

MINUTES  
BOARD OF ALDERMEN  
AUGUST 12, 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 Ken Dull, and Alderman Zeke Partin; together with Town Attorney Brian E. Edes, Town Manager Timothy W. Owens and Town Clerk Sylvia J. Holleman.

Absent: Alderman Jeff DeGroote due to a scheduling conflict.

Pledge of Allegiance

Invocation by Pastor John McIntyre, Wrightsville Beach Baptist Church

**PUBLIC COMMENTS: SKIPPER FUNDERBURG – CLARIFICATION ON SURFING AND SURFING COMPETITIONS; JIM CHAFFINS – NEW PICKLEBALL COURTS; AND PAT MULLIGAN – PARKING AND BIKE LANES.**

Mr. Skipper Funderburg said, “Today, in the twenty-first century, we’re in a big paradigm shift and this is how the impossible becomes accepted. Dating a hundred years back to 1900 and 1908, in the early twentieth century, there was also a paradigm shift. During that shift, different things happened that seemed to be impossible. The Honorable Burke Haywood Bridgers described surfing competition on Wrightsville Beach in an announcement in the Wilmington Morning Star on June 30, 1910. The Honorable Carolinian Alexander Hume Ford in Hawaii appropriated the Hawaiian transcendent experience of surfing and changed it into an American competitive sport. That’s what happens during paradigms. Now the State of North Carolina and the U.S. Government has ratified that this is the location where surfing competition started in the U.S. mainland.” Mr. Funderburg closed with a quote from the late Lawrence G. Sprunt regarding the popularity of surfing on the Carolina Coast, especially in the fall when offshore hurricanes create larger waves onshore.

Mr. Jim Chaffins, 10 West Salisbury Street and Manager of the Wrightsville Beach Pickleball Group, said, “With me are almost forty members of our Pickleball Group.” He asked the members that were Wrightsville Beach citizens in support to stand. He noted that the remainder of their group was watching the meeting in the Recreation Center. He thanked Program Supervisor Katie Ryan and the Parks and Recreation Advisory Committee for their help and support. Mr. Chaffins said, “Due to the ever increasing popularity of pickleball play at the Wrightsville Beach Park, Parks and Rec, in 2017, established Open Play Pickleball. This program is run by volunteer members of the Wrightsville Beach Pickleball Group. Open play consists of four hours of play every Tuesday, Thursday and Saturday mornings. These sessions are open to the public at all skill levels. The average daily number of participants has doubled in the last two years. The Wrightsville Beach Pickleball Group has donated or purchased \$1600 worth of pickleball equipment to support the Open Play Program. Over 300 different players have participated in Open Play since the program was established. Currently, 53 Wrightsville Beach residents and/or property owners participate in the program. In the last seven months, there has been an average of 25 players per session with as many as 49 players. 40% of the players at each session are residents or property owners. There has been an increasing number of out-of-town visitors this year taking the opportunity to participate in Open Play. Comments from visitors have been very positive. They are impressed by the organization of play and the friendliness of the members of the Wrightsville Beach Pickleball Group. To support the rapid growth of participation in pickleball play at the Wrightsville Beach Park, the Wrightsville Beach Pickleball Group respectfully requests that you approve the short-term conversion of one tennis court into four pickleball courts

to be fully funded by the Wrightsville Beach Pickleball Group; and the construction of permanent pickleball courts on the sandlots north of the Wrightsville Beach tennis courts. Please note that the Wrightsville Beach Pickleball Group supports the retention of the live oak tree in the vicinity of the sandlots. We're not interested in taking down that tree whatsoever. Thank you for your consideration in this matter."

Mayor Mills said, "On the agenda is the item that Mr. Chaffins has alluded to and my suggestion, and I would make that motion, that we move it forward on the agenda after we get through the Consent Agenda so these folks don't have to sit here through an entire meeting." The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote. Mayor Mills thanked everyone for their interest and participation.

