

MINUTES
BOARD OF ALDERMEN
RETREAT
FEBRUARY 23, 2021

Mayor Mills called the Retreat to order at 8:30 a.m. in the Town Hall Conference Room, 321 Causeway Drive, Wrightsville Beach, North Carolina.

Attendance: Mayor Darryl Mills, Mayor Pro Tem Hank Miller, Alderman Jeff DeGroot, Alderman Ken Dull, and Alderman Zeke Partin; together with Town Manager Timothy W. Owens, Town Clerk Sylvia J. Holleman, Finance Officer Melissa Norton, Public Works Director Bill Squires, and Police Chief David Squires.

MAYOR MILLS: UPDATES.

1. Abandonment of the water easement on Salisbury Street: The line may not end directly beside where they're asking us to abandon. They're trying to determine the precise location so we're not taking any action now. They will get back to us later.
2. Marathon Special Event: Tom Clifford still does not have a date. He is asking that we give him some flexibility and consideration relative to a later date going into the season. In the past, the Board has not been willing to allow this except in extreme circumstances. Of course, these are extreme circumstances. Again, he doesn't have a date. He will come back with a date." Following a brief discussion regarding participation counts and the circumstances caused by the pandemic, Mayor Mills said, "He's got the City of Wilmington to deal with as well. He just wants some flexibility and patience on our part. If it's okay with the Board, I'll tell him we're still open to a later date." The Board so agreed. Mayor Pro Tem Miller expressed the need to let Mr. Clifford also know if the Board gets to a point where they decide not to permit the event. He said, "We've done that for someone else before so I think we need to do it again."
3. Human Resources Director, Sara Wilson, is leaving us on March 1st. She is in the office today if you'd like to speak with her.
4. Update on Dog Committee: Mr. Owens said, "We are looking into going with the County." Mayor Pro Tem Mills said, "We were supposed to get the attorney to ask New Hanover County about taking it back." Mr. Owens said, "I think he did the research and decided that they can do that function." Mayor Mills asked the Town Manager to handle that and report to the Board in March.

FY20/21 BUDGET UPDATE

Mayor Pro Tem Miller expressed the need to set the budget workshop dates as soon as possible. Mr. Owens said he would send a doodle poll out to the Board.

Finance Director Melissa Norton gave the following overview: "Looking at where we stood as of December 31st, some of our monies lag a little bit. We like to look and see first of all that our revenues are at 50%. Our Room Occupancy Tax is when we spend certain monies and we go back to the TDA and ask to be reimbursed. That is not of concern, we just haven't done anything to get reimbursed yet. The ones in the middle and below, I'm a little bit concerned with but keep in mind that we know

that, as a whole, we are at 75% of our revenue for the fiscal year, largely due to parking based on an increase in fees and people wanting to get back to the beach. Recreation revenues, we're falling short but still plugging away to see what we can get for the next couple of months. We have higher than usual ABC revenues from the sale of the land but the Mixed Drink Revenue is the one that fell behind." When asked, she clarified that that does not include ABC Store revenues because we separate that out. She then continued with her overview: "We knew that the vehicle tax and parking passes and those sorts of things usually happen more towards the spring. The ones that are of particular concern are the penalties and interest. In terms of our interest, we went into last year thinking it was going to be a great year. We are not seeing any interest on any of our monies. So, I think that's happening across the board. Going into next year, we will not have that budgeted. In June, we'll take a look at what's lagging behind and make appropriate adjustments. From the Water & Sewer Fund, there are two departments above the 50% rate. As a whole, the Water and Sewer Fund is at 71.39%. The late penalties are a little bit lagged. We had to remember throughout much of last year not to charge late penalties. Expenditures: we had a couple of things this year that got reimbursed for a certain percentage but this fiscal year, we do not get as much from the federal government. We're going to go back to FEMA to see if we can get some of those monies. General Administration has all of the COVID expenses and hurricane expenses. Many of the other departments will probably come in below where they need to be, but it's not anything that I'm hugely concerned about. Governing Body: I just have to clean up a little bit due to Bill Blair's COBRA. Water & Sewer Funds are at 71.39% of their expenditures currently. Fund Balance Recap does include assets. CIP Balances: we're still strong with those numbers. One thing we talked about last year was about borrowed money. The outstanding loan on the public safety building, we have about \$1.3 million left on that with a roughly \$12,000 prepayment penalty." A brief discussion followed regarding the lowest possible rate we could get. Alderman Dull said, "It might not be a bad idea when we do town hall renovations, to combine the two loans for the rate." Another discussion developed regarding possible alternatives such as paying the public safety building loan off.

Mayor Mills said, "We got an update for parking. We're showing zero on commercial passes as of December 31." Mr. Owens replied, "I haven't asked them what we have for commercial passes. We gave back a lot of the passes because of the pandemic. They usually don't come in until April." Mayor Pro Tem Miller said, "In our March meeting, could you bring something to the Board about approving paying that loan off and maybe more of a report about where we are with Fund Balance – like where we are with doing this building with funds that we have. We got some money from the ABC Board." Mayor Mills said, "I think we're committed to the renovation of this building and paying off debt is a good thing to do. I think that needs to be where our focus is before we start getting pulled off in other directions."

