

MINUTES
BOARD OF ALDERMEN
MARCH 10, 2022

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, Alderman Jeff DeGroote, and Alderman Zeke Partin; together with Town Attorney Brian E. Edes, Town Manager Timothy W. Owens, and Recreation Program Supervisor Katie Ryan.

Absent: Town Clerk Sylvia Holleman due to illness.

Pledge of Allegiance.

Invocation by Pastor David Haley, Wrightsville United Methodist Church.

PUBLIC COMMENTS: 1) MS. IRENE HENDERSON, SPEEDING ON STONE STREET AND SPEED BUMP; 2) MS. SUE BULLUCK, BRIDGE WORK; AND 3) MR. NEAL BRIGGI, GUIDANCE FOR S-1 ZONE, ZONE DEVELOPMENT.

Ms. Irene Henderson, 9 Stone Street, asked for clarification that the Board would not take any action but would refer to someone else? Mayor Mills replied, "To staff". Ms. Henderson said, "I have a home at 9 Stone Street and it's a wonderful place to sit and watch people. What I have observed is that people, although the street is extremely short, they tend to drive too quick. I noticed the signs, the beautiful signs that you put up, but they seem to be ignored and although there's a sidewalk on the side of Lumina Station, children come out as parents are opening their trunks to get their things to go onto the beach and are into the street walking and it's extremely unsafe. I find myself turning into what Twitter would say, a Karen on the street. I'm screaming at people to slow down, I wave my arms; I run into the street myself as a body to stop the vehicles from running over children. My brother today jumped out of his car and went to the car behind him and said, 'What are you doing?' We are putting ourselves into a position that is dangerous for us and is dangerous for other people. But I feel compelled because I sit audience to the fact that children are in harms way every time someone ignores the speed limit and drives so quickly down to the exit and turns around to speed as fast as they can down to the light, and I don't even understand why, but to sit and watch, I feel as if something were to happen, I would never forgive myself for not speaking up. So, I did some research, I used to work for the school system in Charles County and every time we had a football game and even as I entered out here today, when there are children nearby, they put out speed bumps. There are speed bumps out here as I entered today. We used the roll out system because it was a school system and stopping the buses was such a problem. We'd roll them out for every single game because everyone ignores the speed limit. But it made it safe so I was thinking that if they could consider a speed bump or even one that you roll out. I acknowledge that it is the main entrance for emergency vehicles. When they come running up, I jump up; I've got to see what's going on. It won't deter them but one moment to go over a speed bump, but it would change a lot for the safety of the kids and the families we're dealing with. Second: Entering onto the beach. I love to watch who's bringing their dog today to the beach. But I thought to myself, I really can't be upset about it because entering the beach is kind of like traffic control. You enter on the right-hand side and you exit on the left-hand side. As you enter onto the beach, the sign with the numerous rules that are very small is on the left-hand side; as you're walking onto the beach, on the right-hand side, people walking on the left. You never see the sign as you enter the beach. You literally have to come off the beach, turn around and look behind you

to see the sign with all of the rules that say what you should and shouldn't do on the beach. It's not me that's on the beach telling them to come off with your dogs or put your bottle away, it's the poor lifeguards and the people who monitor it and I feel bad for them because the people get confrontational. If you put a giant sign as you enter on the right side with just some bullets of the big things, it might help people in remembering, 'That's right, no dogs on the beach', or 'That's right, no bottles on the beach.' But it's on the wrong side. They never see it. And last but not least, right in front of my home on 9 Stone Street is a sign and it says, 'Please pay for parking'. So, people stop in front of my house all the time trying to figure out if they park on the bumper of my house or pull into the driveway of the house. So, I run out and say 'No. No. No.' They say, 'Well the sign says'. Well, I know the sign is on this side by our house right in front of the steps, but you really don't park here. You park across the street. But it's confusing to people because it's not on the right side. So, I've asked the county, 'Can you do something about the sign?' They're like just put up another bigger, brighter one. So it's very confusing for people. And I just hate being the bad guy. I was told by somebody, 'Just call the police.' The police have bigger problems. Those are the three griefs. I'd even pay for the speed bump. I'll roll it out for you. But I just hate to see someone in harm's way. Thank you very much." Mayor Mills said, "Again, we won't take action tonight, but your complaints are duly noted."