Mr. Pat Mulligan, 3 Palmetto Drive, said, "I signed up at 4:59 to come in today because I thought, if I were going to email you to make certain requests, it would do good to come and show you how serious I am about those requests by devoting some of my own time and spending the evening with you. I emailed and asked very directly on behalf of a substantial and growing group of residents to pull out some parking places along the main north/south roads and replace those with bike lanes so we can ride with our families. I just want you to know how very seriously this group of residents takes that request. I'm not here to criticize anybody and I understand everything that's been done in the past, we've done with the best intentions and truly motivated by a desire to do what they thought was best for our community at the time. But I also feel like it's very clear that we have pushed it too far and we're not making a radical request. We're looking for 10%-12% of the total spots on the island to allow the room for kids and families to ride their bikes and for people to walk around. It's a terribly unsafe situation and I know that when you start talking about pulling up parking, the first thing that always comes up is revenues. However, I didn't want to come here completely unprepared, I've had an opportunity to do some preliminary research into the revenues and for a few reasons, it appears that removing every single spot from Tower Seven to Shell Island would not have a significant impact on the Town revenues. One of those reasons is those spots have red bags over them probably, I think it's about 180 spots, they have red bags on probably 30% of those on the busiest days of the year already and they produce no revenue. On the other days, the onesy-two'sy cars that are parked in those spaces would find other places to go so we would not lose that revenue on those days. I really think this is doable and one thing I want to ask, if I may, I want to know if I'm out of place, is there any direction I could have from the Board as to how I could bring this forward in the future and actually be on the formal agenda so this can be addressed. I don't have a group of supporters here tonight. I know you guys have other pressing business tonight but I just wanted you to know how seriously we take it and how passionate we are. And we just want your help fixing something that's gone too far." Mayor Mills thanked Mr. Mulligan and said, "We're not going to take action as I stated earlier. As far as what you could do, feel free to get with the Planning Director or Town Manager and they can give you the guidance I think you're looking for."

**CONSENT AGENDA APPROVED WITH A 4-0 VOTE BY MOTION OF ALDERMAN PARTIN AND SECOND BY ALDERMAN DULL.**

- a. Approved Special Meeting Minutes of June 23, 2021.
- b. Approved special event permits as follows:
  1. The Bridge Church 7-Year Anniversary Cookout (*150-250 participants*)  
Saturday, September 18, 2021  
Location: WB Park Shelters and Event Stage  
\*\*\* New Event

2. Carolina Cup (*approximately 1,000 – 2,000 participants*)  
Saturday & Sunday, November 6 and 7, 2021  
Location: Beach Strand and Banks Channel at Blockade Runner  
\*\*\* Recurring Event
  3. NHRMC/Novant Wilmington Marathon (*approximately 4,000 participants*)  
Saturday, February 26, 2022 (5:00-9:00 am) (race start 7:10 am)  
Location: JM Pier; N. Lumina; Causeway Drive; over Drawbridge  
\*\*\* Recurring Event
  4. Stoked to Go Out Pier-to-Pier Swim (*approximately 350 participants*)  
Saturday, May 21, 2022 (6:30 – 12:00 pm) (race start 9:00 am)  
Location: JM Pier to Crystal Pier (open water swim)  
\*\*\* Recurring Event
- c. Acknowledged previously approved special events for September.
  - d. Acknowledged departmental quarterly reports covering the months of April, May and June, 2021 (with exception of the Planning and Inspections Department).
  - e. Approved special event date change to show a Surf Movie in the Park on Monday, September 13, 2021 instead of September 14, 2021 at 8:00 p.m. This would be a Town-sponsored event.
  - f. Approved Commemorative Bench Sponsorship request from the Wrightsville Beach Volunteer Firefighters Association to purchase two benches (with plaque) to be installed at Wynn Plaza.

