

BOARD OF ALDERMEN MINUTES

DECEMBER 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 Julia Hayes, Assoc. Pastor, Wrightsville United Methodist Church. The following were present:

Board of Aldermen

F. Darryl Mills, Mayor
Hank Miller, Mayor Pro-tem
Jeff DeGroote, Alderman
Ken Dull, Alderman
Vivian (Zeke) Partin, Alderman

Staff

Haynes Brigman, Town Manager
Lance G. Heater, Town Clerk
Brian Edes, Town Attorney
Brian Murray, Finance Officer
Bill Fay, Director of Public Works
Matt Holland, Acting Fire Chief
Jason Bishop, Acting Chief of Police

PUBLIC COMMENTS

Elizabeth Wilson spoke in favor of changing the Town's ordinances regarding the allowance of dogs on the beach to include a provision which would allow dogs to be on the beach from April 1 - September 30 excluding the period of 9:00am to 6:00pm.

Bobby Brandon also spoke in favor of the allowance of dogs on the beach during the aforementioned time period, stating that much had changed since the original ordinance was written in 1978.

Matthew Roberts, stating that he was speaking on behalf of small business owners and boat captains, spoke in favor of the creation of a marine operators' advisory board in cooperation with the Chamber of Commerce.

Lisa Weeks, 408 N. Channel Drive, also spoke in favor of the allowance of dogs on the beach during the summer months and advocated the creation of an ad hoc committee to review the issue.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, the Board agreed to pull Item 5B, a special event modification request for the WB Board Riders Mid Atlantic Surf Contest. Upon motion by Miller, seconded by Dull and carried unanimously, the Board agreed to add December 15 as an optional date for the event.

Also prior to consideration of the Consent Agenda, the Board agreed to pull Item 5D, 2025 Meeting Schedules. Upon motion by Dull, seconded by Partin, the Board approved the 2025 Meeting Schedule with an amendment to change the February Board of Aldermen Meeting to February 20, 2025.

Upon motion by Miller, seconded by Partin and carried unanimously, the Board approved the remainder of the Consent Agenda. It consisted of 1): approval of the open and closed session minutes of the 11/14/24 meeting; 2) acknowledgement of previously-approved special events for January; 3) approval of the 2025 Holiday Schedule; 4) adoption of Resolution (2024) 2342 prohibiting the viewing of pornography on Town networks or devices; and 5) approval of Budget Ordinance (2024) 641-B funding the purchase of office equipment for the Town Manager.

PRESENTATION

The Board heard a presentation on the Town's FY22-23 Audit Report. Elsa Swanson, Senior Audit Manager of Martin Starnes & Associates, was present to make the report to the Board. Swanson noted: 1) the Town had received an unmodified opinion on the audit, which is a "clean" opinion and expressed appreciation to Finance Director Murray for his work; 2) ad valorem tax revenues were \$3.5 million with a collection rate of 99.87%; 3) General Fund balance was \$29.5 million, with an available balance of \$28.1 million, an increase of \$4.5 million over the previous year; 4) available fund balance as a percent of expenditures and transfers out was 185%; 5) top 3 expenditures for the General Fund were public safety (54%), environmental protection (12%) and general government (21%); 6) regarding the Water and Sewer Fund, there was a performance indicator that was noted with regard to the remaining useful life of assets, which was at 31% whereas the Local Government Commission prefers this be kept above 50%, however, Swanson noted that the Town had been proactive and had instituted corrective action in Fiscal Year 24/25; and 7) this was the second year in the last 5 years that there was no financial finding for the Town in the audit report.

PUBLIC HEARINGS

CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE (2024) 1862 AMENDING SECTIONS 155.6.4 AND 155.2.10 OF THE TOWN'S CODE OF ORDINANCES IN ORDER TO ADD CHURCH MEMORIAL GARDENS AND COLUMBARIUMS AS ALLOWABLE USES SUBJECT TO THE ISSUANCE OF A SPECIAL USE PERMIT

Town Planner Robert O'Quinn stated that the proposed text amendment was brought to staff by the applicant, Wrightsville United Methodist Church. O'Quinn stated that this addressed a community preference for cremation and memorial spaces at places of worship. O'Quinn stated that the text amendment did 3 things: 1) added 2 definitions; 2) changed the table of uses and 3) added a section under Chapter 155. O'Quinn reviewed the proposed ordinance in detail and reported: 1) in other localities such provisions were contained in cemetery or graveyard ordinances; and 2) this would allow for a columbarium to be constructed as a wall, which would be in congruence with heights for fences. O'Quinn noted that the request included the Statement of Consistency as follows: 1) the management goal of promoting the appropriate balance between private property rights, economic development, environmental protection and community cohesiveness; 2) the planning objective of policies that promote an attractive community, a high quality of life, and a unique sense of place while mitigating risks to public health, safety and welfare; and 3) that the Town encourages the improvement, preservation and enhancement of the Town's neighborhoods.

David Ray, attorney for the applicant, stated that there were a number of examples of memorial gardens and columbariums in the local area, although it is a new concept for Wrightsville Beach. Wray reviewed the specific considerations that were taken into account in making the text amendment request: 1) that it apply to a number of districts so that other churches could take advantage of the provision; 2) that they be required to be on the same lot as the church; and 3) that they be allowed to be in the side setbacks (not in the front setback).