Mrs. Norton continued, "For the end of the fiscal year, there are a couple of things I'm concerned about. We talked about Interest; still keeping an eye on that and trying to see if there's any other way to make more money. We talked about seeing a huge increase in parking revenues. I think, conservatively, it's two and a half million over what we projected last year. ABC revenues: as I mentioned, the mixed drink is the only thing that is really low. COVID impacts: some of the lines are a little bit higher

due to COVID impacts. We are cleaning more and maintaining safety and that's driving up the cost a bit. I think everything else is right on track."

DISCUSSION AND DIRECTION ON EMPLOYEE MERIT RAISES FOR THE FY20/21 BUDGET YEAR AND CONSIDERATION OF A COVID BONUS.

Mr. Owens said, "Each year, we try to budget something for Merit and COLA. This year we did 3%; 1.5% COLA was activated with the first payroll in July. That still leaves 1.5% for Merit. I would like to consider ramping that up to 2%; it just makes it a little easier but we do have the 1.5% budgeted. We generally budget that at the beginning of the year and do evaluations for all employees and try to implement by the first or second payroll in April. At this point, what I propose is the 1.5% and it would just be a regular Merit situation and not a Bonus. I've also given you something for a COVID Bonus. The Mayor and I sort of talked about that – something for employees working on the frontlines who try to keep everybody safe as well as themselves safe. It would be a one-time bonus. We did it quarterly based on when you were here, so if you weren't here full time, you didn't get the full amount. I would propose \$500 for employees, \$600 for supervisors, and \$700 for department heads. We're still dealing with the impacts of COVID but we've sort of learned along the way to deal with it; but early on it was pretty stressful."

Mayor Mills said, "Tim, Hank and I talked about this." Mayor Pro Tem Miller said, "I've actually spoken to everybody about the COVID Bonus." Mayor Mills said, "So, we're all onboard with that?" Mayor Pro Tem Miller then made the motion to approve the COVID Bonus as presented by the Manager. The motion was seconded by Mayor Mills and unanimously approved.

Mayor Mills asked if there was any discussion on the Merit increase. He said, "Tim's got 1.5% in here but he said he would like to go to 2%." Mr. Owens said, "Basically, each department would have 2% of their salaries allocated for Merit. Somebody might get 2.5% or 3% if they're really good and somebody might get 1.5% or 1% if they're not doing so good." Public Works Director Bill Squires said, "Something to keep in mind, too, is that employees must have completed one full year and that will knock a lot of people out." Alderman Dull said, "I'm all about rewarding people for hard work. We just heard the report that we're in great shape but we're not out of the pandemic yet. We have issues like beach re-nourishment so I'm just asking if now is the time to do that. Once you set the precedent at 2%, I think we're kind of at that number – you raise the bar, then you're at that bar; you don't ever go back. I'm just giving you some pros and cons." Alderman Partin said, "I would comment that we need to continue to elevate salaries of our employees to a point so we can attract qualified employees. I don't know if we've had comparisons to other towns our size or if we're at a good level but we have had a couple of people to resign recently in your administration staff." Mr. Owens said, "We see it mostly in the lower levels like in Buck's department and the Police. I think you guys did right by the Police, they're elevated now. Buck still has some issues recruiting. Quite frankly, the department heads, too, are lower in salary." Alderman Dull said, "I think it's more important to make sure we get the salary right for that person that we hire than it is to try to broad brush. I'm not throwing cold water on this necessarily, I'm just saying we're going to do a cost of living so we dealt with inflation. We're also going to give a COVID Bonus;

then they're probably going to get a Merit raise. We have consistently done 1.5%." Alderman Partin said, "It's not to say you can't get 3%. You're just getting a lump sum of money." Alderman Dull said it was more of a philosophical thing. Mayor Mills said, "If we go to 2%, then in the future, if you don't go to 2%, then they're going to look at it as a slap in the face." Mayor Pro Tem Miller said, "I normally would be in step with you on the 1.5% but we've had a good year, we're talking about paying off the loan. We've got a sand problem but we're going to have a sand problem forever. But it's imperative that everybody in here remembers next budget season that we looked at some good numbers and we went to 2% instead of 1.5%, including the people that we're talking about. Next year, if things aren't as rosy and we put in 1.5%, we may go to 1%." Alderman Dull said, "I'm just talking about the flip side. I think putting it on the record as basically saying that this doesn't set precedent; this is a year-by-year analysis." Alderman Partin noted that if somebody is performing below expectation, they don't get anything. Alderman Dull said, "I think the whole staff and everybody should benefit when we have a good year." He then made the motion to do a pool of 2%. The motion was seconded by Mayor Pro Tem Miller and unanimously approved. Mayor Pro Tem Miller said, "The whole point of the discussion is to get the discussion on record for the next Board sitting here next year." Mr. Owens thanked the Board.