#### **DISCUSSION AND DIRECTION ON MANAGING THE DEMAND FOR PICKLE-BALL AND TENNIS COURTS IN THE TOWN.**

Program Supervisor Katie Ryan gave the following overview: “Jim did a great job of giving you some of the numbers. There’s quite a demand right now for use of the courts between tennis and pickleball. Pickleball is one of the fastest growing sports in the United States. We introduced it to Wrightsville Beach Park in November 2014 and we borrowed equipment and lined the courts with tape and held a workshop in 2014. Not too long after that, the Foundation funded court lines on two of the tennis courts for four pickleball courts. So we started lessons in 2015 and not too long after that, the Foundation funded lines for two more courts so that we have three tennis courts lined for six pickleball courts. Then in February 2017, we started the Open Play and Jim has been a part of that since it started with 10 people participating, up to 125 regulars off and on; and as he mentioned, 53 of those are Wrightsville Beach residents. Every time they come out to play, they have to set up the nets and we have boxes on the tennis courts that hold all the equipment; they come out there and unlock the boxes and if anybody wants to play outside of our Open Play times, they can come and reserve the key from Parks and Rec and access the equipment. So, you can see the courts are kind of worn and they are scheduled for resurfacing. We actually got the contract in January, but for several reasons, resurfacing has been delayed. So, Jim brought the idea of making some dedicated courts when we get ready to do the resurfacing. I suggested he go to the Parks and Rec Advisory Committee, which he did in May. We had quite a few tennis players and pickleball players at the May 10<sup>th</sup> meeting and the July 12<sup>th</sup> meeting to discuss adding more courts. At the July 12<sup>th</sup> meeting, the Parks and Rec Advisory Committee came up with

a couple of short-term and a long-term goal and that was to recommend to the Board: 'To accommodate the rapidly growing sport of pickleball, the Parks and Rec Advisory Committee recommends that the Board consider converting one of the tennis courts to two dedicated pickleball courts with funding to be provided by the Wrightsville Beach Pickleball Group with the understanding that the courts would convert back to a tennis court whenever new dedicated courts might be built. Since that time, we've talked to the contractor that's going to come in and do the – I'll just show the way those four dedicated courts would look on the tennis court when we do the resurfacing for pickleball courts with permanent nets on that one end of the tennis court. The cost of that was \$6,593 and the Pickleball Group has already raised those funds to pay for that. The contractor should be coming hopefully by the end of August and could do that work then. So, the Parks and Rec Advisory Committee was recommending that you support that project for the short term and in the long-term, look at applying for a PARTF Grant. When we initially starting looking at areas, we said maybe six pickleball courts in that area of the sand volleyball pits. Then we found that there are all of those utility lines and up between the Visitors' Center and the new Museum building, there is an oak tree. That would all get in the way of six courts. The long-term goal would possibly be five courts; applying for PARTF which would pay for 50% of the funding; adding lights as well to the tennis courts and pickleball courts. And with that long-term goal of adding those courts, it would take away access for Public Works to get through to their lift station. The sidewalk might need to be widened which would be in line with that conceptual plan of a walk path maybe going along the marsh way down the road. But at least, widening it enough for Public Works to have their access to that lift station. That could be included in that grant application as well. Then, if you didn't want to go over the utility lines which if they were damaged, you'd have to disrupt the courts, we could look at possibly just three courts. So, the long-term goal that the Parks and Rec Advisory Committee recommended is that the Board consider funding six new dedicated pickleball courts, which at the time we thought we might be able to get in six courts, and lighting the pickleball and tennis courts seeking 50% of the funding through a Parks and Recreation Trust Fund Grant (PARTF), with private funding also to be pursued to help fund that. This is just very preliminary; we got two quotes for six pickleball courts to be added back there for \$165,000; then lighting the pickleball and tennis courts was \$258,000 for a total of \$423,000. Then if a PARTF Grant is applied for and awarded, that would be a 50-50 match. This does not discuss and include storm water permits, widening the walkway or landscaping; there would be additional costs there so it would be like a \$500,000 project. So, the short-term is to get your approval to proceed and for you to discuss adding four dedicated courts for the short-term and long-term, possibly applying for PARTF. And the way PARTF is, at this point, their schedule is – they usually have a meeting in October for anybody that might be applying to attend and see if there is any chance for the application and then they would do a call in January with applications due in May. Then they would award projects and make announcements for that in the summer. Then possibly a second round of announcements right after that."