Ms. Sue Bulluck, speaking for the Chamber, lodging hotels, and four or five callers on issues, said, "Thank you for your inclusion of us in the discussion with D.O.T. We are awaiting their response next Tuesday. The suggestions that were made at the meeting were meaningful and well accepted, and we appreciate taking part. The combined issue is, of course, under the bridge; one's on top of the bridge, the other is under it and the danger of the speed. The No Wake Zone is complicated by the last suggestion that this is a CAMA (Coastal Area Management Act) issue. I've done some research on it and it's really not and that is in the works. We would like to be updated as the discussions continue with the Town about whether they are going to have one channel or two way or what's going to happen. We think a No Wake Zone from the inlet that's coming out by Mott's Channel, going south, would be left as is. When you make the curve coming north or toward the bridge would become part of a No Wake Zone that would go through and around and back and connect with the other. We believe that's safest and in the long range we'll work to do whatever we can to help you with whatever enforcement, wildlife or whatever." When asked if she was saying from the Coast Guard Station all the way, Ms. Bulluck replied, "No, I'm saying from Mott's Channel which is sort of at the end of Harbor Island where it comes out. If you were to come this way to the bridge it would be a No Wake Zone which ties into the Banks Channel No Wake and goes around and back around the island so it would be one ultimate No Wake Zone. I think it will be very hard pressed to get a No Wake Zone going from Mott's Inlet to Masonboro Inlet. But all I'm doing is coming and saying we want to be a part of that. The next issue is a report from the MAC board and commission. Our guys are hard at work, and we thank you and we've been meeting on a monthly basis, and we'll continue to. They have recommended to you two TDA funding applications: one for the off season, which is for \$40,000, and one for the in season, which is \$12,000. The off season will be totally run between you, the MAC Committee, and the University, if approved. The smaller one would be run between you and the University and the Chamber building. None of those funds would come to the Chamber. It would be purely to support employees who would do interviews for that in-season one, but we would house them at the Chamber so that they would be interviewing people as they come in. We are going to get information from the lodging industry and from the hotels based on the people who are coming by zip code because the University has also agreed to run all of those zip codes and do a cluster map showing truly where

people are coming from. And we'll share that with the Town as soon as we get that and that may be even before we get the other studies up and running. And finally, we simply want to thank you for your ongoing support and we're going to start our spring and summer fundraising. So, if you know anyone who wants to be a chamber member, refer them on. Thank you.”

