BOARD OF ALDERMEN MINUTES

SEPTEMBER 12, 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 invocation was provided by David Haley, Associate Minister, 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	Brian Murray, Finance Officer
Vivian (Zeke) Partin, Alderman	Katie Ryan, Recreation Programs Supervisor
	Matt Holland, Acting Fire Chief
	Jason Bishop, Acting Police Chief
	Robert O'Quinn, Town Planner

Upon motion by Miller, seconded by Partin and carried unanimously, the Board approved an amendment to the order of items in the printed agenda.

CONSIDER APPROVAL OF AN EMPLOYMENT AGREEMENT FOR THE NEW TOWN MANAGER AND ANNOUNCEMENT OF THE APPOINTMENT

Mills stated that the Town had been in the process of recruiting and hiring a new Town Manager for approximately 8 months. Mills expressed, on behalf of the Board, his gratitude for the excellent job that had been done by Acting Town Manager Wilson. Mills stated that the Board had engaged the services of Developmental Associates to assist in the selection process, and that after an extremely competitive process, the Board was prepared to approve an employment agreement with Haynes Brigman to be the new Town Manager, effective October 7, 2024. Upon motion by Miller, seconded by Partin and carried unanimously, the Board approved the Employment Agreement. Mills introduced Haynes Brigman, who introduced himself and thanked the Board for the opportunity to serve the Town.

PRESENTATION

The Board recognized the Wrightsville Beach Ocean Rescue Team for their 4th consecutive first place finish in the South Atlantic Lifesaving Association Regional Championships held in Myrtle Beach, SC and their 3rd place finish in their division in the US Lifesaving Association National Championships held in South Padre Island, TX. Acting Fire Chief Holland stated that the purpose of the competitions were: 1) to sustain and uplift employee morale; 2) to stimulate personal interest in rescue skill training; and 3) to acquaint the general public with water safety procedures and skills used daily by professional lifeguards to advance public safety at the beach. The Board expressed their appreciation to the Ocean Rescue Team for their service to the community.

PUBLIC COMMENTS

Mike Edmonds, 601 N. Channel Dr., thanked the Board for the allowance of residential hang tag parking on Jack Parker Blvd. and asked that such parking be allowed on the west end of Salisbury Street during the week (non-holiday times), stating that there were plenty of available spaces on weekdays and that this would be a benefit for residents which would not cause a significant loss of revenue for the Town.

Sue Bullock reported on Chamber of Commerce activities during the year, noting that the Visitor Center was open and staffed 7 days per week from 10-3, with 5 days per week funded by TDA funds and 2 days funded by the Chamber. Bullock also described the process of development of a tourism master plan that was ongoing and would include a survey of area residents.

Neal Briggi, 4 W. Henderson St., summarized research he had conducted regarding the use of the robotic "BeBot" machine for beach cleaning, for which special event permits were included on the Consent Agenda. Briggi questioned the proposed use of the machine, stating that there was insufficient research on the possible negative effects of its use and the claimed benefits of its use. Briggi urged the Board to obtain answers to the questions he had raised prior to approving the special event permit requests.

Janice McCarthy, of the WB Sea Turtle Project, also questioned the use of the BeBot machine due to the reasons cited by Briggi as well as the possible unknown effects on sea turtle and bird nesting.

Susan Royder, of the WB Sea Turtle Project, spoke against the use of the BeBot machine for the reasons noted by Briggi and McCarthy and also noted that the machine was noisy and collected more shells than trash.

Tom Conley, 716 S. Lumina, stated that a sailboat had been moored in the middle of Banks Channel for approximately 6 months, with no lighting. Conley said that this constituted a danger to nighttime boating. Conley also suggested lowering the speed limit at the end of Waynick Ave. due to safety concerns.

