funding part that comes from the Corps of Engineers, all of that gets factored into our requests. The more people we have, the more it likely helps us. We need to put some effort into this so people will get recognized. We're asking you to use our website and our sunshine list to keep this out there so people will put more effort into filling out the census. Whatever you can do to promote this will help all of us with funding requests and evaluations."

Following a brief discussion regarding special outreach for college students and young people that live out of town, the Board thanked Mr. Blair and Mr. Buckland for their important presentation.

**PUBLIC HEARING FOR CONSIDERATION OF ORDINANCE NO. (2020) 1791
APPROVING A TEXT AMENDMENT TO SECTION 155 EXHIBIT A TO AMEND THE
DEFINITION OF LOT FRONTAGE.**

Mayor Mills noted that Mr. Conley was still waiting for this item which was not going to be heard because staff just wanted to open it and continue it. Mr. Edes expressed the need for a motion to suspend the rules to address that item first. He said if the Board suspends the rules, they could address that item; open it, continue it and come back. Mayor Mills made the motion to suspend the rules so the Board could address Item 7-c on the agenda. The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote. Planning and Parks Director Tony Wilson said, “Staff is requesting that the text amendment to Chapter 155 Exhibit A ‘Definitions’ be opened and continued until the February 13, 2020 meeting at 5:30 p.m. Mayor Mills asked if anybody had any questions about what they were doing? Hearing no response, he said, “Do we have a motion?” Alderman Partin said, “I so move.” The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote. Mayor Mills explained to Mr. Conley that this matter was now moved to February 13th.

EXPLANATION OF QUASI-JUDICIAL PROCEEDINGS.

Mr. Edes said, “There are several CUPs on the agenda tonight. These are quasi-judicial hearings which means they’re somewhat like a court hearing and they are to be conducted in a manner to insure fairness and protect all those affected to due process rights. To that end, all those who wish to provide testimony must be sworn in and they will be subject to cross-examination. We will follow generally the rules of evidence of court. We won’t enforce them like a judge would. To the extent hearsay is offered or purported or expert testimony is offered without proper foundation, we will deal with that as that may come up. The applicant and all those involved are entitled to a fair and impartial Board so I need to ask each of you a few questions. Does any Board member feel that they have a fixed opinion on this matter and therefore cannot base their decision on the evidence that you hear during the hearing? (All nays from the Board). Does any Board member have a direct financial interest in the subject matter of this CUP application? (All nays from the Board.) Does any Board member feel they he or she has such a close relationship with someone associated with the application that they could not base their decision solely on the evidence you hear during this hearing? (All nays from the Board.) Has anyone had any, what we call, ex parte contact with anyone associated with this application? Ex parte means outside of the context of this hearing. (All nays from the Board.) Has anyone made a site visit to the site for purposes of this hearing; like driving by it? A site visit to the point that it affects your ability to be impartial? (All nays by the Board.) Does any Board member or member of the audience have any objection to any of these Board members participating in this hearing? All right, having no objections, Mayor, I suggest we proceed first having staff introduce the item. Then we will hear from the applicant and then anyone else who is sworn in and wishes to be heard. And all those who wish to testify will need to come forward and be sworn.” Mayor Mills administered the oath to those wishing to testify.

**PUBLIC HEARING FOR CONSIDERATION OF ORDINANCE NO. (2020) 1792
APPROVING A TEXT AMENDMENT TO: 1) ADD A NEW SECTION 155.7.26 FOR A
MARINA RESIDENTIAL IN THE C-3 COMMERCIAL DISTRICT IN ACCORDANCE WITH
THE TABLE OF PERMITTED/CONDITIONAL USES SET FORTH IN SECTION 155.6.4; 2)
AMEND CHAPTER 155 EXHIBIT A DEFINITIONS FOR A MARINA/RESIDENTIAL; AND 3)
AMEND SECTION 155.6.5.5 C-3 COMMERCIAL DISTRICT III TO ADD A NEW
SUBSECTION J.**

Mr. Wilson gave the following overview: “This is a text amendment that we received on November 1, 2019 from Matt Nichols. It would apply to the C-3 Zoning District. The existing two-story house at 2 Marina Street was moved there and expanded with a variance in 1984. The structure has approximately 2,500 square feet of living area, 830 square feet of decks, and 700 square feet of garage area. The existing marina has 16 slips with 9 parking spaces. The property received a conditional use permit on July 15, 2015 for a boat rental facility. The proposed text amendment would allow no more than four multifamily residential units with a minimum of 1,500 square feet located in the C-3 Commercial District in an existing marina containing at least fifteen wet boat slips with supplemental regulations. We identified four locations where this could apply but they would probably have to have another text amendment to do: 1) Seapath Yacht Club, 328 Causeway Drive; 2) Marine Max, 130 Short Street; 3) Motts Channel Seafood, 120 Short Street; and 4) Atlantic Marine, 101 Keel Street. The proposed text amendment appears to be consistent with Section 5 of the CAMA Land Use Plan. Public Notice requirements were met. The Fire Chief’s comment was that ‘*New Hanover County will need to review the plans.*’ On December 4, 2019, the Planning Board voted to forward a favorable recommendation to the Board of Aldermen with the following comments: 1) The residential units shall be at least 1,500 square feet and a maximum of 2,000 square feet; and 2) Review by the Town Attorney.” Mr. Wilson reviewed the proposed text amendments in Ordinance No. (2019) 1792 and the associated Statement of Consistency from the Planning Board. He then referenced the parking requirements and said, “There is a lease agreement for eight parking spaces in the Yacht Club parking lot for the boat slips.” Mayor Mills asked if that lease agreement was in place now. Mr. Wilson said he did not know if the lease agreement had been executed but Matt Nichols would talk about that.