Mr. Neal Briggs, 4 West Henderson Street, said, “At the last Board meeting, you passed from your agenda over to the Planning Board to discuss two items. One seems to be a quick item and one was going to be a little return. The quick item was can you come up with some standards for kayak racks. The second issue was in the broader context of what kind of development is in and where it should be, or how should it be regulated in the S-1 District. And, taking a survey, there's 84 lots that break down in size to just under a thousand square feet to over 10,000 square feet. And notably, there are, four what might be considered commercial or grandfathered-type situations and those tend to be the larger lots which have extensive development on them. But just looking at the other group, 84 fall within the 1,000 to 3,000 square feet and the majority of properties are pristine. There is grass, there is a little fence, and it gives a substantial vista of the entire Banks Channel and across the horizon. It's nice. And if you ever go down there, you'll see lots of cars not parking, but there for the sunset. I heard one person say that when they bought a house on the other side of Waynick, they thought they would have a great view. Yes they'd have a great view but also lots of butts, people sitting on their cars to see it. My point is this. I'm not representing the Planning Board, it's me personally. But there is a sense of frustration that we've been given something, but we need further direction. We need to develop that direction, or you can give it to us. But just to hand something over and say what can you make out of this, what's the guidelines, what's the guidance we should use in thinking about whether it's the kayak rack or the bigger picture, all the other stuff that has transpired without permit or that might try to transpire in the future coming through the Planning Department. There are numerous non-permitted development items. But the majority are pretty, fairly pristine lots. So, what does the Board see as a driver for the Planning Board to use as guidance? Because the last agenda item on the agenda tonight, which did come through the Planning Board and now will come back to you, is essentially, if I said to you, will you please let me build a seven-and-a-half-foot by twenty-five-foot wall along the property line. That's essentially what you're going to be asked to do tonight, something that is fairly opaque, that tall and essentially that long when it's loaded with the equipment. And I come back to the basics. Why was this all created? What was the intention way back when? I tried to do a lot of research. I looked back at the charette results, I looked back at the CAMA Land Use Plan, and I've asked lots of questions. I've seen the word vista used, but I can't find out where, but I can't go back through those thousands of pages of documents that I've researched in the last month and a half. But if there is something to be said, what is that space? That space potentially belongs to the citizens of Wrightsville Beach and the public at large for its vista. It provides access to the water for people who hadn't owned that property which was deeded to them through the NCDOT when they did stabilization of that land from erosion. So, I would like you to consider giving further direction to the Planning Board or alternatively saying this is a pretty big elephant that needs to be addressed in time, but maybe through the eyes and ears of a special committee to sort that out. For people who don't have a conflict of interest, people who have a desire to do all this is about doing your homework. It's not about trying to react to a simple application of pages and drawings and I don't mean to step on the toes of anybody on the Planning Board or in the Planning or Administration Departments. I just call it as I see it.”

CONSENT AGENDA APPROVED UNANIMOUSLY BY MOTION OF MAYOR PRO TEM MILLER AND SECOND BY ALDERMAN PARTIN.

- a. Approved special event permits as follows:
 1. YMCA Pier to Pier Swim (~300 participants)
Saturday, September 17, 2022 (*Setup 6am, race 9am, event ends 11am*)
Location: Johnnie Mercer Pier to Crystal Pier
 2. Liam Strong Charity Beach Run (~400 participants)
Sunday, September 18, 2022 (*6:00–11:00 am*)(*race activities begin at 9:00 am*)
Location: Johnnie Mercers Pier to Shell Island Resort out and back run course
 3. Seaside Shuffle 5k (~300 participants)
Sunday, October 23, 2022 (*8:00 – 8:30 am*)
Location: Wrightsville Beach Park to Waynick Blvd. at Blockade Runner
- b. Approved special event permits for Easter Sunrise Services as follows:
 1. North Point Church Easter Sunrise Service (~250 participants)
Sunday, April 17, 2022 (*6:00 – 8:30 am*)
Location: Beach Access 8 (adjacent to Holiday Inn Resort)
 2. WB Community Churches Easter Sunrise Service (~1,500 people)
Sunday, April 17, 2022 (*5:00 – 8:30 am*)
Location: Beach Accesses 16 – 19
- c. Acknowledged previously approved special events for April.
- d. Approved Wrightsville Beach Museum’s Program to place Loop through History Signs along the Loop.
- e. Adopted Budget Ordinance No. (2022) 559-B in the amount of \$50,000 for funds received by the Police Department from the New Hanover County ABC Board and Budget Ordinance No. (2022) 560-B in the amount of \$7,000 to re-appropriate funds received from GovDeals for the sale of Police trailer. (*Alderman Partin acknowledged the new grant that Chief Squires received from the New Hanover County ABC Board.*)
- f. Approved revised 2022 Board of Adjustment Meeting Schedule to cancel the March 24th meeting.

PRESENTATION OF AN EAGLE SCOUT PROJECT BY CUTTER MORGAN TO INSTALL A FLAGPOLE AND LIGHTING AT THE WRIGHTSVILLE BEACH MUSEUM.