UPDATE BY PUBLIC WORKS ON STORM WATER PROJECTS.

Public Works Director Bill Squires said, "This is basically just an overview of storm water permits and our NPDES MS-4 five-year storm water permit. They currently don't offer a general permit option. Our permit expires in 2023 and we've been notified that we're going to undergo an audit in the year 2022." Mr. Squires reviewed some of the primary components of the storm water permit system that we're required to do like public education, outreach, involvement and participation. He noted that there are some things the Town does already. He said, "You all are familiar with these projects that I'm going to show you. This is the Withers/Ravenel portion of it. This is Arrindale Street – at the end of the street, the water pools at the apron. There are no storm drains on this side. What we're trying to do is regrade that to get the water to flow over here to our storm drains. An offshoot of this might be that we send some of that water this way down the gutter. There was some discussion about the space up here for paid parking and paving this area. Right now, it's just dirt. This is North Channel: these are just options that they've come up with. They've come up with an under-drain which is basically perforated pipe that ties into the existing storm drains. That would include pervious pavement on top so water can get down in it." Alderman Dull noted that drainable concrete does not work at the beach. Mr. Squires said, "Remember, high tide saturates the ground." Mr. Owens said, "Basically, the engineer proposed two separate areas where it floods more than other areas. This is a bigger project if we want to get into it. At this point, we're going to try to fix the two big areas and if we want to go further, here's the further." Mayor Pro Tem Miller said, "I'd rather fix it right. If we're going to do one; let's do it right or don't do any." When Mr. Owens said we would fix those two areas and there would still be flooding on that street, Mayor Pro Tem Miller said he understood that but we need to tell people that. Mr. Squires said, "And they need to know what what's entailed in fixing it right. It means taking everything out of that right of way." Mayor Pro Tem Miller said, "But they need to be part of the process so they buy into what we do." Mr. Squires said, "The hardest part is that there's really not a fix. Even if you do the best, you're this much

above tide. All of this will be determined at a Board meeting where you all vote on it and give us direction.” Mayor Pro Tem Miller said, “I understand but we’ve got to communicate it past the Board meeting. If you have to send out a flyer to the people on North Channel and say here comes the Board meeting and here’s what we’re doing.” Mr. Squires said, “The problem you’re going to have with North Channel is if you remove some trees or landscaping in one area and don’t do it in all of them, you’re going to have a feud. There’s another thing you can do along with this and that’s reinforce your ordinance about what can go in the right of way.” Mayor Pro Tem Miller said if Tony Wilson took the next year and went to every street in this town and wrote it down; if people know what ordinance they’re breaking and what they’re not, it could be the best thing we ever did at Wrightsville Beach. Mr. Squires continued with his overview: “This is Sweeney. These are the two outfalls and the bulkhead. These pipes are four-foot sections of concrete pipe that join every four feet. They’re leaking. We put the duckbills on; the duckbills seem to hold back the tide but it’s leaking through the bulkhead; it’s leaking into the pipe. What we’re proposing is to replace both of these pipes with an HDPE double-walled plastic pipe in twenty-foot lengths. So there may be one joint in that one section instead of fifteen. Another part of this that we’re working on right now is replacing the bulkheads on Sweeney and Columbia. These people need to know, and they’ve been told over and over again, this is not a hundred percent fix. We can’t fix the tide. Duckbills close the valve so if the tide goes up, no water can get in. Well, no water can get out either. So, this project includes replacing those two pipes, replacing all of these catch basins. This is East Asheville Street. It gets deep. This drain is here now. It’s just a French drain; it doesn’t go anywhere. It just doesn’t work. The problem is, the street doesn’t fall like the rest of the streets out to Lumina where you could drain it. It falls the other way. What we’re proposing to do is to come back here and regrade the street so it all pitches toward the dune. Then, back behind the street end, we’re proposing a rain garden type thing where the water can just dump into the ground. Some of their proposal included planting in that rain garden. I’m kind of against that because that’s something that would have to be maintained all the time. We’ll have to keep digging that out.”

Alderman Dull said, “Buck, at your convenience sometime in the next couple of weeks, could you have somebody go down there and shovel off the sidewalk on East Asheville.” Mr. Squires referenced Southridge where we removed a walkover and said, “That’s something you could think about when these walkovers start failing and we need to replace them; we could go back to the natural type.”

Mr. Squires continued, “This is the other project, just to let you know where we stand with this. March 8th, the bids are due for the Sweeney/Channel Avenue Project. I hope to proceed right after that. This Myrtle Court Project; we’ve already picked the contractor. They’ve signed a contract. We’re waiting to get the signed contract and then issue a Notice to Proceed. That should be starting any time in the next couple of weeks. This is South Harbor Island; it actually starts on Cypress where the easement is. Most of this project is going to be slip-lining – where they pull a liner through the existing pipe. A lot of offset joints; a lot of leaking; but we think we can repair that without digging up the whole road. There are some sections that they are going to dig and replace. There are some areas that have catch basins with water mains going right through the catch basin. The other component to it is the paving when we’re done. That street has always been a problem with potholes. So, that’s where we are.