Attorney Matt Nichols, representing the Applicant, said, “With me tonight to answer questions or address concerns is Lowell Zimmer, Adam Tucker and Austin Zimmer with Zimmer Building Company; Blair Goodrich, our Architect; our Civil Engineer Brad Cedric, and Sam Clary, who is the General Manager of Wrightsville Yacht Club. There are two agenda items and we have a two-part presentation. The first is to explain the proposed text amendment. And perhaps, more importantly, the second part is why we’re requesting the text amendment which is ultimately requesting this Board to consider a proposed conditional use permit for our proposed project at 2 Marina Street. Tonight, we’re asking the Board’s consideration and permission for the ability to redevelop and greatly enhance an existing marina and existing two-story duplex house that’s on the property. The project will significantly improve upon the existing conditions in many ways. Not only will it improve the function of the marina and the residential uses and increase safety of the property, it will enhance the aesthetics of the property. Just to clarify for the Record, we’re not seeking a rezoning; the property is zoned C-3. We’re not seeking to change in any significant way the historic uses you’ve seen on the site which has had residential uses and it’s had a marina. We’re within the forty-foot height limit; we’re not seeking anything above forty feet. We do not require and we do not eliminate any public parking. Hopefully, the presentation will show that this is consistent with the area. The proposed project is to have a high quality design and a high quality project meeting all the current regulations and all the current flood plain regulations that the Town has.

Here's a picture off of Marina Street showing that the building is outdated and it needs work. When we get to the renderings of what we're proposing, you'll see that we think it's going to be a big improvement. The existing marina is in need of help. You'll see from some of these photos that the bulkhead is significantly damaged. It needs a lot of help and, as part of this project, my client is going to do that work and make those improvements. Here are a couple of photographs of the existing decking which is also in need of significant upkeep or replacement at this point. So, part of the project is to redevelop and enhance that existing marina. These are the proposed renderings of the project. I will let Blair Goodrich walk through those at the appropriate time but for the purposes of the text amendment, I wanted to show that it will be four residential units. Our proposed text amendment would have a maximum of four residential units. So, the density is very limited. For the size of the units, we chose 1,500 square feet because that was in the mixed use conditional use permit in the existing Town ordinance; units in mixed use projects require a minimum of 1,500 square feet, so that's where we started. The Planning Board had recommended a maximum of 2,000 and that's perfectly fine with us because our units are between 1,500 and 2,000 square feet. Here are some renderings from the water side. This is one of the most visible properties as you come across the bridge into Wrightsville Beach so it's a very important property. But it's a challenging site. It's limited in size and there's a limited ability to have parking on the site. Zimmer Development has had the vision to redevelop this site. Really, this has the ability of potentially working, with the Board's permission, because of the very good relationship between the Zimmers and Wrightsville Yacht Club. It's an opportunity to actually make this site work and it's a challenging site."

Mr. Lowell Zimmer, Zimmer Development Company, said "The project is located at 2 Marina Street. My sister lives at 8 Marina Street, which is three to four houses down. I live on Pelican Drive and my father, who is also active in the business, lives on Fayetteville Street. We spend our weekends at Wrightsville Beach Marina with Sam and we keep our boat there. We've been long-term friends with them for a while. Long and short, this project is in our back yards and we stamp our name on it. It will be nothing less than superior quality and something that we're proud to say is ours. We think it adds significant value as it replaces a rundown house and marina with something of superior quality. It will be the focal point when you enter the bridge on Wrightsville Beach. We've hired a team of consultants to make sure we meet the wants and needs of the Town and residents."

Mr. Nichols said, "I think Tony covered the actual specifics of the text amendment very well. Essentially, we're asking to add a marina residential definition; to establish specific requirements, which could only be by conditional use permit; add marina residential to the table of uses and limit it to the C-3; and then amend the C-3 District to correspond with the new marina residential designation. So, the definition of marina residential, we have a waterfront, multifamily residential project allowed only by conditional use permit in the C-3 District and meeting all of the requirements in the new 155.7.26. The key things are, it has to be an existing marina, which we have here. It has to be an existing marina with at least fifteen wet slips, which is the case on the subject property. No more than four multifamily residential units, so we're limiting the density. Each one has to be a significant size, 1,500 square feet of heated space.

On the minimum lot area, the lot has some limitations. The conditional use permit provisions in the C-3 District say you have to have a 10,000 square-foot lot. We think we're pretty close to that but with the water and measurements, we know that we have 9,500 square feet. So, we're asking for that to be a slight change there. On the front setback, I don't think we're asking for any change there but in the C3, the minimum front yard setback is fifteen feet for permitted and conditional uses based upon my reading of the ordinance but I will ask Tony to clarify that. For the rear and side yard setbacks, we're asking for these types of projects to allow for seven and a half feet. I would point out that the rear and side yard setbacks in the C-3 are seven and a half feet for any permitted use. But for a conditional use, it's twenty feet. So, by asking for the seven and a half feet, we're just asking for these types of projects to come in line with what you already allow by right in the C-3 District. Then, for the off-street parking, we think due to the nature of the proposed project, that the one slip for every two boat slips – we're fine and we'll show you that we have sufficient parking well within the four hundred feet. Essentially, what we're asking for is for the ability for the Board, in its discretion and its decision making, to bury the driveway requirements – the driveway there is sort of tricky. The second part is driveways; the third part is landscaping and there are already provisions in your code for the Board to have some variances in that regard. But we're asking for it all in the context of a conditional use permit project which the Board would have to approve. The second part of the text amendment would be to amend the Table of Uses. The significant thing I would point out is that under the existing Table of Uses, residential multifamily is already allowed in the C-3. You have to do it by a mixed use conditional use permit. We're just asking for one other way to get there which would be with a marina/residential. Under the Table of Uses, you can already do it under the mixed use CUP; this is just a different type of CUP – marina residential. The next part just corresponds so there are no inconsistencies whereas, if someone were to propose a marina residential, there wouldn't be any inconsistencies. The regular part of the code says you have to have a twenty-foot setback, whereas the marina residential would be seven and a half feet. So, the benefits, in summary, we think it will greatly enhance this site. Anyone proposing these types of projects would be very limited in scope. They would have to come before the Board for a conditional use permit. It would have to be approved by the Board and the Board could certainly put conditions. If it doesn't meet their requirements, the Board would not approve the project. So, it is limited in scope but we do think it will enhance that area and it will also allow another opportunity to have limited residential uses in the C-3 through the conditional use permit process."

Mayor Mills said, "Mr. Edes, do you find the proposal, granted it's changing some things in our existing code, but otherwise it would be consistent internally within it; all the changes?" Mr. Edes replied, "Yes. I think the proposed amendments are the minimum necessary to accommodate this site and this concept."

Mayor Mills asked Mr. Wilson to address the questions Mr. Nichols raised regarding setbacks. Mr. Wilson said, "That's correct; a conditional use is fifteen feet and also a permitted use is fifteen feet." When asked to review the additional parking spaces, Mr. Wilson said, "We'll get more into that in the CUP but they can provide it within four hundred feet. Parking for the residential is underneath the unit. It's for the eight slips they need and they can provide that within four hundred feet."