Cutter Morgan, a scout with Troop 202 at Little Chapel on the Boardwalk, said, “I am here to discuss my Eagle Scout project. The project consists of a flagpole placed behind the Wrightsville Beach Museum sign including a plaque describing the history of the North Carolina State flag. There will be a light system that will place light on the American flag so that it won’t have to be changed daily. We will work with the city electrician to work with the existing systems to help light the sign. The pole will hold three flags, the United States flag, the North Carolina State flag, and the Town of Wrightsville Beach flag. There will also be hurricane warning flags that can be switched out when a hurricane warning is in place. The flagpole will be about twenty feet tall and placed two

feet into the ground. The flags will be approximately three by five feet. The plaque will be placed on the side of the flagpole and will be constructed of weather resistant material.” When Mayor Mills asked what kind of lighting, Mr. Owens said that the flags and lighting would be very similar to the poles and lighting on Salisbury Street. Mayor Pro Tem Miller said, “I think you’re to be commended for getting this far and congratulations.” Mayor Pro Tem Miller then made the motion to approve the Eagle Scout Project. The motion was seconded by Mayor Mills and unanimously approved.

PUBLIC HEARING TO CONSIDER TEXT AMENDMENTS TO CHAPTER 155 OF THE TOWN CODE OF ORDINANCES AS MANDATED BY CHAPTER 160-D OF THE NORTH CAROLINA GENERAL STATUTES.

Planning Director Tony Wilson said, “If you remember at the February meeting, this was brought to you as Chapter 160-D Mandatory Amendments. At that meeting, we briefly discussed it and it was opened and continued to this meeting. So, Chapter 160-D is already in effect. This went to the Planning Board at the January meeting. Members at that meeting voted unanimously to make a favorable recommendation to the Board of Aldermen to adopt amendments mandated by 160-D. The requested action tonight is to adopt 160-D text amendments along with this consistency and reasonable statement. Mayor Mills said, “Brian, this is to bring Town Ordinance into compliance?” Mr. Edes replied, “Right, 160-D went into effect July 1st. It controls over any contrary ordinance anyway so it’s already applicable to the Town, we’re just bringing our Code and the language into compliance with itself.” Alderman Dull asked, “Is this a 2021 General Statute change that made this happen.” Mr. Edes replied, “Yes. Over the years, case law construing 160-A which is the statute applicable to cities and towns basically created a new law; same with counties. What the General Assembly did was they collapsed the county development regulations and the municipal development regulations into a new chapter 160-D and it captured all the changes in the case law.” Mr. Owens said, “We had a two-to-three-year warning that this would have to be done so basically that’s what we’re trying to do.” Mr. Edes said “They passed it. Then they amended it. Then they changed the date that it was going to be applicable two or three times.” Alderman Partin asked, “Are there any ordinances that we have to go back in and modify?” Mr. Wilson said, “No. This cleans up all of that. Any inconsistency, things like that, this cleans everything up.” Mr. Owens said, “They gave us different options of doing different things that we chose to do just the vanilla and not choose some of those options but some of them really weren’t applicable, so we did just the least we had to do to come into conformance. We had a contractor (WithersRavenel) come in and do it and they did a bang up job over the course of two or three years.”

Mayor Mills opened the public hearing at 6:15 p.m. With no one wishing to speak, the public hearing was closed at 6:16 p.m.

Alderman Dull made the motion to adopt Ordinance No. (2022) 1838 along with the Consistency and Reasonableness Statement. The motion was seconded by Alderman Partin and unanimously approved.

DIRECTION ON MOVING FORWARD WITH A VISITOR SURVEY COMPLETED BY UNCW’S CENTER FOR SOCIAL IMPACT AND FUND AN EFFORT BY THE CHAMBER TO COLLECT SURVEY INFORMATION THIS SUMMER.

