BOARD OF ALDERMEN MINUTES

AUGUST 8, 2024, 5:30PM

TOWN HALL COUNCIL CHAMBERS, 321 CAUSEWAY DRIVE, WRIGHTSVILLE BEACH

The meeting was called to order at 5:30pm by Mayor Mills. After the Pledge of Allegiance, the Board observed a moment of silence in honor of Sylvia Holleman, former long-term Town Clerk, who had recently passed away. The invocation was provided by John McIntyre, Senior Pastor, Wrightsville Beach Baptist Church. The following were present:

Board of Aldermen	Staff
F. Darryl Mills, Mayor	Tony Wilson, Acting Town Manager
Hank Miller, Mayor Pro-tem	Lance G. Heater, Town Clerk
Jeff DeGroote, Alderman	Brian E. Edes, Town Attorney
Ken Dull, Alderman (via Zoom)	Brian Murray, Finance Officer
Vivian (Zeke) Partin, Alderman	Katie Ryan, Recreation Programs Supervisor
	Matt Holland, Acting Fire Chief

Upon motion by Miller, seconded by Mills and carried unanimously, the Board approved the remote participation of Dull.

PUBLIC COMMENTS

Jim Chaffins, 10 W. Salisbury St., as Chairman and speaking on behalf of the Parks & Recreation Advisory Committee, recognized Katie Ryan, Recreation Programs Supervisor, for her tireless efforts on behalf of the Town's residents and businesses. Chaffins stated that Ryan and Kris Thompson, Administrative Asst., do an outstanding job of managing the Town's numerous adult and youth recreation programs in which hundreds of individuals participate. Chaffins noted that Ryan and Thompson also manage the permitting activities in which, in the current month, 31 activities, including the Farmers' Market, Concerts in the Park, and UNCW Beach Blast are scheduled. Chaffins stated that over 13,000 people are scheduled to participate in these activities. Chaffins also noted special projects accomplished as well as grant applications that comprised a large portion of Ryan's time. Finally, Chaffins noted the receipt by the Town of a grant of $400,000 for upgrades to the Town's tennis and pickle ball complex.

Henry Temple, 210 N. Channel Dr., asked the Board to reconsider the Board's request for a Charter Amendment regarding adoption of ordinances by initiative and referendum.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Partin noted that the financial report for the period ending 6/30/24 showed investment income of $2 million, revenues had exceeded expenditures by $2.1 million, and the General Fund balance had increased by $4 million, with no departments over budget.

In response to a question from Mills, Wilson stated that if the Board approved Resolution (2024) 2335, it would be the Town's responsibility to notify New Hanover County of potential abandoned vessels.

Upon motion by Partin, seconded by Miller and carried unanimously, the Consent Agenda was approved. It consisted of the following: 1) approval of the open and closed session minutes of the 7/9/24 special called meeting, the 7/11/24 regular meeting, and the 7/26/24 special called meeting; 2) approval of recurring special events as recommended by the Parks & Recreation Advisory Committee; 3) acknowledgement of previously-approved special events for September; 4) approval, on second reading, of Resolution (2024) 2335 joining with New Hanover County to enforce and remove abandoned vessels in waterways; 5) acknowledgment of departmental quarterly reports for the months of April, May and June, 2024; 6) approval of commemorative bench sponsorship requests; and 7) adoption of Resolution (2024) 2339 declaring lifeguard stands surplus and authorizing the sale on GovDeals.

PRESENTATIONS – *None.*

PUBLIC HEARING--*None.*

CONSIDER A CAMA WAIVER FOR AN ENCROACHMENT INTO THE 15-FOOT RIPARIAN CORRIDOR SETBACKS AT 501 N LUMINA AVENUE

Wilson stated that the owner of property at 501 North Lumina Avenue was requesting that the Town sign a CAMA 15-Foot riparian corridor setback waiver so that a new proposed boat lift could be added to the south side of the property. Wilson stated that the proposed boat lift at the southern side would be within their property lines extended and that the Town is the adjacent riparian owner given that West Augusta Street extends to the water. Wilson said that in order for the Town to sign off on this 15-foot waiver, the request would require Board approval. In response to questions from Dull and Miller, Mills noted that the Board's policy on such requests had been that if navigation is not impeded and the neighboring property owners do not object, the requests had traditionally been approved. Upon motion by Miller, seconded by Partin and carried unanimously, the Board approved the waiver request.

CONSIDER AUTHORIZING THE ACTING TOWN MANAGER TO EXECUTE NEW HANOVER COUNTY CONTRACT # 25-0144 INTERLOCAL AGREEMENT REGARDING FIRE CODE ENFORCEMENT AND APPROVAL OF BUDGET ORDINANCE (2024) 629-B FUNDING THE AGREEMENT

Acting Fire Chief Holland stated that the Town currently contracted with New Hanover County to provide fire inspections and fire code enforcement within the corporate limits of the Town. The last contract between the Town and New Hanover County was completed in 2008 and an updated agreement needs to be completed. Holland said the Town paid the County $9974.00 for these services in FY2023-24 and the proposed rate would be increased to $15,000.00 annually. Because the department budgeted $12,500.00 in FY2024-25, a budget adjustment in the amount of $2500.00 would be needed. In response to a question from Mills, Holland stated that contracting with the County for these services was the best option for the Town. Upon motion by Partin, seconded by Miller and carried unanimously, the Board authorized the execution of the contract and approved Budget Ordinance (2024) 629-B.