CONSENT AGENDA

Upon motion by Miller, seconded by Partin and carried unanimously, the Consent Agenda, with the exception of Item c, was approved. It consisted of the following: 1) approval of the open and closed session minutes of the 8-2-24 and 8-5-24 special called meetings and the 8-8-24 regular meeting; 2) approval of recurring special events as recommended by the Parks & Recreation Advisory Committee; 3) acknowledgment of previously-approved special events for October; 4) acceptance of a grant from United Community Bank for the Fire Department and approval of Budget Ordinance (2024) 634-B appropriating funds for the purchase of rescue tubes; 5) approval of Tourism Development Authority funding requests and Budget Ordinance (2024) 635-B; 6) approval of Resolution (2024) 2341 designating New Hanover County as the direct payor for shares of local funding for coastal storm damage reduction maintenance projects; 7) approval of a lease agreement with Shore Acres Company for access to and operation of Well Number 8; 8) approval of a lease agreement with Sprout Yoga & Art for Kids; 9) approval of an agreement with E&V Communications for interim public information services; and 10) approval of the Application to Sell for the 2025 Town of Wrightsville Beach Farmers' Market.

Regarding Item c, approval of special event permit applications for monthly beach sweeps from October 2024 through April 2025 with Keep New Hanover Beautiful's Bebot beach cleaning robot, as recommended by the Parks & Recreation Advisory Committee, the consensus of the Board was that the request be deferred pending further discussions with the Town regarding the concerns which had been expressed at the meeting and by others regarding the use of the machine.

PRESENTATION

The Board heard a presentation regarding the NCClass Investment Pool and considered approval of Resolution (2024) 2340 authorizing the establishment of the account and authorizing the Finance Officer to make periodic deposits into the account. Murray stated that the Town currently had two investment vehicles – a laddered bond portfolio with First Citizens Bank with a value of approximately $16 million, and a portfolio with North Carolina Capital Management Trust (NCCMT) with a value of approximately $30 million. Murray said NCCLASS is an investment pool created for North Carolina units of local government. Pooled funds are invested only in instruments that approved by NC General Statutes. Murray further noted that the NCCLASS portfolio has generally been outperforming the NCCMT portfolio by about 20 basis points, and has a management fee of about 5 basis points less than NCCMT. Adding a .25% yield would equate to an additional about $2,500 in interest earnings per million dollars invested. Justin Wycoff, of Public Trust Advisors, made a presentation to the Board of the features of the investment pool and responded to questions from the Board. The Board took the matter under advisement and took no action on the Resolution.

PUBLIC HEARING

The Board considered conducting a public hearing and approval of Ordinance (2024) 1861 amending Section 155.7.10 Fences and Walls, of the Town Code. O'Quinn stated that this was a staff-initiated text amendment to Section 155.7.10, Fences and Walls. O'Quinn stated that prior to the 2012 ordinance update, commercial fences were permitted to reach a height of eight feet, serving as a critical buffer between commercial and residential districts. In areas where commercial properties operate continuously, such as hotels, the additional fence height helped minimize noise and disturbances for nearby residents. During the review of the 2012 ordinance revision, staff noted that the maximum allowable height for commercial fences was reduced from eight feet to six feet. This change has prompted discussions regarding its impact on buffering capabilities and noise containment between commercial and residential areas. Additionally, businesses have raised concerns about the decreased effectiveness of their perimeter fences as sound barriers and privacy screens O'Quinn reported that at the July 9, 2024 Planning Board meeting, the board proposed giving adjacent homeowners the option to install an eight-foot-high fence along the property line of a commercial property, allowing homeowners to initiate additional screening if the commercial owner does not. In response to a question from Dull, O'Quinn stated that there were no design standards applied to commercial district fencing, however, he planned to bring that issue to the Planning Board in the future.

The Mayor declared the public hearing open at 6:37pm. There being no persons present who wished to speak on the matter, the Mayor declared the public hearing closed.

Upon motion by Partin, seconded by Dull and unanimous vote, Ordinance (2024) 1861 was adopted, along with the statement of consistency.