Mayor Mills opened the public hearing at 6:12 p.m. for comments on the proposed text amendment.

Mr. David Floyd, owner of Atlantic Marine, said, “I’m very much affected and very much in favor of this project. I think it makes a lot of sense and it’s been something that the community in that area has been wanting for a number of years to have some opportunity to change that area and not have some situations where we have zero control or flexibility to do anything. In my mind, this is a great project in the Marina District. C-3 as a whole is not all alike by any means. So, let’s open this little window to say there is an opportunity to make our place better – look better – work better. I think it’s a tremendous opportunity for all of us. It gives the property owners in that area an opportunity to say there’s somebody that’s really interested in what’s going on in that corner over there. The parking – the number of slips and what they’re asking for makes tremendous sense. We have a huge parking lot problem over there. Everybody knows the history with the Overbeck family and the marina that changed and how that house got there. It’s an opportunity to move the existing house to a piece of property that they had left over. Again, I would be completely in favor and would love to see it happen. I think it makes good practical sense to have this Marina District in that C-3. It kind of separates us from the rest of the area.”

Mr. Edes said, “Just a point of clarification: Mr. Floyd, this is on just the change to the ordinance.” Mr. Floyd said, “I understand.” Mr. Edes said, “The CUP hearing will be later. If you want to make your testimony part of the Record for that hearing, you would have to wait until we open that part of the hearing.” Mr. Floyd replied, “Right now, I was talking specifically to the text amendment.”

Mr. Edes said, “One other clarification: Mr. Nichols, you and your team, I’m assuming your comments earlier you want to be part of the public hearing minutes?” Mr. Nichols replied, “Yes, sir.”

Mr. Neal Briggi, 4 West Henderson Street, said, “Just to be clear, the text amendment does not include the parking issue; that would be for the CUP, right?” Mayor Mills replied, “Right.”

Hearing no further comments from the public, Mayor Mills closed the public hearing at 6:18 p.m.

Mr. Edes noted that in order to reach the CUP, the text amendment would have to be adopted. Alderman Partin made the motion to adopt Ordinance No. (2020) 1792 and the associated Statement of Consistency. The motion was seconded by Alderman DeGroote and approved with a 4-0 vote.

PUBLIC HEARING FOR CONSIDERATION OF A CONDITIONAL USE PERMIT FOR 2 MARINA STREET TO ALLOW FOR THE CONSTRUCTION OF FOUR RESIDENTIAL UNITS WITH FIFTEEN EXISTING WET BOAT SLIPS.

Mayor Mills administered the oath to those wishing to testify.

Mr. Edes said he thought it would be most efficient to let the Board members ask questions after a witness has testified; then that witness would be subject to cross-examination.

Mr. Wilson gave the following overview: “This is a conditional use permit application for 2 Marina Street. Staff received this application on November 1, 2019. The property owner, Medici Properties, LLC, has appointed Attorney Matt Nichols to serve as the authorized agent and he will speak on behalf of the conditional use permit application. The petitioner is requesting to erect a two-story, four-unit multifamily residential building containing a minimum of 1,500 square feet of living area per unit with sixteen wet boat slips. Parking for eight vehicles will be provided on the ground floor. That’s going to take care of the residential units up top. So, two per unit – that gives you eight. The parking required for the sixteen boat slips will be provided within 400 feet of the property. The text amendment was just passed. This property is located in the C-3 Commercial District. It’s an existing marina with two residential units. This does have an existing conditional use permit for a boat rental facility that was approved on July 15, 2015. If the conditional use permit is approved, that one will go away because you can’t have two CUPs on this. The parking requirement for 2 Marina Street is sixteen spaces. The existing site can provide eight spaces and the required parking for the boat slips will be provided within 400 feet with a lease agreement with the Wrightsville Yacht Club (*as per Section 155.9.1.6 Exception in Parking Requirements*). In Section 155.5.3.2, you have performance standards that the Applicant has to meet: 1) pedestrian and vehicular traffic; 2) the design and layout of the buildings and parking; 3) adequate lighting; 4) buffering (*they will need an exemption for that*); 5) landscaping (*will also need an exemption for that*); 6) signs have to meet Town code; 7) storm drains (*they will have to have a storm water permit for that site*); and 8) environmental elements will have to be taken care of. Under departmental review, the Police Chief and Public Works Director had no comments. The Fire Chief commented that the New Hanover County Fire Marshal would have to review it. Chief Rogers wanted to make sure that the garage level is going to be sprinkled and I think it is. Sometimes we can make recommendations to the designer or builder to go above and beyond. The architect can speak on that tonight. We talked about the separation requirements from the garage to the units. The question is, can we go from a one-hour fire rating to a two-hour fire rating. I think the architect did talk about some of the enclosed spaces – the pathway for the occupants to get out to make sure that was enclosed and maybe protected. At the December 4, 2019 Planning Board meeting, the members voted unanimously to forward a favorable recommendation to the Board of Aldermen for the proposed conditional use permit for 2 Marina Street with the following conditions: 1) need to revoke the existing conditional use permit; 2) exceptions for landscaping and buffering are needed from the Board of Aldermen. Staff’s recommendation is to review and discuss the conditional use permit for 2 Marina Street.”

Hearing no questions, Mr. Edes said, “Mayor, I would recommend that we accept into evidence, according to my Board packet, pages 63-107 which constitutes staff’s submission to the Board. And I’d like to know if anyone that was sworn in objects to that being received into evidence as Exhibit A.” Hearing no objections, Mr. Edes said, “Without objection, I recommend that we accept pages 63-107 into evidence as Exhibit A.” Mayor Mills said, “I would say so moved unless someone has a question.”

Mr. Edes said, “Any cross-examination of Mr. Wilson based on his testimony? Madam Clerk, let the Record reflect no one has sought to cross-examine Mr. Wilson.”