Mr. Owens gave the following overview, “The request is for \$40,000 for a UNCW (University of North Carolina Wilmington) project to complete a visitor’s survey campaign

and another \$12,000 to staff the Visitor's Center where you have face to face contact to conduct the surveys. What you have before you today is Budget Ordinance No. (2022) 564-B in the amount of \$52,000. It could be offset by the ROT (Room Occupancy Tax) funds – where the money would come from. It's just a formality to create a budget adjustment. We would be the ones that were basically managing the payments and submitting to the ROT." Sue Bulluck said, "The smaller of the dollars will be interns or employees or UNCW students, etc. They will not be staff of the Chamber. They will be there while people come in, during the season to interview them. It will give us a better handle on the type of inquiries we're getting whether they're regional or county or day tripping or lodging. The off-season is really run through the lodging facilities and the restaurants. They all will have survey instruments, whether it's a card on the table that you dine at or a survey that is actually face-to-face with students from the Master's Program, hospitality or public affairs, etc. They will be asked about their visit here, how they found the information, etc. So, we will have a better profile now that we have a million six of ROT money in the aftermath of COVID and without a whole lot of advertising. It's sort of mind-boggling to all of us. And to those of us on the MAC (Marketing Advisory Committee) Committee, it sort of signals that we've been doing generally 'What?' We're not sure. And so, there's a whole lot of money out there being spent on describing us as a destination, which is really describing Wilmington as the destination; our money is sort of combined with theirs because of how we had to. And now we're looking at our destination ROT money being used, probably for in-season promotion along with downtown. Well, we can't handle a whole lot more in the season, so we believe that this study will help identify those folks that are coming in the off-season and maybe moving some of them who are in-season to off-season so that we can have a better year-round income and less chaos in terms of traffic and other services. So that's the purpose of the two sectors.' Alderman Partin said that she thought she had heard at some point that they were trying to separate that money. Ms. Bulluck said, "We are. In that process, the larger TDA (Tourism Development Authority) has listened to the beaches, and we have a different ad agency meeting with us. However, the TDA has subcontracted some of their tasks through the old ad agency. So, we have sort of a changing of guard; we're halfway finished; we're a work in progress and we will be coming back to you. But this MAC Committee is made up of people who are in the business; L&M Restaurants and some of our local restaurants are very involved. And it goes beyond. It goes to now staffing those restaurants; it goes to parking and sand and everything else. So, we hope the survey will identify better our profiles, but also identify better how we can spend money to attract those particular target audiences that we want and less to just the general population to 'come see the beach'." When Mayor Mills asked who would be the employee that's staffing, Ms. Bulluck replied, "The University. On the first part, on their budget is calculated for the off-season based on pretty much commercial rates of \$20 an interview which is all inclusive of their hiring, their programming, all of those things. For the smaller one, that's based on an hourly rate of \$15 per hour. They would be paying them. They will do the interviewing and gathering but I have committed to doing the, if you will, coding, in the preparation to go to the University through the Chamber through volunteer work. I mean, it's my business so I understand it and I can volunteer it and do it. And that way, we can run the surveys together or separately, and there will be better use of the funds. If we tried to run an in-season survey at \$20 a survey, we wouldn't be able to pay for that survey because the numbers who will walk in and participate might be twenty-five during the day. And over the summer, you would have fantastic numbers, which we will get anyway. By paying them on an hourly rate, it's much more realistic than paying by the service." Mayor Mills asked, "And if we determine, and I think the survey will, where the off-season focus should be, do we have a

plan how we will collect additional funding for targeting these folks?” Ms. Bulluck replied, “We have. That is our request to the TDA and we have begun the process by requesting a separate ad agency to look at beach tourists rather than simply destination tourists. And part of that plan would be to target our advertising to those areas where those best serving our interests would come from, thus enhancing our room occupancy tax but not wasting a whole lot of dollars. And it may mean our coming back to you and saying we'd like to have a discussion or have the Town have a discussion, or the beaches having a discussion with bringing back the money for particular use within the geographic entities that it's collected by. But we're not at that. We see the benefit of an overall roof, but we can't simply all live under that big roof and not know where the money is going or how its impact is.” Mayor Mills noted that this has been going on for a long time. Ms. Bulluck said, “Yes, for a very long time. Unfortunately, when the legislation was written and I was lobbying legislation, we lost, and we lost the one controlling vote by the way the board was structured. And so, the emphasis is always away from the beaches. And yet we provide the very strand and services to those people that bring the most. Now the Convention Center, if it ever becomes profitable, could do that. But the fact is that now with the hurricanes and COVID, they're planning out two years. So, we know that it isn't going to be profitable for at least two more years. It's just the nature of the beast.”