Alderman Partin said she was a little confused about why we can't do six courts. She asked if only getting five courts would save the live oak tree. Ms. Ryan said just having five courts would keep the tree but there were still questions about the utilities. Mr. Owens said roads are covering utilities now and they very rarely break but if they do, you would have to tear up a court or whatever is out there. He said we could probably design something to enable us to get to the lift station.

A brief discussion followed regarding possible landscaping with benches and the fact that we would need a survey, conceptual design and those types of things. Mayor Pro Tem Miller said, “I’m assuming that the first part is a lot easier than the second part.” Ms. Ryan replied, “Yes.” Mayor Pro Tem Miller said, “The first part is going to be restriping and at the same time, you’re asking us to approve this conceptually for the second part, correct?” Ms. Ryan replied, “Yes.” Mayor Pro Tem Miller continued, “And then we’re going to look into what fits where, so if we get stuck on figuring out number two, we’re not getting out of here.” Alderman Partin said, “She wants to be able to pursue a grant and if she doesn’t get the conceptual design, then it will be another year before she can pursue a grant.” Mayor Pro Tem Miller said, “They want six pickleball courts and this is the best alternative right now. But at the end of the day, if we come up with a better alternative after what we do tonight, we can look at that, right?” Ms. Ryan noted that any grant application would have to come back to the Board but for the PARTF Grant, you have to know where it would go. Alderman Dull asked if they could be pulled closer together and make the distance between the back of the courts and the sides of the courts a little tighter. Ms. Ryan said this was for regulation tournaments. Alderman Dull said, “The reason I’m asking is because that ten-inch is the critical piece back there; that four-inch sewer is not a big deal. If you could figure out how to stay off of that ten-inch main, you might be able to get all six in. Then you’re far enough off of that tree in that corner.” Mr. Owens said that was why we need a survey. Ms. Ryan said staff could have people come out and give a real price. Mayor Mills said, “We can’t commit until we know what we’re committing to. And I think the prevailing opinion here is we need more courts out there but how many, we don’t know based on what we’ve got.” Mr. Edes said, “Katie, to apply for the PARTF Grant, do you need the survey and real numbers and bids on the concept? How much detail do you need?” Ms. Ryan replied, “It has to be pretty detailed. I don’t have to break it down but basically six pickleball courts and then your pricing and your contingency on that. Then you have to do landscaping and you do need general information about the landscaping and how much fencing. You have to be able to tell them how many courts and whether there are lights.” Mr. Edes said, “So, to make this application window, you would need authority from the Board to get the survey and more hard costs and things like that?” Ms. Ryan replied, “Yes.” Mr. Owens said, “We do have that money in the budget for surveys. Cape Fear Engineering has done a lot of surveying out here, so they might already have a lot of that data. So, hopefully, the cost won’t be that much.” Mr. Edes said, “My point is simply to the extent you need authority from the Board tonight to make this application window, I want the Board to know what authority you need to go forward to make this window.” Ms. Ryan said, “We still want to be out there getting prices.” Mr. Edes replied, “Right – just so we’re all on the same page.” Alderman Partin asked if we needed to separate the two requests. Alderman Dull replied, “I think we can do all of that with approving the money to spend so we can get her the information. He then made the motion that we go ahead and restripe that one tennis court for the pickleball courts as presented and then, included in that motion, is getting you all of the information that you need – surveys, pricing – all of what’s necessary to apply for the grant.” The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote.