Mayor Mills asked about the status of the sink holes on Bahama. Mr. Squires replied, “We camera-ed that and we don’t see any structural deficiencies. Since Florence, there’s a lot of undulation. You see it on Causeway; you see it on Salisbury. I notice it on Parmele every day. It’s getting worse. We’re sitting on a soaked sponge with all the rain we’ve been getting.”

Mayor Pro Tem Miller asked for an update on the new bathrooms. Mr. Squires said, “The rain has been killing them. They have a deadline to meet.” Mr. Owens said he would be meeting with the contractor at eleven thirty and he would get a date then.

DISCUSSION AND OVERVIEW OF THE TOWN ORDINANCES REGARDING BIKES ON THE BEACH.

Police Chief Squires said, “Mr. Owens asked me to come talk to you today about what your options are with respect to whether or not the Town might want to change the ordinance specifically addressing bicycles on the beach. Let’s start with the first premise: There are a lot of people that think riding a traditional human-powered bicycle on the beach is A-Okay – good exercise. I’m sure people that sell bicycles say it’s a great idea. And the Wrightsville Beach Vacationing and Planning Website shows a picture of a person riding a bicycle on the beach. However, it is currently against the ordinance because the ordinance specifically defines a human-powered bicycle as a vehicle and all vehicles are prohibited on the beach. This is a contradiction we may want to address. Section 92.18 in the ordinance says no vehicles defined in Chapter 70 will be permitted on the beach. Chapter 70 defines a vehicle very specifically – a bicycle or a ridden animal; you cannot ride a bicycle on the beach. The signs prohibit vehicles on the beach and many people don’t realize that a human-powered bicycle is a vehicle. We have lots of people right now riding human-powered bicycles on the beach. We’ve had very few complaints. No injuries that I’m aware of. And to be frank, it is not an enforcement priority. We have sponsored, which is legitimate within the ordinance, special event permits for races of fat tire human-powered bicycles. They’ve been a popular attraction and a well-run event. So, really this is kind of a question of the tree falling in the forest – how does it matter? It matters because there’s an emerging trend of electric motor-assisted bicycles. They’re fun to ride; they’re advertised as capable of riding on the sand. They can exceed 20 miles per hour. They are easier for normal people to pedal on the beach. They’re heavier and they can be pretty robust vehicles meant to carry equipment and people on the sand. This is a traditional two-wheel vehicle (power point). This is a three-wheel bicycle and that’s a pretty heavy vehicle. When that runs into a kid by accident, it is more likely to create an injury than a human-powered pedaling bicycle. They do go faster than human-powered bicycles with much less effort and they’re generally heavier. So the current ordinance prohibits both kinds of vehicles – the traditional human-powered bicycle and the e-bicycle. Through a combination of public education, encouragement and enforcement, we could enforce the prohibition on all bicycles but it would require some real public education because it’s not what people currently understand. We could modify the current ordinance to allow human-powered bicycles and continue to prohibit the use of power-assisted bicycles on the beach. That would require a slight change in the ordinance. If we pursue the second option, it’s possible that the only change would be in how we define a vehicle and that we specifically allow for human-powered bicycles to be the

kind of thing we don't call a prohibited vehicle. So you could ride your human-powered bicycle but you couldn't ride your e-powered bicycle. My place right now is to issue your options. If you ask for a recommendation, I'll give it to you and answer any questions." Mayor Pro Tem Miller asked for recommendations. Chief Squires said, "I would recommend that we change the ordinance to specifically allow for human-powered vehicles on the beach. I think that they are very low risk of injury. I think that it would not interfere with an activity that has kind of grown over the years as a fitness and enjoyment activity at the beach similar to throwing a Frisbee. And I think that we should continue to prohibit e-bicycles from operating on the beach. This wouldn't change whether or not they could operate on the city streets – they can. And I think it would involve a little bit of public education to people that sell and rent the e-bicycles." Mayor Pro Tem Miller said, "Mr. Mayor, I would whole-heartedly support the Chief's recommendation." Following a brief discussion regarding the need to prohibit e-bikes, Mayor Mills asked, "What is 'a device used exclusively upon stationary rails'?" Chief Squires replied, "The old trolley. It is an antiquated code that envisions that we have a thing similar to a railroad on the beach." Mayor Mills said, "If we're going to monkey with the ordinance, if that's the way we're headed, we ought to go ahead and remove that language." Chief Squires agreed and said, "We can absolutely eliminate it." Following a brief discussion expressing support for Chief Squires' recommendation, Mayor Pro Tem Miller said, "I would recommend that we go with Option 2 per the Chief's recommendation. However, one of the things I talked about with the Mayor was about holidays. Again, I'm going to defer to the Chief's recommendation because if it becomes a real enforcement issue, do we want to take the holidays out of it or do we care?" Chief Squires said, "I think what you're saying is, do we want to add to the ordinance a prohibition from even human-powered bicycles on the holidays." Mayor Pro Tem Miller said, "That's exactly what I'm saying." Chief Squires said, "I have no problem adding that to the ordinance making it clear that, in general, human-powered bikes are okay on the beach except for – and then insert these dates which are traditional congested holidays. We can add it into our holiday advertisements when the beaches are crowded – no bicycles on the beach." Alderman Dull said, "It almost needs to be from Memorial Day to Labor Day – all holidays and on weekends because it's that crowded on weekends. Or during certain hours." Mayor Pro Tem Miller agreed and said, "Again, I'll defer to the man that has to enforce it." Mr. Owens said, "We will have to come back with a draft ordinance so we can bring back options."