Alderman Partin asked how she would spread the work with the students and if she had a plan. Ms. Bulluck replied, “We do. Each of the MAC members comes from a different sector. L&M Restaurants' executive director has agreed to work the restaurants and make sure that we have a common instrument to each of the restaurants in Wrightsville Beach. On the lodging side, we already have a skeletal survey that will be refined with our consultants and those will be administered in the lodging facilities, about 300 a month, and come back over in the period from October 1 through the end of March, and then those from April through the end of September, our in-seasons, will be administered by the students or interns at the Chamber. I think that's a plan that is addressing an issue that we have found for years and haven't had the opportunity to get a handle on it.” Alderman Dull asked if this would affect any other ROT money that we're getting for anything else. Mr. Owens replied, “We've got a reserve and it's pretty sizable. So, if you approve it, it will come out of that reserve. It will basically be an activities fund.”

Alderman Partin made the motion to approve a contract with UNCW to move forward on creating a visitor survey and implementing the visitor survey campaign and approving an additional \$12,000 for the staffing of the WB Visitor's Center, and to adopt Budget Ordinance No. (2022) 564-B to fund the project. The motion was seconded by Alderman DeGroote and unanimously approved.

Alderman Dull said, “Regarding ROT, I know Kure Beach got funded for some park improvements and things like that so I don't know why we can't use some of that.” Mr. Owens said, “We have some reserves, and we can use that. We used probably \$700,000 for Salisbury Street.” Alderman Dull said, “I'm kind of with Sue about our marketing being different from what the City does and what Raleigh would think and I'd like to enhance what we have for the people that are already renting here and living here and the ones who are paying the ROT dollars.” Mr. Owens said, “In the past, we were generating about \$600,000 and in the past, we've used about \$550,000. But we've had a reserve and we've spent that down and I think the last number I saw was in the \$900,000 or \$1,000,000 range. And we only budgeted last year \$450,000. This year, I think we're up to \$500,000 or maybe it's up to \$600,000.”

ADOPTION OF AN INTERLOCAL AGREEMENT WITH CAPE FEAR PUBLIC UTILITY AUTHORITY TO PURCHASE UP TO 150 MILLION GALLONS OF WATER AND BECOME A BULK WATER CUSTOMER AND CONSIDER ADOPTING RESOLUTION NO. (2022) 2258 AND BUDGET ORDINANCE NO. (2022) 551-B.