**PRESENTATION OF CAPE FEAR CHANGE IN MOTION 2020 AND TRANSPORTATION DEMAND MANAGEMENT ORIENTED SERVICES BY NICK CANNON WITH THE WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION.**

Mr. Nick Cannon, WMPO TDM Coordinator, gave the following presentation: “We are a federally mandated, long-range transportation planning agency and Wrightsville Beach is one of our member jurisdictions. I am here tonight to briefly present our newly adopted short-range TDM Transportation and Management Plan – Cape Fear Change in Motion 2020 that was adopted by our Board in April. The following highlights are from Mr. Cannon’s power point presentation:

- The main purpose of the plan is to identify strategies that will mitigate traffic congestion and that will diversify mode use in the region. Short-range strategies will take place over the next one to five years. The overall goal is to reduce vehicle miles traveled, mostly from single-occupancy vehicles, by 10% in the next five years.
- Mission of the plan is to provide WMPO Area residents with the resources and offer motivation to choose healthy, sustainable, and effective multimodal transportation options to reduce stress on the roadway network and increase alternative means of mobility.
- Mayor Pro Tem Miller was integral in the development of the Cape Fear Moving Forward 2045 Plan as a WMPO Board member.
- There were seven strategies outlined as viable opportunities to decrease traffic congestion and diversity mode use in the next one to five years:
  - Alternative Work Schedules
  - Bike Share Program
  - Carpool and Vanpool
  - Consulting for Telecommuting Opportunities
  - Fostering a Bicycle and Pedestrian Friendly Culture
  - Improved TDM-Focused Collaboration
  - Personalized Commuter Plans
- This is not an exhaustive list of any alternative transportation strategies. We are here to offer this as a service to all of our member jurisdictions for any TDM-Oriented Services that you would like to see in the future. That could be Information and Marketing, Assisting with development of new ordinances or any other comprehensive program that you have.
- Like with the gentleman who was here earlier about the bike lane, if the Board, in cooperation with the D.O.T., decides that there should be a project to make a bike lane on the main drive, then that’s something we are here to assist with.
- Strategy Scorecard to grade each strategy on its ability to show the greatest success. The Scorecard ranks each strategy’s feasibility and impact using the considerations of:
  - Ease of Implementation
  - Cost
  - Existing Conditions
  - Demand
  - Impact on Traffic (Benefit)
  - Impact on Vehicle Miles Traveled (Benefit)

Mr. Cannon said, “The first step for Plan Implementation was to adopt the plan by MPO Board; that was completed. Now we are presenting to our WMPO member jurisdictions. Next we have to adhere to the plan and one of those main strategies was to develop and increase our relationships with planning staff and area experts. Finally, regular review by the TDM Coordinator and the Go Coast Committee.” The Board thanked Mr. Cannon for his presentation.