Attorney Matt Nichols said, “For the Record, because I understand this is a separate proceeding, my name is Matt Nichols and I’m here tonight representing the Applicant. With me tonight are Lowell Zimmer with Zimmer Development Company; also

Adam Tucker and Austin Zimmer and our Architect, Blair Goodrich, with Goodrich Architecture; Brad Cedric, Civil Engineer is here; JBS Consulting; and Sam Clary who is the General Manager of Wrightsville Yacht Club. We hope to answer any questions you may have. For the Record, I think I will have Blair come up and explain the specifics of the building. But for purposes of the Record, I'll just briefly go through a few of these photographs; if I could just have these included. In some, the building needs work. It needs some redevelopment and it needs some repair and renovation, not only to the building, but aesthetically. We think the proposed development will enhance the aesthetics. Safety: I'm going to ask Mr. Cedric and Mr. Goodrich to talk about things that are making the building safer than the current building. We think it will be a great addition to that part of the beach. The docks are in need of repair. The project will include a renovation and repair of that area. It will include fixing the bulkhead on the corner; it's in need of significant repair. There's another picture of the bulkhead that I showed earlier. It's an overall improvement and enhancement to the site. I will turn it over to Blair – if you would please explain to the Board the architectural vision here and some of the features of the design.”

Mr. Goodrich said, “I'm Blair Goodrich, Goodrich Architecture. I'm the lead Architect for this project. The approach to this project was timeless, simple and elegant. Your view is the waterway; the bridge. Most of the views are from the back and that's where all the glass is. The front is a little bit more toned down. All of the materials are actually fire retardant. We made sure that was part of it. Even though we're allowed up to seven-and-a-half feet, I brought it back on each side in order to have another two-and-a-half feet for fire rating. That was a big consideration in this. Another consideration was privacy for the people that are in the condos but also to keep people from just kind of going through and going straight out to the marina. It was a kind of control so people have a controlled entry into the marina. We looked at square footages and found that condos somewhere in between the 1,500-2,000 range are what everybody's looking for with three bedrooms. Some of ours are about 1,700 square feet. The building is fully sprinkled including the ground floor. I took the comments from the Chief into consideration. The ground floor – we had open passage between the entry and the two sides. I have now come in and closed it with a door in between the parking and the center section based on the comments. Other than that, I wanted something that, when you came over the bridge, you would see it was glass and it was timeless. I think this will do it. Basically, we redid the marina based on some of the requirements that Sam was looking for. We started there and moved back into the building itself. Because of CAMA, we were allowed to build over the existing impervious surfaces but not increase over that. So, it's less impervious than is there now. We got rid of the old building. We stayed in the setbacks; we've actually increased it a little bit more past the setbacks. We are trying to do as much lush landscaping as we can to kind of downplay the driveways. Unfortunately, the building was not wide enough to be able to come in and park (*like having a central entrance and parking on either side*). We had to go to separate parking; so, we had two cars per unit. But we did add some nice trees and some nice ground cover to kind of block a little bit of the driveways. We are under the height limit. We made sure the height limit would meet the flood elevations. We have the lighting plans based off of the code. Are there any questions?”

Alderman Partin said, “It looks like the only way you can access each individual unit is in that middle area where you have the locked doors. Is that right? Mr. Goodrich replied, “That's correct.” Alderman Partin asked if that was from a security standpoint. Mr. Goodrich said it was.

Mayor Mills asked if any of that landscaping would block ingress or egress back to the marina. Mr. Goodrich replied, “No, the ingress to the marina is going to be to the left – on the property to the left. That’s going to be your egress to the marina except for the people that actually live in the unit itself.” Mayor Mills said, “And the proposed new marina has actually one less slip than the old one, is that right?” Mr. Goodrich replied, “Yes.”

Alderman Partin said, “There were three or four parking places on that side. I guess that will go away, right?” Mr. Goodrich replied, “Yes, all of that is gone.” Alderman Partin said, “Because you need that space?” Mr. Goodrich replied, “Correct. We’re actually taking three lots and combining them.”

Mayor Mills asked if they had addressed Chief Rogers’ concerns about fire. Mr. Goodrich replied, “I believe so, yes.”

Mr. Edes said, “Does anyone wish to cross-examine this witness? Madam Clerk, let the Record reflect that no one is requesting to cross-examine Mr. Goodrich.”

Mr. Nichols said, “I want to make sure we covered all these other slides here. We had the ground floor plan. Any questions the Board has about the lighting plan in the packet? I know I mentioned this but it really is a challenging site. The opportunity here is due in large part to a great relationship between the Zimmers and the Wrightsville Yacht Club. I’m going to ask Sam Clary, the General Manager, to come up and talk about how there’s going to be sort of a partnership here and how the marina is going to be redeveloped and run. I took some photos of the Wrightsville Yacht Club which is just a fabulous facility. I know you all haven’t been out there but it’s so well maintained and run. We had the pictures of the existing conditions that need repair but the idea is to have the Wrightsville Yacht Club incorporate that into their facility and Sam would run and manage it. I will let Sam address some of the details. Again, it’s going to be a big visual improvement and a better marina on the water.”

Mr. Clary said, “My name is Sam Clary, General Manager at Wrightsville Yacht Club. We are very excited about the potential to have this property as part of ours. The Zimmers have been excellent to work with and we love their vision. Under this plan, all of the boat slips would become part of the Wrightsville Yacht Club and they would be members of our facility as well as each of the condominium units. Our staff would maintain the property; patrol it regularly and it would get the same attention that the rest of the street does currently. We think it would just be a really nice way to bring some continuity and consistency to the street. We’re really excited about it. Any questions?”

Mayor Mills asked if all of the slips would be separately metered for water and power. Mr. Clary replied, “Yes, the power will be reworked from the station back and each power pedestal would have its own meter or just one main meter per the marina basin. That’s consistent with the rest of the docks there.”

Alderman Partin said, “So, the design of the marina is going to be more consistent with how you look?” Mr. Clary replied, “Yes. The steel bulkhead will be consistent and installed by the same contractor – the docks are manufactured by Bellingham Marine. And the Eaton power package will be consistent. It will be as nice as can be bought.”

Mayor Mills asked if there were any other questions or cross-examination for Mr. Clary. He said, “Let the Record reflect none.”