CONSIDER APPROVAL OF THE TRANSFER OF WATER AND SEWER RESERVE FUNDS TO THE CAPE FEAR PUBLIC UTILITY AUTHORITY, AS OUTLINED IN THE UTILITY CONSOLIDATION AGREEMENT, THROUGH APPROVAL OF BUDGET ORDINANCE (2024) 636-B

Murray stated that the request was to transfer a total of $3,447,000 to the CFPUA in order to fund projects during the transition period prior to actual transfer of the system, which is scheduled to occur in September 2025. Murray noted that the funds transfer was included in the merger agreement with the CFPUA. All funds transferred are to be used for the Town's system and would be separately accounted for by the CFPUA. Upon motion by Miller, seconded by DeGroote and carried unanimously, Budget Ordinance (2024) 636-B was adopted.

OTHER ITEMS AND REPORTS

A. **Alderman DeGroote:** 1) congratulated Haynes Brigman on his appointment; 2) congratulated Ocean Rescue for their achievements; 3) concurred with the comments from Tom Conley regarding the unlighted sailboat; and 4) noted issues with congestion at the State boat ramp and a proposal to add floating docks.
B. **Alderman Partin:** 1) stated that 9/17/24 marked the 237th anniversary of the drafting of the U.S. Constitution and that, on behalf of the Mayor, she would be attending a celebration held

by the Daughters of the American Revolution and presenting a proclamation; 2) congratulated Haynes Brigman; 3) attended the TDA Board meeting on 8/28 and reported that ROT collections were up 5.6% over the previous year; 4) the TDA Board would be developing a 10-year tourism master plan, with an input session to be held the week of 9/16, which she would be attending; and 5) noted the 9/11 remembrance event held at the Public Safety Building.

C. **Alderman Dull:** 1) stated that the Board wanted to create a culture of excellence in the Town and the hiring of Brigman was in line with that mission; and 2) asked Wilson, Fay and Murray for an update on the CFPUA merger, in which Wilson noted that a committee would be formed to facilitate the transition; Fay noted that he had been having weekly meetings with the CFPUA operations manager, Matt Tribbett, with regard to transition issues; Murray detailed his work with CFPUA regarding billing issues.
D. **Mayor Pro Tem Miller**: 1) stated that the MPO would be moving into their new facility soon; 2) noted that there was opposition to the proposed Eastwood Road flyover project at Military Cutoff and asked anyone who was similarly opposed to submit emails to NCDOT; 3) noted the Bridge Replacement Committee was scheduled to meet the following week; 4) stated that Trillium had agreed to provide a new handicap swing for the WB Park in 2025 and that the proposal would be reviewed by the P&R Advisory Committee; and 5) expressed appreciation to Town staff and Wilson in particular for their efforts during the Town Manager transition process.
E. **Town Attorney Edes:** welcomed Brigman as new Town Manager and expressed appreciation to Wilson.
F. **Town Clerk Heater:** nothing to report.
G. **Acting Town Manager Wilson:** expressed appreciation to the Board and staff for their support in his role as Acting Town Manager.
H. **Mayor Mills:** 1) expressed appreciation to Wilson and welcomed Brigman; 2) noted pending legislation regarding Mason's Inlet which was being supported by the lobbyist working with the Port, Waterway and Beach Commission; and 3) responded to Mike Edmonds' request under public comments, noting that the expansion of residential hang tag parking could be an issue with regard to the agreement between the Corps of Engineers and the Town regarding beach nourishment in that the agreement required that a certain number of parking spaces be made available for public parking at all times.

Upon motion by Miller, seconded by DeGroote and carried unanimously, the Board rescheduled its October Board meeting to October 9, beginning at 5:30pm.

There being no further business, the meeting was adjourned at 7:07pm.

Respectfully submitted,

Lance G. Heater, Town Clerk