**PRESENTATION OF REQUEST TO APPROVE RECYCLING FRANCHISE PROPOSAL FOR TURTLETRASH.**

Ms. Kelsey Smart said, “Turtletrash LLC is a coastal-conscious waste and recycling service based in the greater Wilmington area. Our mission is to deploy environmentally friendly ways of waste collection on the coast; to reduce waste costs, increase sustainability and save sea turtles. Unlike any other waste collection service in the area, we are particularly well suited for the beach, from the small trucks that we use to our own recycling program and our donation to local sea turtle foundations. We are here to ask for permission to collect recycling in Wrightsville Beach. Our service is already resonating with a few residents and we would love the opportunity to collect on the island. There are six reasons why we are the ideal recycling collector for Wrightsville Beach.” Mr. Brice Barnett said, “The first reason is our mini trucks for recycling collections; their compact platform makes it perfect for Wrightsville Beach.” Ms. Smart said, “Number two, our service is actually half the price of the current recycling option on the island. Caliber Recycling offers a 50-gallon container that is collected weekly for \$50 per month. Turtletrash will offer residents a 96-gallon container that is collected biweekly for \$25 per month. Also, our biweekly recycling schedule should bother residents less and is more typical for the industry.” Mr. Barnett said, “Number three, we are actually a local plastics recycler so we go beyond just collection and we’re doing our own in-house recycling. We process plastics 2, 4 and 5 through our bottle top recycling program. This is an optional program that residents can opt into. It collects bottle tops and turns them into refurbished products.” Ms. Smart said, “The fourth reason, we actively volunteer and support organizations that protect and help our coast. Number five, we also direct a portion of our net profits to the Wrightsville Beach Sea Turtle Project, Karen Beasley Sea Turtle Rescue and Pleasure Island Sea Turtle Rescue. Number six, as an added bonus, our recycling cans are almost a perfect match for the new residential trash cans that the Town of Wrightsville Beach currently offers. The cans will look really sharp together and will not stick out.” Mr. Barnett said, “On another note, the customers with the smaller bins from the current recycling company tend to overfill and leave loose recycling out for collection. Smaller capacity bins are great for single stream collection, like glass, but with comingle recycling, the larger capacity bins are almost necessary. Our larger capacity containers that we offer will help prevent loose recycling and overflow and will help keep Wrightsville Beach looking pretty pristine.” Ms. Smart said, “In conclusion, we would absolutely love to help Wrightsville Beach residents recycle. Our company was born here and we think our service will resonate with Wrightsville Beach residents with our smaller collection trucks, better pricing, bottle top recycling program, giving back to sea turtles, our aesthetics, and our overall general recycling efforts.”

Following a brief discussion, Mayor Mills said, “How does this relate to the Caliber Recycling?” Mr. Edes replied, “I need to go back and make sure; I don’t recall an exclusive right.” Mr. Owens said he did not recall either. Mayor Mills said, “If we gave them an exclusive then we can’t do this.” Mr. Edes said, “We can’t do this absent negotiating that obligation away. That would be the first thing I look for and if there is an exclusive right, then we’d stop there, come back to you and then if we wanted to negotiate with them, absent an exclusive right, as we did with Caliber, I would draft a franchise agreement with terms that are favorable to the Town for your consideration with input from the applicant. We could do that at the next meeting.”

Mayor Mills said, “I would say subject to confirming that we haven’t already granted an exclusive franchise, then I would move forward on this one.” Mr. Edes said, “I would stop my work if there is an exclusive right already granted.” Mayor Pro Tem Miller said, “Are you suggesting we approve it?” Mr. Edes replied, “Per the direction from you guys.” Mayor Pro Tem Miller said, “I’m fine. With you making that motion, I’ll second it.” Mayor Mills said, “All right, I made the motion and you seconded it.” The vote was then taken and recorded as 4-0 for approval as long as an exclusive franchise agreement had not already been approved.

**CONSIDER AMENDING THE TOWN’S CONTRACT WITH PIVOT PARKING BY ADOPTING RESOLUTION NO, (2021) 2245.**

Mr. Owens said, “The CEO of Pivot Parking is requesting that the current Theft, Disappearance and Destruction Coverage be reduced from \$500,000 to \$100,000. Knowing that we deposit so often, I think we would be fine with \$100,000 but it is a Board decision.” Following a brief discussion, Mr. Edes asked if we have ever had a claim. Mr. Owens replied, “Not to my knowledge; not since I’ve been here.” Mr. Edes said, “They made a similar contract amendment request with another beach town client of mine and that client acquiesced to their request.” Mayor Pro Tem Miller made the motion to approve the request to reduce the Theft, Disappearance and Destruction Coverage from \$500,000 to \$100,000 and to adopt Resolution No. (2021) 2245 instructing the Town Attorney to create and have executed a contract amendment to reflect the change in coverage. The motion was seconded by Alderman Partin and approved with a 4-0 vote.