Mr. Nichols said, “Some of the technical things for the Record, that the existing marina there does contain more than fifteen slips. This ties into the UDO text amendment that the Board just passed. We will have four residential units; each one will be a minimum of 1,500 square feet. We would meet the minimum lot size and setback requirements in the ordinance that was passed by the Board this evening. We do have sufficient parking within the 400 feet. It will be eight spaces under the building for the residential. We have a diagram here – this is an approximation of what 200 feet is but there’s quite a bit of parking there for the Wrightsville Yacht Club. We do have a lease that has been signed by Mr. Clary and I can add that for the Record. I sent this to Mr. Wilson and Mr. Edes yesterday but it was sort of last minute.” Mr. Edes said, “Do you want to offer that?” Mr. Nichols replied, “Yes, sir. It has not been signed by Lowell but he can sign it tonight if that’s what you want him to do. But it has been signed by Mr. Clary for the eight parking spaces within the 400 feet.” Mr. Edes said, “Does anyone who was sworn in object to the Board receiving this unexecuted lease into evidence?” Hearing no objections, Mr. Edes said, “Mr. Mayor, I recommend, without objection, that we receive that lease Mr. Nichols just referred to into evidence as Exhibit B.” Mr. Nichols said, “Just for the Record, to clarify, Mr. Clary has signed it. Mr. Zimmer or one of the representatives of Zimmer Development will sign it – and sign it now if that’s required.” Hearing no objections, Mayor Mills received the lease into evidence as Exhibit B.

Mr. Lowell Zimmer said, “I’m Lowell Zimmer with Zimmer Development Company. Matt asked me earlier to talk about the impact to the property and nearby property values and if there would be any positive or negative impact. The only true neighbor we have is the Wrightsville Beach Yacht Club. And by us developing this entire property, it should do nothing but positively impact values. As far as anyone else on Wrightsville Beach, I would think it would be the same thing. It’s a visual improvement as you come over Wrightsville Beach Bridge onto Wrightsville Beach and it should do nothing but positively impact values.” Mayor Mills asked Mr. Zimmer if he had any feedback from the Bluewater Restaurant. Mr. Zimmer replied, “I know Sam has personally talked to them. I’m not sure what the feedback was.” Mr. Clary said, “The Bluewater is also a member of the Club so we include them in all of our correspondence. We talked to them and they’re very excited about the upgrades. Everybody is excited about it.” Mayor Mills asked if anyone had any questions or cross-examination for Mr. Zimmer or Mr. Clary. He asked the Record to reflect that no one had any questions.

Mr. Nichols said, “We think it will be a big improvement to the area. It will update the existing conditions and improve them in many ways. It’s a significant improvement to the marina – the marina and the bulkhead need work. We’re not changing any historical uses of the property. It has historically been residential and that hasn’t changed. It is consistent with the CAMA Land Use Plan. And we just note for the Record, too, that the Planning Board did have a unanimous 5-0 vote in favor of the conditional use permit. In light of the text amendment that the Board passed with respect to criteria for a marina/residential project, we request the Board’s consideration of allowances for the landscaping and driveway and allowing us to have parking within 400 feet. With that being said, we do very much appreciate this Board’s time and consideration and we’re glad to try to answer any questions you may have.

Mr. Edes said, “Mr. Nichols, the photos and slides you showed us tonight, I’m pretty sure some of those aren’t in our Board packet. Would you provide that to the Board and introduce that as Exhibit C?” Mr. Nichols replied, “Yes, sir. Certainly you could put it into the Town’s system and we can provide whatever we need.”

Mr. Edes asked if he would like to introduce that as Exhibit C. Mr. Nichols said he would. Mr. Edes said, “You heard Mr. Wilson talk about the existing CUP on this property that would be revoked if this CUP is granted, does the Applicant object to that?” Mr. Nichols replied, “No sir.” Mr. Edes said, “If the Board were to approve this CUP and append the condition of the execution of the lease by both parties, does the Applicant have any objections to that?” Mr. Nichols replied, “No sir.”

Mr. Edes said, “We have Mr. Nichols’ presentation and I would recommend that we accept that presentation as Exhibit C. Are there any objections by those who were sworn in to the Town receiving Exhibit C (Mr. Nichols’ Power Point)?” Mayor Mills said, “Seeing no objections, we will receive it. Anyone else wish to speak on behalf or against this proposed CUP? Madam Clerk, let the Record reflect that no one else seeks to speak. So, we will close the public hearing (6:50 p.m.) and lay it in the hands of the Board of Aldermen. Unless my lawyer tells me otherwise.”

Mr. Edes said, “No, Mayor. The criteria that must be met to grant a conditional use permit can be found on page 70 of the agenda packet. To the extent the Board wants to discuss those – I believe there are nine total points. To recap the hearing, we first heard from Mr. Wilson who introduced the matter. Exhibit A was introduced which is the Board’s packet of materials related to this Application. There were no Board questions to Mr. Wilson nor was there any cross-examination. We then heard from the Applicants through their agent, Attorney Matt Nichols, who provided an opening statement. He presented Exhibit B, which was the lease we discussed. We heard testimony from Mr. Blair Goodrich and Mr. Sam Clary. Mr. Goodrich did receive questions from the Board; no cross. Mr. Clary received questions from the Board but there was no cross-examination. And we heard from Mr. Lowell Zimmer. He received questions from the Board; there was no cross. We heard again on clarification from Mr. Clary and there was no cross. No other members in attendance tonight wished to speak and Mayor Mills closed the public hearing. And we received Exhibit C, the presentation. All of the evidence can be considered as to whether the Applicant meets the criteria for the CUP to be issued.

Mayor Mills said, “We have to consider, in light of the requirements for a conditional use permit, which we can go through these consecutively beginning at the first one. A) that the establishment, maintenance or operation of the conditional use will not be detrimental or endanger public health, safety or general welfare. It is the Applicant’s contention that it will not. In fact, I think the evidence from the Applicant was that it would enhance safety and he alleged how, in their opinion, it would. We did not receive any evidence to the contrary. So, it’s up to this Board to decide if the evidence we received was credible and therefore meets that requirement. Any comments or discussion? No comments; no discussion. Does that mean we think it met or did not meet?” Alderman Partin said, “It met.” Mayor Pro Tem Miller said, “I agree,” Alderman DeGroote said, “I agree.” Mayor Mills said, “I do as well. So, we’re all in agreement that it is not detrimental to or endanger public health, safety or welfare.”

Mayor Mills said, “Next, that the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish or impair property values within the neighborhood.” Alderman Partin said, “I think the property values will be enhanced.” Mayor Mills said, “There was no evidence presented that it would be injurious. In fact, I think nearby property owners spoke in favor of it.”

Mayor Pro Tem Miller said, “Correct. I agree.” Mayor Mills said, “So, we’re in agreement that it will not be injurious, therefore it has met (B) – correct?” The other Board members expressed agreement.