At this point, Partin left the meeting to attend another engagement.

Jan Turpin, representing the applicant, presented information on the increasing use of cremation and stated that it was desirable to be able to bury or inter cremated remains on the grounds of the church. Turpin presented photographs of Wilmington-area memorial gardens and columbariums located adjacent to churches, some of which would be representative of what will be proposed when the special use permit is presented to the Board for approval, should the text amendment be approved.

The Mayor declared the public hearing open at 6:28pm. There being no persons present who wished to speak, the Mayor declared the public hearing closed at 6:28pm.

Upon motion by Miller, seconded by Mills and carried 4-0 (Partin having left the meeting), the Ordinance was adopted.

CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE (2024) 1863 AMENDING SECTION 131.04 OF THE CODE OF ORDINANCES IN ORDER TO CLARIFY EXISTING RESTRICTIONS ON CAMPING AND THE USE OF TEMPORARY SHELTERS ON TOWN PROPERTY

O’Quinn stated that the purpose of this text amendment was to reinforce the town’s regulations on camping and the use of temporary shelters within the corporate limits, especially on beaches and sand dunes. O’Quinn said the amendment defines “camping” and “temporary shelter” more clearly and introduces specific restrictions on overnight use of these public spaces. By establishing time-based limits, the ordinance aims to balance public use with the need to maintain safety and order, preserving town property for intended recreational activities.

The Mayor declared the public hearing open at 6:36pm.

Jeff Turpin asked several questions regarding the ordinance, which were responded to by the Board and O’Quinn, specifically relating to persons camping under the drawbridge and the use of campers on Town streets.

There being no other persons who wished to comment, the Mayor declared the public hearing closed at 6:39pm.

Upon motion by Dull, seconded by Miller and carried 4-0, the Ordinance was adopted.

CONSIDER AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT EXTENSION WITH E&V STRATEGIC COMMUNICATIONS FOR STRATEGIC COMMUNICATIONS PLANNING

Town Manager Brigman stated that the proposal was an extension of the current agreement between the Town and E&V which would be effective until 4/30/25, noting that he hoped to hire a Communications Manager position by the end of February and that the contract extension would allow for a transition of communications functions from E&V to the Town’s new position. Upon motion by Miller, seconded by Mills and carried 4-0, the contract was authorized.

CONSIDER APPROVAL OF BUDGET ORDINANCE (2024) 640-B AMENDING THE TOWN’S PERMANENT POSITION CHART IN ORDER TO REFLECT CHANGES IN FIRE DEPARTMENT

Acting Fire Chief Holland stated that Ocean Rescue Director Dave Baker was in the process of retiring. Holland stated that the current pay plan did not include an Ocean Rescue Captain and that the Town has been utilizing a person in this position and it had worked well. Holland stated that adding the position to the pay plan would increase the clarity and responsibility of this position and that a pay grade adjustment for the Ocean Rescue Director / Fire Captain position would better align the department with surrounding agencies for pay and allow for future growth in the position. DeGroote spoke in favor of the change. Upon motion by DeGroote, seconded by Mills and carried 4-0, the Budget Ordinance was approved.

CONSIDER APPROVAL OF BUDGET ORDINANCE (2024) 639-B FUNDING PLAYGROUND UPGRADES

Public Works Director Fay stated that the Liberty Swing was a requirement of the Trillium playground grant received in 2016. The swing has since been removed from service due to safety concerns and an inability to source replacement parts. Fay stated the Town had worked with Playworld to provide a plan to replace the Liberty Swing with an inclusive “Accessible Whirl.”

Under that plan, Trillium will provide \$58,353.52 to fund the replacement. This includes the removal of the Liberty Swing, associated fencing, and for the design and installation changes required to add the new Accessible Whirl. Fay stated that, concurrently the Town would have the remaining playground surfacing patched and sealed, while taking advantage of the resurfacing to conduct preventative maintenance and warranty work. Five bike racks will also be purchased. This will be an additional \$60,682.44. Upon motion by Miller, seconded by DeGroote and carried 4-0, the Budget Ordinance was approved.

CONSIDER APPROVAL OF THE FY24-25 BUDGET CALENDAR

Brigman noted that the proposed calendar had been developed by Murray and himself and that there were several special called meetings that could be scheduled at a later date. Upon motion by Miller, seconded by Mills and carried 4-0, the Budget Calendar was approved.

OTHER ITEMS AND REPORTS

- A. **Town Manager Brigman:** no report.
- B. **Town Attorney Edes:** no report.
- C. **Alderman DeGroote:** reported that there were numerous non-functioning cables dangling from power poles all over the island and suggested an effort be made to get them cleaned up.
- D. **Alderman Dull:** expressed appreciation to Town staff for their work during the year.
- E. **Mayor Pro Tem Miller:** also expressed appreciation to the staff and clarified that the Board had no intention of eliminating lifeguard parking, as had been erroneously reported in the media.
- F. **Mayor Mills:** reported that the exemption for the use of Masonboro Inlet as a borrow site for beach nourishment had been signed into law by the President.
- G. **Town Clerk Heater:** reminded the Board that applications were being taken for various boards and committees for appointment at the Board's January meeting.

There being no further business, the meeting was adjourned at 7:11pm.

Respectfully submitted,

Lance G. Heater, Town Clerk