Mayor Pro Tem Miller said, "I one-hundred-and-ten-percent want the Chief to be able to enforce what we come up with. So I think, we're not going to vote on it today, the direction is this – non-motor-powered and look at the holidays and look at the weekends in the summer and just come back and tell us."

DISCUSSION AND CONSIDERATION OF AMENDING THE CURRENT BUSINESS ON THE BEACH ORDINANCE.

Mr. Owens said, "In 2009, we came up with an ordinance that allowed for certain businesses on the beach and allowing hotels to rent chairs and beach equipment. There has been some concern regarding some of the surf camps that have a lot of participants. There are no specific regulations or rules for surf camps or any of these folks as far as setbacks and how far apart they have to be. You could consider the distance between camps or you could consider limiting the number of

participants. You could also have some kind of restriction on the number of permits you issue; you could have a lottery-type system; and any other suggestions you may have to put in the ordinance.”

Mayor Mills expressed the need for the Town Manager and Staff to be more careful in how they prepare memos. He said, “This phrase in here – suggestion to decrease competition – that’s completely inappropriate. When you’re doing these, either talk to the Mayor or the lawyer. That kind of comment carries with it legal implications. I know Alderman DeGroot was the genesis of this and I know that decreasing competition was not at all what he was about.” Mr. Owens said, “That’s not how I meant it either, I’m sorry if it looks that way. It was competition in one area; not competitions throughout the beach.” Mayor Mills said, “It’s not competition – period. It’s congestion. These kinds of comments create issues for us to deal with. I know Jeff had absolutely zero intention relative to decreasing competition. I want to be clear on this; that was not the intent; that’s not what we’re about. And certainly, Alderman DeGroot had nothing to do with that kind of phraseology. As to limiting the number of permits, I don’t want any discussion on that until we’ve had a discussion with Brian (Edes) about it because we could spend thirty minutes battling it around and Brian could come back and say – No, you can’t do what you just decided to do. So, I don’t want to waste people’s time.” Mayor Pro Tem Miller said, “To add to what the Mayor said, the item went from talking about surf schools and surf zones, which is what I understood we were going to talk about, and then it came out that it was discussion and consideration of amending the current businesses on the beach ordinance. Zeke called my attention to it because we were not going to talk about surf zones today. When I read what we sent out, that says a whole different thing to a whole lot of people and that’s out to the whole world.” Alderman Partin said, “Jeff wants all the surfers he can get.” Alderman DeGroot said, “Correct. I got raked over the coals yesterday for what went out. I got about ten to fifteen calls concerning it. It doesn’t look good for me because my name is at the top of this. We’ve been dealing with this issue for about two years now. Surf school zones have become a safety issue. Last summer, we had a bad incident when we were out there. We had about fifteen people out there right in front of our shop in the zone where we’ve always been. Another group that doesn’t necessarily follow the rules came out and then we had thirty people. We almost had one of our kids go to the hospital – that’s how bad it was. I called Tim and got him involved. 99% of all the surf schools that we have operate in a very professional way. They stay in their locations. As a business that doesn’t have a brick and mortar like us, it’s good for their patrons to know where they meet for traffic, safety, etc. In our ordinance, they’re supposed to be 100 yards from instructors that are doing any surf instruction anyway, so obviously, our ordinances aren’t being enforced or need to be revisited. When this was brought up, I think when I was riding with Tim and Shannon on the beach, we thought possibly the Retreat would be a good time to put that up for discussion. I maybe even heard it from another Board member. My email documentation on 12/30, I put ‘Set zones for surf school in Wrightsville Beach.’ And then I said, ‘We went over this last summer.’ This was for Tim; I believe everybody got the email. On February 15th, we got the email that showed the agenda item as ‘Discussion of assigning surf zones for surf schools in Wrightsville Beach.’ Yesterday, I read this. I think this is very ‘slanderish’. I don’t know if defamation is the right word, but none of this was ever presented or intended. My