Mayor Mills said, “Next, that the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses already permitted. Any questions or discussion?” Mayor Pro Tem Miller said, “It will probably help.” Mayor Mills said, “We heard no evidence that it would impede. In fact, the evidence was just the opposite. So, I think we’ve met (C) as well. Everybody agree?” The other Board members expressed agreement.

Mayor Mills said, “Next, that the exterior architectural appeal and functional plan will not be at variance with either the exterior architectural appeal and functional plan of the structures already constructed in the immediate area or cause substantial depreciation in the property values within the neighborhood.” Alderman Partin said, “I think it will enhance, plus the fact that the marinas will look consistent now.” Mayor Mills said, “Are we in agreement – it has met?” The other Board members expressed agreement.

Mayor Mills said, “Next, adequate utilities, access roads, parking, drainage and necessary facilities have been or are being provided. The evidence was presented as to parking. Public Works did not raise any issues on drainage unless I missed it. And, it’s on a public road. So, we are in agreement it meets (E)?” The other Board members expressed agreement.

Mayor Mills said, “Next, adequate measures have been made or will be taken to provide ingress and egress so designed as to minimize traffic congestion.” Mayor Pro Tem Miller said, “Yes, sir. Based on what they said.” Mayor Mills said, “I think the evidence presented is that they have taken that into consideration. So, we meet (F) as well?” The other Board members expressed agreement.

Mayor Mills said, “(G) that the conditional use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. I think as we have amended, it does. Is everybody in agreement?” The other Board members expressed agreement.

Mayor Mills said, “That the proposed use be consistent with the recommendations and policy statements as described in our adopted Land Use Plan. I think Mr. Wilson has stated that it would be so and the Planning Board agreed as well. So, we’re in agreement that it meets that as well?” The other Board members expressed agreement.

Mr. Edes said, “I would point out that the Applicant has agreed that if the Board is so inclined to two conditions: One, which would be the existing CUP is revoked upon issuance of a CUP tonight; and secondly, since there were questions about, to the extent the Board is relying on the executed lease, the Applicant has indicated that they would execute that lease and accept that as a condition to the CUP.”

Mayor Mills said, “I think the Board is in agreement that they have met the requirements for a CUP. Are we all in agreement?” The other Board members expressed agreement. Mayor Mills said, “Or subject to conditions you’ve discussed.”

Alderman Partin said, “I have one comment. So, the previous CUP for boat rental – I’m assuming with that going away, boat rental goes away – correct?” Mayor Mills replied, “Correct.”

Mayor Mills said, “Any other comments, motions, discussions? I will move to approve the proposed CUP with the conditions that the existing CUP be extinguished and that the lease be fully executed.” The motion was seconded by Alderman Partin and approved with a 4-0 vote.

MEETING RECESSED AT 7:00 P.M. AND RECONVENED AT 7:05 P.M.

PUBLIC HEARING FOR CONSIDERATION OF ORDINANCE NO. (2020) 1793 APPROVING A TEXT AMENDMENT TO ADD A NEW SECTION 155.9.6 (E)(2) FOR DRIVEWAYS.

Mr. Wilson gave the following overview: This is a text amendment that would apply to the R-1 Zoning District only. We received this application on October 31, 2019 and it is to amend Section 155.9.6 (E)(2)(e) in the Driveway Ordinance. The petitioners are James and Susan Esinhart. They have appointed Attorney Robert Calder to serve as the Authorized Agent. The proposed text amendment is new. I will read it from the slide: ‘A single-family dwelling on a conforming lot with a minimum front width of 100 feet may have two driveways not to exceed 18 feet in width each, excluding two-foot flare outs at their connection with the adjacent paving of the street in front of the dwelling, providing there is compliance with the following conditions: 1) the distance from the exterior flare outs at their connection with the adjacent paving of the street in front of the dwelling to the adjacent property lines shall be no less than 15 feet of space; 2) the distance between the interior flare outs at their connection with the adjacent paving of the street in front of the dwelling shall be no less than 16 feet of space; and 3) the public street at the location of the dwelling is not designated for public parking along the said street adjacent to the property line of the dwelling.’ This is consistent with our CAMA Land Use Plan Section 5 Compatibility. Analysis: 1) Interpretation of the Driveway Ordinance does not allow for one driveway greater than 24 feet in width for single-family structures or two driveways greater than 12 feet in width for single-family residences; 2) The proposed text amendment would not reduce public parking spaces; and 3) The proposed text amendment would only apply to single-family structures. This went to the Planning Board on January 7, 2020 and the members voted unanimously to forward a favorable recommendation to the Board of Aldermen for the proposed text amendment with the following change: 1) to allow flares up to two feet. This example shows a conforming lot which has to be 100 feet wide, 8,000 square feet. You still have to have your setbacks for your house and for the driveways no more than 15 feet on this side and this side. This can be 18 feet but the flares can be up to two feet. You still have to do the 16-foot minimum just in case any public parking ever comes in here. So the maximum width is 18 feet but you could have a two-foot flare here and here.”

Mayor Pro Tem Miller said, “Would that be 22 feet if they added two two-foot flares?” Mr. Wilson replied, “You could but they wanted to exclude flares but we wanted to put a minimum of a two-foot flare. I haven’t done the math completely but up to a two-foot maximum for the flares.” Mayor Pro Tem Miller said, “Does the 18 feet include or exclude?” Mr. Wilson replied, “Exclude. So they could have 18 feet plus two.” Mayor Pro Tem Miller said, “On either side, so that’s 22.” Mr. Wilson replied, “Yes, that’s correct.” Mayor Pro Tem Miller said, “Well, that says 18 max from outside of flare to outside of flare. It’s confusing to me.”

Mr. Wilson said, “What we put in the ordinance – it says ‘not to exceed 18 feet in width excluding two-foot flares. It may not be written the best.” Mayor Mills said, “I think what he’s saying is the 18 feet not including the two-foot flares.” Mayor Pro Tem Miller said he felt the diagram was not clear.

Authorized Agent Robert Calder said, “I’m the attorney for Jim and Susan Esinhart. There’s not much to say. This is fairly clear. I’ve worked closely with Mr. Owens and Mr. Wilson and we went round and round as you do to come to a situation that works for all the requirements for the Town and yet works for the people with these lots – the hundred-foot-wide lots. Unless you have some questions, I will sit back down.”