**DISCUSSION AND DIRECTION ON INSTALLING PARKING ON SHORT STREET**

Mr. Owens said, “There was parking on Short Street. It was delineated years ago because you can still see the lines. We basically decided this year that we were not going to have any kind of parking on Short Street; and we decided to continue to allow it on Keel Street. Some of the business owners on that street would like to see parking back on that street. What I would propose is to go ahead and delineate the parking. It would be in some fashion; whatever would fit in there and not block anybody’s access or visibility. And it would continue to be unpaid. I’ve got people set up to do that street but before then, we could basically tell the parking company to stay away from that road.” Following a brief discussion regarding support from the businesses and concern with the width of the street, Mr. David Floyd asked if the street end needed to be addressed with regard to loading and unloading. Mayor Pro Tem Miller said the Board did that at their July 8<sup>th</sup> meeting. Mr. Owens noted that the signs were already up. Alderman Dull stated that there are two Short Streets on Wrightsville Beach and this Short Street is the one by Keel Street and not the one on the south end of the Beach. He then made the motion to approve moving forward with delineated, unpaid parking spaces on Short Street. The motion was seconded by Mayor Mills and approved with a 4-0 vote.

**DISCUSSION AND DIRECTION REGARDING WHOLE HOUSE RENTALS, SHORT TERM RENTALS AND HOME STAY ACCOMMODATIONS ON HARBOR ISLAND.**

Mr. Edes said, “There’s some pending legislation in the General Assembly right now that I understand may have passed the House; the Senate hasn’t considered it yet. It will directly affect the scope of a local government’s ability to regulate short-term rentals. I want you to go forward but understand that the law may be in a state of flux



and we may want to see how that progresses before we amend our code.” Mayor Mills said, before we go ahead, with all due respect to everybody, I don’t want to sit up here and waste my time, their time, and your time, if we’ve got pending legislation that may turn us on our face.” Mr. Edes said, “That law has been evolving diplomatically quickly and there’s another bill pending right now that’s made it through the House.” Mayor Mills said, “Let us move this to a subsequent agenda and if Mr. Edes will monitor that legislation and report back when you can. There’s no need to put it on an agenda until we have an answer from the legislation.” Mr. Owens agreed and said we could just table this for now. Mayor Mills said, “We will address it but let’s do it in a smart, methodical way.”

**RESOLUTION NO. (2021) 2248 EXEMPTING THE TOWN FROM NCGS 143-64.31 FOR DESIGN SERVICES FOR THE PUBLIC WORKS OFFICE BUILDING; AND BUDGET ORDINANCE NO. (2021) 546-B FOR PUBLIC WORKS OFFICE DESIGN AND OTHER COSTS ASSOCIATED WITH THE RENOVATION.**

Mr. Owens said, “This is something we’ve been working on. Basically, we’ve remediated the building; we need to fix the outside and the inside of the building. We’ve got sort of a conceptual floorplan. What I’m asking for tonight is basically, we would like to take 50% from General Fund-Fund Balance and 50% from the Water and Sewer-Fund Balance for a total of \$57,000. What that would get us would be final plans to move forward with construction. The cost estimate would get us in a position to move forward on that renovation and it would also pay for – we have a mobile office out there now – it will pay for a year of that, too. Resolution No. (2021) 2248 would allow us to move forward with the designer. We’ll get a cost estimate and bring that back to you. And also adopt Budget Ordinance No. (2021) 546-B.” Alderman Dull made the following motion: 1) to adopt Resolution No. (2021) 2248 exempting the Town from NCGS 143-64.31 for design services for the Public Works Office Building and to enter into a contract for architectural and engineering work with BMH Architects to complete Renovation Plans and specifications for the Public Works Office Building pending review of the contract by the Town Attorney; and 2) to adopt Budget Ordinance No. (2021) 546-B for the Public Works Office Design and other costs associated with the Renovation. The motion was seconded by Alderman Partin and approved with a 4-0 vote.