name is at the top of this and there's a lot of people that are upset with me right now because of this and this was not my intention. I'm very upset. Who actually wrote this?" Mr. Owens replied. "I did. It was not my intent to slander anybody. I apologize for that. That's not what I do. That's not where I wanted to be with this. It was just basically to open discussion on this." He asked Program Supervisor Katie Ryan if she knew of a hundred-yard rule in our ordinance. Ms. Ryan replied, "I haven't seen it." Alderman DeGroot said, "I've got documentation right here where it's highlighted that she sent to me." Mr. Owens said, "That's for surfing zones, I think." Mayor Mills said, "It sounds like to me, this is really in its essence, an enforcement issue. It seems to me it's either going to have to be Police, Ocean Rescue including lifeguards or some combination. And if the lifeguards are going to simply wash their hands of this and not get involved at all, and the Police just do it ad hoc on occasion, then we need to be aware of that and adjust accordingly, or get some rules. I know the Police need specific rules – definite rules. If may be if the Chief, Katie, and Dave Baker can talk about this – and if they come back and say they don't think they can enforce it, then tell us that. I know what Jeff was after. If we are going to enforce, let's decide how to do that." Mayor Mills asked Ms. Ryan to contact the Chief and Dave Baker and see what their thoughts are and then report back to the Board. He said Alderman DeGroot may also want to be a part of that. Ms. Ryan said, "This has always gone very well and kind of self-policing. There has been one recently that has been moving around but there's nothing that said he couldn't – they don't have an assigned location." Mayor Pro Tem Miller said, "A lot of these surf issues came from a committee. A long time ago, we had surfing problems on the beach – problems with lifeguards and swimming and everything else. So, a lot of these rules, if I remember correctly, were brought up by those people. I'm not qualified because I've never been on a surfboard to sit here and talk about surf zones or anything else. Jeff's got a separate issue from the surf zones and he needs a chance to be heard. However, to go back to what the Mayor said – just like the Chief just said, he came in here and said we need to pursue Option 2 because this is what I can enforce. We need to do the same thing with the surfers. We know what the surfing people want because they've already told us. So, whoever does that needs to come in here and tell us what they can enforce and what our ordinances say. And we need to marry the two together in my humble opinion."

Alderman DeGroot said, "This has nothing to do with the surf zones. I think the surf zones are fine. The major problem is we have enforcement of Johnnie Mercer's Pier where a lot of surfers like to get close to the pier. That's just an enforcement issue. This has nothing to do with the surf community; it has nothing to do with surf zones. Surf zones are completely different than surf schools – they just happen to be in a surf zone. Section 92.12 of the Town's Code of Ordinances says, "It is the responsibility of the permit holder to maintain a distance of 100 yards from instructors already engaged in surfing instruction." So, all of these problems would have been solved a long time ago if someone had just enforced that when they see multiple surf schools out there. When we apply for these, we have a location on here. It's very set in stone. 99.9%, including my shop, we stay in our zones. It's a problem when you have other people disobeying their zone. My only recommendation was, if you're a brick and mortar store, your zone should be right behind your shop. These other surf schools have been doing surf lessons longer than I've been in business.

They've stayed in the exact same zone for twelve to twenty years. My whole thing was a safety issue and that's why I brought it to the table. What was put out in public was something completely different. By no means am I trying to restrict the number of participants or permits. This was just trying to get some organization and some safety and some guidelines so we don't run into an issue where we have an eight-year-old that's in the hospital; then one business wants to sue another business – or sue the Town. It's going to become an issue so I was just trying to do something to organize it and get some safety involved with these camps."

Mayor Pro Tem Miller said, "As the Mayor said, part is an enforcement issue that we need to get worked out. I don't know about the different ways it was sent out. We probably should retract it." When asked how many people it went out to, Mr. Owens stated that it was on the Town's website. Alderman Partin said she was disturbed when she saw the agenda because this was restricting people's ability to do business. Alderman DeGroot said, "When I got all those calls, I hadn't even looked at the agenda. Then I read that about decreasing competition and that kind of stuff, I was shocked." Mr. Owens said, "That was certainly not my goal and I apologize. My goal was to come up with regulations to keep everybody away from each other to keep people from getting hurt. If there's a hundred-yard requirement, then we need to enforce that. Now the location where people go, that's something that we don't have in the ordinance right now." Mayor Mills said, "Jeff, do you have a suggestion relative to enforcement other than the one I put on the table?" Alderman DeGroot replied, "No. I say let them get together first, then we'll get together and see what recommendations they come up with." Mayor Pro Tem Miller said, "I think Alderman DeGroot ought to be a part of it like anybody else that does surf zones." Alderman DeGroot said, "That's fine. I just don't want any other public notification going out like this. I've had people hating on me for the past few days for this. This is 'unintended consequences'." Alderman Dull said, "I'd like to make a comment from a forty-thousand-foot view: before anything goes outside these walls, from Aldermen and staff, we need to make sure that we have an opportunity to read those kinds of announcements. Any meetings or agendas for Board meetings of ours, we should see before it hits the public." Mayor Mills said he didn't know how practical that would be.