Mayor Mills opened the public hearing at 7:12 p.m. Hearing no input from the public, Mayor Mills closed the public hearing at 7:13 p.m.

Mayor Pro Tem Mills said, “I tried to think of any unintended consequences. I don’t see any problems with this.” Mr. Wilson said, “I don’t see any problem with it. They’re saying we can’t take away public parking so that’s a plus. And it has to be one-hundred-foot-wide lots.”

Mayor Pro Tem Mills made the motion to adopt Ordinance No. (2020) 1793 and the associated CAMA Land Use Plan Statement of Consistency. The motion was seconded by Alderman Partin and approved with a 4-0 vote.

CONSIDERATION OF SPECIAL EVENT PERMIT APPLICATION FOR THE 2020 SEASIDE SHUFFLE ON SUNDAY, NOVEMBER 15, 2020. THIS EVENT REQUIRES ROAD AND LANE CLOSURES.

Program Supervisor Katie Ryan said, “This is a special event permit application from the Wilmington Roadrunners Club for their annual Seaside Shuffle and we’re bringing this to your attention for a couple of reasons; 1) the number of applicants and, 2) for a road closure that’s required in this. It will require that Salisbury Street be closed from 7:00 a.m. on Sunday, November 15th for about twenty to thirty minutes, then they make their way around to an area at the drawbridge. And then on the outside, eastbound lane of Causeway Drive; that lane would be closed down to the outside, southbound lane of Waynick. So, that would be closed as well and they make their way down to the Blockade Runner. So, they start at the park and end at the Blockade Runner.” When asked if this would affect the churches, Mrs. Ryan replied, “No, we cleared that with them last year. We gave them a heads up that it was coming and they had no problem with it.” Following a brief discussion regarding the fact that Ms. Ryan brings all road closures to the Board as per the current ordinance, Alderman Partin made the motion to approve the 2020 Seaside Shuffle on November 15, 2020. The motion was seconded by Alderman DeGroote and approved with a 4-0 vote.

CONSIDERATION OF THREE FULL-TERM APPOINTMENTS TO THE PLANNING BOARD WITH NEW TERMS TO EXPIRE JANUARY 2022, AND TWO PARTIAL-TERM APPOINTMENTS TO COMPLETE THE TERMS OF ALDERMAN DEGROOTE AND ALDERMAN PARTIN WITH TERMS TO EXPIRE JANUARY 2021.

Using ballots, the Board made the following two reappointments and one appointment to the Planning Board with terms to expire January 2022.

PLANNING BOARD FULL APPOINTMENTS	
APPLICANT	VOTE
Lisa J. Beller	
Neal Briggi – Appointed	Mayor Mills, MPT Miller, and Alderman DeGroote
Thomas (Ace) Cofer	Alderman Partin
David Jacobs	
Karen King – Reappointed	Mayor Mills, MPT Miller, and Alderman Partin
Leigh Ann Joyner Longo	Alderman DeGroote
James C. Smith – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin
Jeff Turpin	

Using ballots, the Board made the following appointment and reappointment to fill two unexpired terms on the Planning Board. New terms to expire January 2021.

PLANNING BOARD PARTIAL APPOINTMENTS	
APPLICANT	VOTE
Lisa J. Beller	Alderman Partin
Thomas (Ace) Cofer – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin
David Jacobs	
Leigh Ann Joyner Longo – Appointed	Mayor Mills, MPT Miller, and Alderman DeGroote
Jeff Turpin	

CONSIDERATION OF TWO FULL APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY COMMITTEE WITH TERMS TO EXPIRE JANUARY 2022.

Using ballots, the Board made the following two reappointments to the Parks and Recreation Advisory Committee with terms to expire January 2022.

PARKS AND RECREATION ADVISORY COMMITTEE APPOINTMENTS	
APPLICANT	VOTE
Eric Leach – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin
Jeff Turpin – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin

CONSIDERATION OF TWO APPOINTMENTS TO THE HISTORIC LANDMARK COMMISSION WITH THE NEW TERMS TO EXPIRE JANUARY 2022.

Using ballots, the Board made the following reappointment to the Historic Landmark Commission. New term to expire January 2022. Since only one application was received, the Board directed staff to re-advertise for the remaining vacant seat previously held by John Moore.

HISTORIC LANDMARK COMMISSION APPOINTMENT	
APPLICANT	VOTE
Nancy Faye Craig – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin

CONSIDERATION OF TWO APPOINTMENTS TO FILL VACANT SEATS ON THE WB MARKETING ADVISORY COMMITTEE FOR TERMS THAT EXPIRED JUNE 2019. NEW TERMS WILL EXPIRE JUNE 2021.

Using ballots, the Board made the following two appointments to the Wrightsville Beach Marketing Advisory Committee with terms to expire June 2021.

WRIGHTSVILLE BEACH MARKETING ADVISORY COMMITTEE APPOINTMENTS	
APPLICANT	VOTE
Scott J. Relan – Appointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin
John Andrews – Appointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin

CONSIDERATION OF REAPPOINTMENT OF ALDERMAN DULL TO THE BOARD OF ADJUSTMENT FOR A THREE-YEAR TERM TO EXPIRE JANUARY 2023.

Mayor Pro Tem Miller made the motion to reappoint Alderman Dull to the Board of Adjustment for a three-year term to expire January 2023. The motion was seconded by Alderman DeGroote and approved with a 4-0 vote.

CONSIDERATION OF THREE-YEAR APPOINTMENT TO THE BOARD OF ADJUSTMENT. (SEAT PREVIOUSLY HELD BY ALDERMAN KING.) NEW TERM TO EXPIRE JANUARY 2023.

Mayor Pro Tem Miller nominated Alderman Partin to fill the seat previously held by Alderman King for a three-year term to expire January 2023. The motion was seconded by Mayor Mills and approved with a 4-0 vote. *(Note: Since Bill Blair remained on the Board of Adjustment, only one seat was available for the two newly elected Aldermen. Alderman DeGroote removed his name from consideration at this time.)*

CONSIDERATION OF THREE-YEAR APPOINTMENT AS THIRD ALTERNATE TO THE BOARD OF ADJUSTMENT. NEW TERM TO EXPIRE JANUARY 2023.

Using ballots, the Board reappointed Jeff Turpin to serve as the Third Alternate on the Board of Adjustment for a three-year term to expire January 2023.