**RESOLUTION NO. (2021) 2247 APPROVING A SETTLEMENT AGREEMENT BETWEEN SHELL ISLAND HOA AND THE TOWN OF WRIGHTSVILLE BEACH; AND RESOLUTION NO. (2021) 2249 EXEMPTING THE TOWN FROM NCGS 143-64.31 FOR ENGINEERING AND SURVEYING DESIGN SERVICES FOR THE PARKING.**

Mayor Mills said, “We’ve discussed this a number of times. I would caution the Board, not trying to speak for our Town Attorney who’s much more qualified to address this, but what we cannot, should not and are not going to do is get into substantive issues relative to this settlement agreement. That’s more appropriate in a closed session, unless Mr. Edes tells me otherwise.” Mr. Edes said, “Thank you for that and just to echo what you’re saying, we discussed the potential terms awhile back in closed session. The terms are now reduced to writing and it needs to be approved in open session. Nothing is different than our closed session discussion regarding the substance of the settlement terms. So, we just need a formal motion in open session.” Mayor Pro Tem Miller clarified, “We gave you direction; you came back and you got satisfied with the direction and the answers you got and we’re going to approve it right now.” Mr. Edes replied, “Yes, sir.”

Mayor Pro Tem Miller made the motion to adopt Resolution No. (2021) 2247 approving a Settlement Agreement between Shell Island Homeowners Association and the Town. The motion was seconded by Alderman Dull and approved with a 4-0 vote. Mr. Edes noted that this would be a public record once it is executed. Mr. Owens said, “The second part of this, if you want to move forward on the design and permitting again – we started this in 2016 – this is to adopt Resolution No. (2021) 2249. I will get a quote and bring that back to the Board for the engineering design. Alderman Partin made the motion to adopt Resolution No. (2021) 2249 exempting the Town from NCGS 143-64.31 for engineering and surveying design services for the parking. The motion was seconded by Mayor Pro Tem Miller and approved with a 4-0 vote.

**ALDERMAN PARTIN: OTHER ITEMS AND REPORTS.**

- Cape Fear Council of Governments had a conference call on August 9<sup>th</sup>. Alderman Partin could not get on that call. She thinks only the executive committee attended.
- A meeting of the Committee for Naming Town Assets was convened on August 4<sup>th</sup>. The Committee members included Neal Braggi, Kitty Brunjes, Jim Chaffins, and John Wessell. Thanks to Brian Edes for drafting the original document to be reviewed. The Committee made some changes; they will meet again on August 25<sup>th</sup>. Hopefully the final document will come to the Board in September.

**MAYOR PRO TEM MILLER: OTHER ITEMS AND REPORTS.**

- Mayor Pro Tem Miller chaired the MPO meeting about the bridge. He said Brunswick County had to decide what they want to do before it can move forward.

**MAYOR MILLS: OTHER ITEMS AND REPORTS.**

- Ports, Waterway and Beach Commission met and it was basically a continuation of the gnashing of teeth. The present interpretation by DOJ under the present administration relative to COBRA has no real change. A lot of efforts being made to alleviate the situation.

**MR. EDES: OTHER ITEMS AND REPORTS.**

- In addition to the Legislative update about the short-term rentals, there’s also some legislation that could affect the Town’s ability to regulate billboards, storm water, the placement of schools in residential areas, and potential tree legislation. We will follow that closely. The League is advocating on behalf of the local governments’ interest. Most of those five items have passed the House but the Senate has not considered them yet.

**MR. OWENS: OTHER ITEMS AND REPORTS.**

- We actually had a very good year with ROT money.

**MRS. HOLLELMAN: OTHER ITEMS AND REPORTS.**

- Town Clerk Sylvia Holleman offered her condolences to Alderman Dull and his family on the loss of his mother, Mrs. Iris Leigh Dull, on August 5, 2021.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 6:35 P.M.

Respectfully submitted,

Sylvia J. Holleman  
Town Clerk