Mayor Pro Tem Mills said, "How about this. If Tim sends us something that says it's the agenda; if that's going to change, somebody needs to send it to us because the agenda that was sent out to the public is not what we approved." Mr. Owens said, "Again, I apologize. I've been doing this for years and we send memos out and we do the best we can with the information. This one, I didn't read it in the same terms that everybody read it in. I didn't mean any of that and I apologize for that. We send out memos and packets all the time. We look at the agendas together with the Mayor and Mayor Pro Tem....." Mayor Pro Tem Miller said, "We did, but 'Discussion and consideration of amending the current business on the beach ordinance' is not what we agreed to talk about." Mayor Mills said, "Tim, you and whoever puts all this together, this has got to get cleaned up. It's not what we approved. And I get that it was not what you intended but it's what's out there and now we've got to deal with it – Jeff primarily. Alderman Partin said, "I had the impression that when we set an agenda like this for our Retreat, that our Mayor and our Mayor Pro Tem approves it. And also, maybe Brian Edes should have reviewed it. Had he seen it, I'm sure he would have called it to somebody's attention."

Mayor Pro Tem Miller said, “We do see what goes out and we discuss what goes out. If you hadn’t called me about what was sent out, I wouldn’t have known. The point of the matter is that’s not what we approved.” Mr. Owens said, “Again, I’m not sure how that got changed. It was not my intent.”

Mayor Mills said, “Back to the point; the point is enforcement. If you guys are going to get together, and Katie I’m asking you to do it, I want also discussed, not just surfing schools relative to surf zones, I want surfers in general outside the surf zones discussed. I, personally, was narrowly missed by surfers well outside the surf zones several times last year. Bill Blair’s grandchildren were narrowly missed by surfers outside the surf zones. And it may be the same four or five rogue surfers, I don’t believe that’s the case, but they laugh at you when you tell them we’ve got designated surf zones. We’ve got to figure out a way to deal with them. Maybe it’s to go back to what they did in 2009 and get some sort of group action going on. But that needs to be addressed as well.”

DISCUSSION ABOUT PARKING ON HARBOR ISLAND AND AT HARBOR ISLAND PARKS.

Mr. Owens said, “We’re going to do a better job this year with contractor passes. Harbor Island is really tight so a lot of times you’ll see vehicles parked halfway in the road. I’m not sure we’ll ever be able to resolve some of that 100%. There are four parking spots at the Harbor Island Park. We gave a resident a ticket because he had a hangtag and he was parking there pretty much every day. There was really nothing out there signage-wise that says that a resident can’t park there with a hangtag.” Mayor Pro Tem Miller said, “The one he was in said fifteen minutes.” Mr. Owens continued, “People can park there but the hard thing is if they’re on a kayak or something like that, they will get a ticket eventually. So, we need some clarification – do we want to allow residents with hangtags to park in those spots or do we want to try to keep it for park users?” Mayor Pro Tem Miller said, “The question is, do people that don’t have a Wrightsville Beach sticker get a ticket or is it just the people at Wrightsville Beach that get a ticket?” Mr. Owens replied, “If you see somebody parked out there and they’re at the park, generally we would assume that’s their vehicle.” Mayor Pro Tem Miller said, “I live there. Eight out of ten people during the summer park there and are gone. Again, it comes down to enforcement. We’ve got to be able to enforce and communicate what we do. We do what we do depending on who’s sitting in here and who’s sitting where he’s sitting and who’s the Chief. That’s what we do now. What I was trying to do today, and I think it would be easier to get the parking people to come back in here and give Tim some direction and let the parking people come up with what they can enforce. And in my humble opinion, it is not to put a fifteen minute sign up there. But if it says No Parking, it’s No Parking; if it says Parking is for Park Only, then have at it.” Following a brief discussion regarding the purpose for having time limits, Mayor Pro Tem Miller said, “I’m saying it doesn’t really matter because there’s no consistency on any rule. I’m saying that in my humble opinion, there are four spots. The people that live on the island typically come and drop their boats off and leave. The people that park there are typically fishing or they’re non-residents that are going out on their kayaks. Who cares? We don’t charge for them; there’s no way to charge for them. So I would say in my humble opinion, that we ought to put up a maximum of two hours for park use only and be done with it. And tell the

residents that they can't park there full time but they can come over there and use the park. I said that as a direction and I said to let the parking people come back and give us what they can do." Mayor Mills said, "I'm inclined to agree. First come; first serve and then if we want to put a limit on it, let the parking people tell us how they can enforce that limit." Mayor Pro Tem Miller said, "And like anything else, they can't stay there – if we don't put a limit on it, they can't stay there overnight. If you don't get anything else out of this conversation, it needs to be consistent whatever it is." Mr. Owens said two hours was consistent with this location.

ALDERMAN DULL: OTHER ITEMS.