BOARD OF ADJUSTMENT APPOINTMENT FOR THIRD ALTERNATE	
APPLICANT	VOTE
Jeff Turpin – Reappointed	Mayor Mills, MPT Miller, Alderman DeGroote and Alderman Partin

ASSIGNMENT OF BOARD OF ALDERMEN MEMBERS TO VARIOUS BOARDS AND COMMITTEES FOR A TWO-YEAR TERM TO END JANUARY 2022:

Mayor Pro Tem Miller made the motion to make the following Board and Committee appointments for a two-year term to end January 2022. The motion was seconded by Alderman Partin and approved with a 4-0 vote.

Committee	Board Member
Tourism Development Authority (TDA)	Mayor Mills
Port, Waterway and Beach Commission	Alderman Dull
Metropolitan Planning Organization (MPO)	Mayor Pro Tem Miller
Holiday Flotilla Committee	Alderman Partin
Wrightsville Beach Marketing Advisory Committee	Alderman DeGroote
Cape Fear Council of Governments	Alderman Dull

DISCUSSION AND DIRECTION ON CORRECTING DEFICIENCIES IN THE BOTTOM FLASHING AT THE PUBLIC SAFETY BUILDING AND CONSIDERATION OF BUDGET ORDINANCE NO. (2020) 515-B.

Mr. Owens gave the following overview: “Basically, we’re still trying to recover from Hurricane Florence. We completed repairs to the roof last week. That was a \$90,700 fix that we had to do not including the engineering. We also had recently planned to do some improvements around the building because we had infiltration of water blowing in. It was a lack of our poor quality flashing. We bid that out and we’re recommending that we go with Buchele Construction for \$71,900. We had three different bids: 1) Buchele Construction \$71,900; 2) Chambliss and Rabel \$79,767; and 3) Waldrick and Saunders \$115,976. In the meantime, the white trim needs to be painted; it’s basically down to bare wood in some areas. For this whole project, we’re looking at \$107,900 and we’re asking for adoption of Budget Ordinance No. (2020) 515-B for \$21,000 to do the painting. We received three quotes for that and Five Star Painting was the lowest quote. Then, the \$86,900 would be charged to the Hurricane Florence line item to deal with all the corrections. This would correct the flashing issue, allow us to do the sheetrock internally (get Buchele to give us a quote for that), and Five Star Painting will do the exterior – all the white that needs to be done. Then we have some painting in those rooms once that sheetrock is done. We’ll get Five Star to add that to their contract. We may have insurance proceeds and maybe some FEMA reimbursement. We also need to get flooring quotes. We will bring that to the Board after the quotes come in.” Following a brief discussion regarding the contractors, Alderman DeGroote asked if everything was finalized and everyone had signed on. Mr. Owens said he had spoken with everyone and he would ask the Town Attorney to draw up the contracts. Mr. Edes asked Mr. Owens to send him the dollar figures and the principals’ names and he would draft the contracts. Alderman Partin made the motion to approve the requests as outlined by Mr. Owens. The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote.

DISCUSSION AND DIRECTION ON RESTORING PERMANENT ACCESS TO 84 WAYNICK BLVD. FOLLOWING THE PARTIAL ROAD CLOSURE BY THE TOWN OF WRIGHTSVILLE BEACH.

Mr. Owens said, “As some of you will recall, we closed a portion of the right of way by the Trolley Stop. We kept a one-foot border all the way around so the right of way wouldn’t revert to the property owners adjacent to it. There’s been a little confusion; the GIS folks at the County mapped this thing incorrectly and they’ve gone back to fix that after we discussed it. Also, just to clarify this, one of the owners that owns the new building (where our bathrooms are currently) is considering signing a quit claim deed over to the Town just to make sure we’ve got this thing cleared. John Wessell has been working on this and Brian will be involved in this as well. I just want to make sure that’s okay with the Board. If it is, we’ll get the Mayor to execute it once it’s been finalized.” Mayor Mills noted that this would also reserve access. He said he was concerned with what future Boards could decide. Mr. Owens said, “I think we’re fine the way it stands but the owner of this new property wants to make sure that he’s got access forever.” Mayor Mills said, “I say just proceed on that and make sure we address that access.”

MAYOR PRO TEM MILLER: OTHER ITEMS AND REPORTS.

- We have an MPO meeting next Wednesday.

ALDERMAN PARTIN: OTHER ITEMS AND REPORTS.

- “I will get with the Flotilla Group and tell them I am their new representative.” Miss Nancy Faye Craig said the Flotilla Group would meet on Monday night at 6:00 p.m. and Alderman Partin could get with Linda Brown.

MAYOR MILLS: OTHER ITEMS AND REPORTS.

- “It appears that we are getting money to do some studies relative to sand and mapping purposes for the future relative to our beach nourishment projects. It’s a significant amount of money. Our US Senators Tillis and Burr and Congressman Rouzer have gone to bat for us on this.”

MR. EDES: OTHER ITEMS AND REPORTS.

- Request for Closed Session to discuss pending litigation with Shell Island Homeowners Association.

MR. OWENS: OTHER ITEMS AND REPORTS.

- The Salisbury Project is underway; they’re doing the demo; most of the pilings are in.
- The Keel Street and Short Street paving project will begin at the end of February.
- Lift Station 4 will probably be done by mid to the end of February.
- Old Landfill Property: they are there now putting in the temporary roadway. They should be done in a few months according to the contractor.

MS. HOLLEMAN: OTHER ITEMS AND REPORTS.

- Kure Beach needs a headcount for the Beach Breakfast on March 13th. The Board members will check their schedules and respond by email.

MISS NANCY FAYE CRAIG: CITIZENS FIRE ACADEMY.

Miss Nancy Faye Craig said she had attended the Citizens Fire Academy and she felt it was well worth it. She said she spent the whole day and it was very well organized but she was a little disappointed in the attendance.

REQUEST FOR CLOSED SESSION.

Mayor Pro Tem Miller made the motion to go into Closed Session at 7:48 p.m. for discussion of pending litigation. The motion was seconded by Alderman Partin and approved with a 4-0 vote.

MEETING RECONVENED.

Mayor Mills reconvened the regular meeting at 7:58 p.m. and asked the Record to reflect that the Closed Session had been held for the reason so stated with no action taken.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:59 P.M.

Respectfully submitted,

Sylvia J. Holleman
Town Clerk