CONSIDER ADOPTION OF RESOLUTION (2024) 2337 SUPPORTING AN STBGP-DA APPLICATION TO BE SUBMITTED IN THE AMOUNT OF $505,153 AND COMMITTING TO THE REQUIRED 20% LOCAL MATCHING FUNDS IN THE AMOUNT OF $101,030 FOR THE DESIGN AND CONSTRUCTION OF A TEN-FOOT MULTI-USE PATH CONNECTING CAUSEWAY DRIVE AND W. SALISBURY STREET

Ryan explained that the Resolution was in response to a call put out by the WMPO for projects for funding under the Surface Transportation Block Grant Program. In response to a question from Mills, Ryan explained in detail aspects of the project which would amount to .33 of a mile. The grant would cover all costs of the project including planning, engineering design and construction management. In response to a question from the Board, Ryan stated that the application was due to be submitted on 9/13. Upon motion by Dull, seconded by Partin and carried unanimously, the Board approved Resolution (2024) 2337.

CONSIDER ADOPTION OF RESOLUTION (2024) 2338 SUPPORTING AN STBGP-DA APPLICATION TO BE SUBMITTED IN THE AMOUNT OF $222,138 AND COMMITTING TO THE REQUIRED 20% LOCAL MATCHING FUNDS IN THE AMOUNT OF $44,427 FOR THE DESIGN AND CONSTRUCTION OF A FOUR-FOOT SIDEWALK EXTENDING FROM LIVE OAK DRIVE TO ISLAND DRIVE

Upon motion by Mills, seconded by Partin and carried unanimously, the Board approved Resolution (20024) 2338.

CONSIDER BID AWARD OPTIONS FOR THE PARKS & RECREATION TRUST FUND GRANT PROJECT (PICKLEBALL COURTS, COURT LIGHTING, ADJACENT MULTIUSE PATH) ALONG WITH BID ALTERNATES AND CONSIDER ADOPTION OF BUDGET AMENDMENTS FUNDING THE ALTERNATIVES

Ryan stated that on July 17, three bids were received for the Parks and Recreation Trust Fund Grant project (pickleball courts, court lighting, adjacent multiuse path) along with bid alternates for paving the park parking lot, the Town Hall/Recreation Center parking lot, and resurfacing the basketball court and tennis backwall. Ryan stated that Cape Fear Engineering recommended awarding the base bid project and alternates 1, 2, 3, and 4 to Timeless Properties and that staff concurred with the recommendation. Ryan explained that if the projects were approved, budget amendments would be necessary as follows: 1) Parks and Recreation Trust Fund Project and Alt #4 $161,034; 2) Bid Alternate #1 Basketball Court and Practice Wall Resurfacing $26,000; 3) Bid Alternate #2 Park Parking Lot $422,701; and 4) Bid Alternate #3 Town Hall/Rec Center Parking Lot $449,986. Upon motion by Partin, seconded by DeGroote and carried unanimously, the Board approved the bids from Timeless Properties. Upon motion by Partin, seconded by DeGroote and carried unanimously, the Board approved Budget Ordinances (2024) 630-B, 631-B, 632-B, and 633-B.

OTHER ITEMS AND REPORTS

A. **Alderman DeGroote:** 1) noted that residents and property owners had asked that, in light of the recent fatal traffic accident near the intersection of Waynick Blvd. and Sunset Ave., the Town ask NCDOT to investigate methods to improve safety at this location; and 2) noted that Matthew Roberts had applied to fill a vacancy on the Marketing Advisory Committee. Upon motion by Miller, seconded by Mills and carried unanimously, the Board appointed Roberts to the MAC to a term ending June, 2026.
B. **Alderman Partin:** stated that the Wilmington Airport Director would be making a presentation at the next Tourism Development Authority meeting.
C. **Alderman Dull:** noted that the Town and CFPUA had received approval of the Local Government Commission of the merger agreement, thereby providing final approval of the agreement.
D. **Mayor Pro Tem Miller**: stated that he had been in contact with the Director of the MPO regarding the Waynick/Sunset intersection.
E. **Mayor Mills:** stated that he had received a call from Congressman Rouzer who had offered assistance in the event that the beach had received any damage from the recent Tropical Storm Debby.
F. **Acting Town Manager Wilson**: received consensus from the Board for approval of a filming event which involved a partial lane closure on Sept. 23-24, which are weekdays.
G. **Town Attorney Edes:** nothing to report.
H. **Town Clerk Heater:** nothing to report.

CLOSED SESSION TO CONSULT WITH AN ATTORNEY EMPLOYED OR RETAINED BY THE PUBLIC BODY IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE AS

PROVIDED UNDER NCGS 143-318.11(A)(3) AND TO CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER, FITNESS, CONDITIONS OF APPOINTMENT, OR CONDITIONS OF INITIAL EMPLOYMENT OF AN INDIVIDUAL PUBLIC OFFICER AS AUTHORIZED BY NCGS 143-318.11(A)(6)

At 6:26pm Miller made a motion to enter into closed session for the purpose of consulting with an attorney as provided under NCGS 143-318.11(A)(3) and to consider a personnel matter as authorized by NCGS 143-318.11(A)(6). The motion was seconded by Partin and carried unanimously.

Upon motion by Miller, seconded by Partin and carried unanimously, the Board returned to open session at 7:03pm, with no action being taken as a result of the closed session.

There being no further business, the meeting was adjourned at 7:03pm.

Respectfully submitted,

Lance G. Heater, Town Clerk