- Lighting Ordinance Update: "We've got an ordinance that's thirty years old. For the most part it's a decent ordinance but when you've got all this new LED technology that's changed everything including Duke Power." Mr. Owens said, "We have a draft done. When COVID hit us, we sort of dropped that." Mayor Pro Tem Miller said, "It's the same thing. Staff needs to come back and tell us what they can enforce based on what our current ordinance says." Alderman Dull said, "I think, at the very least, it needs to be updated because the technology has changed so much. Another new thing is the green underwater lights. I'd like to get ahead of it." Mayor Pro Tem Miller said he would like to direct staff along with our attorney to look at our current ordinance and come back with a suggestion. We'll give him some direction. We need to enforce whatever we decide it is." Alderman Partin expressed the need to have an exception for the Flotilla's new dock decorating project.

MAYOR PRO TEM MILLER: OTHER ITEMS.

- Causeway Drive Update: Mayor Pro Tem Miller, David Cignotti and Bill Blair are working on a committee to look at restriping Causeway when we get D.O.T. to come out here and do all that we've been talking about. The last time we met, SEPI was supposed to have finalized the big-problem issue over here by the end of February. We will not restripe until they repave.
- "I want to publicly thank John Scull and Luke Parks with the Fire Department for their help this past Saturday night with getting my Dad down the stairs to go back to the hospital. They did an excellent job and it was very much appreciated."

ALDERMAN PARTIN: OTHER ITEMS.

- Salisbury Street (before you get to the bridge) has been cleaned out and looks good. You can now look left when you're trying to pull out without getting hit by a car.
- Update on area under the drawbridge: Mr. Owens said, "We're trying to get all of that graded and eventually do some paving work down there."
- The museum would like to have more coordination from the Town. That is Town property and they want to be able to say that they are part of Wrightsville Beach. For example, they would like to be on our website link; they would like to have that lot in front of the tennis courts – to see if the Town would give them some money to do some walkways and clean up that area so it looks nice. Then we'll bring Hank in because he agreed to come in and we're going to look at what they'd like to suggest and then meet with Tim before our budget cycle to see what kind of money we're talking about. I'm talking probably less than \$10,000." Mayor Pro Tem Miller said he didn't agree to ask for money. He said, "We did not say anything about giving the Wrightsville Beach Museum money. I said we would come talk to Tim about what we've done with landscaping on Town property. I just want it to be clear in the record"

that I did not agree that the Town was going to give money.” Alderman Partin said, “They want to be able to see if the Town will give them landscaping. It will come out of our budget and it will go to help landscape there. Mayor Pro Tem Miller said, “I’m going to recommend that you go back and look in the minutes at what Wrightsville Beach has done for the Museum because they’re leaving some of this out.” Alderman Partin said, “I do think we need to show more of a presence over there. I know Katie has really embraced the park over there and has helped the Garden Club a lot. They help them advertise and all that stuff. It doesn’t cost a lot of money but she’s helping to advertise.” Mayor Pro Tem Miller said, “Unless I’m incorrect, the Town is willing to do whatever we can do as far as connecting them to the website. That’s getting them with Raquel to help with putting a link on our website.” A brief discussion followed regarding upcoming events and exhibits at the Museum.

MAYOR MILLS: OTHER ITEMS.

- Update on Town Hall Renovation: Mr. Owens said, “We need to get the Board to exempt us from the General Statutes regarding bidding so we can get plans done. We have sketch plans for that area over there and then Evan’s shop by the bathrooms, I’ve asked Tony to do a sketch on those to see if there’s some way we can make Parks and Rec permanently where they are now. I want to ask John Sawyer to do plans for all these. I’m going to ask you that in March. We’re also waiting for the tax value of this building. We should have that soon. That determines what we can do. We may have to do an appraisal. We cannot do more than 50%.” Mayor Mills emphasized the need to keep pushing on these projects in Town Hall and Parks and Rec.
- Wrightsville Beach and all of the beaches in New Hanover County relative to beach nourishment were left off the Corps’ Work Programming. Nobody is sure why or how. The Corps locally has been nothing but supportive; it wasn’t due to their activities. Right now, funding for the next cycle is not budgeted. A lot of speculation and ideas are being thrown out but there’s nothing solid to talk about. We’ll keep you posted. Mayor Pro Tem Miller said, “The Mayor is on the Ports, Waterways and Beach Commission. I would suggest that everybody in this room, if you get calls from County Commissioners or other elected officials, that you direct all comments and questions about this sand, and the other opportunities to get sand on the beach, to the Mayor. It’s important that we are consistent with our message. Any inconsistencies would be a detriment to the Town. It’s very important that we do not discuss other funding for the sand other than from the Federal Government.” Alderman Partin agreed and said, “Any major issues that we take on, should come directly from the Mayor.” Alderman Dull said, “I think all five of us want re-nourishment for our beach. So whatever the best path of that is, that’s what we’re all going to want.” Alderman Partin noted that State revenues are up more than they thought.”

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 10:20 A.M.

Respectfully submitted,

Sylvia J. Holleman
Town Clerk