Mr. Owens gave the following overview: “I want to try to give you a history, and it probably predates where I’m going to start. In 2004, the Town hired GMA to do a well field study due to water quality concerns and production concerns at minimum that happened back in the early 2000s. But we were concerned about the quality of the water; the quantity of water. In 2013, we discovered that the rates were not covering operational expenditures. That’s when I first got here and we sort of looked at the budget and were like, ‘wow’. The Board at the time did raise the rates to make sure that we were operational in there and that we had some money to do some capital projects, which was the right thing to do. Due to similar concerns that were in 2004, the Town hired GMA again around 2015 or 2016. But we basically looked at the options for a sustainable water situation. We looked at new wells; that wasn’t an option. You need an acre of land to do that and try to buy that. We looked at ASR (Aquifer Storage Recovery). You can see what went wrong with that with regard to CFPUA (Cape Fear Public Utility Authority); there were concerns there. But you lose a lot of that water, too; you’ve got to be able to lose a bunch of water, quality water, and put it back in and we just couldn’t do that. We looked at our water rates, a lot of staff, the permitting is forever, and electricity is expensive, and the facility is expensive, and we just can’t do that so that was sort of off the table. We talked about purchasing all of our water; we talked about purchasing and using our Town wells. And that’s sort of where we are right now. The Board created a committee to review that document and basically come up with some recommendations. The committee also thought that we needed to assist to understand what condition our system was in before we moved forward with anything. McKim and Creed was selected to do that, and they finally completed the system assessment. Now the committee basically reviewed that document. From that study, the Town went forward, and we decided we were going to raise rates, we were going to generate a million dollars a year. We’re going on a million dollar, 10-year CIP program to improve our whole system. Basically, when we did that ASR water, CFPUA contaminated well number 11. That was 20% of our water production. That sort of threw that whole process for a loop so we shut down for a second. In 2019, CFPUA signed an ILA (Interlocal Agreement) with the Town and basically what we did at the time, we took whatever it would cost to produce that water, the 45 million gallons from well 11, the rate that we chose was 65 cents per thousand. And basically, we did that so we wouldn’t lose that profit margin and that was a three-year deal. So that sort of helped out between COVID and other concerns, we really haven’t had any formal negotiations with CFPUA and there really hasn’t been a whole lot of action taken. It’s all sort of kicking back up now as we’re getting out of COVID. While this was all going along for probably at least the last five years, chloride levels have been drastically increasing in some of our wells. There’s a threshold where the state says you’re probably alright; so we’re seeing that in most of our wells. Basically, what that means is water quality is poor and you could have some issues. So that’s why we’re seeking agreement and because of the damage with well 11. I think the Town is fortunate to have a partnership with CFPUA and that we have the ability to potentially purchase water. If you agree to it, 150 million gallons is what we’re proposing tonight; that’s roughly half of what our production is. The other half would be through the wells that we have that are generating quality water. Not to mention use of some of our wells that are offline and maybe they get better as far as you know, the chlorides or you can take that water and mix it, so it won’t impact the system. So, there’s a

couple of options there. CFPUA decided that it was a reduced rate on a three-year deal. So, they're not offering that. What they are offering is \$3.48 per thousand. So, what you have in front of you is basically an ILA (Interlocal Agreement). There's one little different thing here. They originally had a two-time multiplier if we went over the amount or over the gallons per minute or whatever. For that one billing period, it would be two times the bill. They reduced that down to one and a half. And we did go over that last time by accident and we'll make sure that doesn't happen again. And if there's something out of the ordinary, like a fire or something like that, if something drastic happens, they would waive that multiplier. I think they would work with us. So, you do have a couple of things in front of you. We're anticipating the cost for that water purchase for April, May, and June will be around \$100,000. (Budget Ordinance No. (2022) 551-B for \$100,000.) And then there is basically a resolution approving the ILA, Brian (Edes) can speak more to that ILA, and that's Resolution No. (2022) 2258." Mr. Edes said, "So, my comments that would constitute legal advice would be better discussed in Closed Session, but I am glad to see that they lowered that multiplier." Mayor Mills asked if it was fair to say that this proposed Interlocal Agreement was consistent with the follow up of the original agreement. Mr. Edes replied, "Yes sir. I didn't help draft the original agreement. I wasn't there." Mayor Mills said, "I was, and I've read this one several times. And, in my opinion, it is consistent and for those of you out there, I'm not going to dispute what Tim said but there's actually been a number of conversations relative to rate and I think a good effort was made to get the reduced special rate and they were just not willing. The Town needs the water. We'll get the bulk rate; it's not as good as what we had but we had that rate for three years. And now we're here and we can't sustain the water needs for Wrightsville Beach." Mayor Pro Tem Miller said, "I want to thank you for putting that timeline together. I think it's important that people understand this didn't just blow up. It doesn't ever happen like you hear it, especially when you're involved in it. There's a lot of people on this Board that have been studying this water situation for a long time. We're very fortunate, I say this at the risk of making some of our Wilmington friends unhappy, but we're fortunate that the county and the city and everybody else that had the foresight to put the CFPUA together. Because I think that them having to run this like a business and being able to replace lines and have that system for us to even consider being a part of, I don't know where we'd be without that, so I think that's a positive. The CFPUA Board, again you read this, we did not come to an agreement in the last two or three years. It wasn't because there was dissension. It was just there were a lot of things that had to come together that just hadn't come together yet. So, the idea that we were going to come here tonight and have a heated discussion and argue and all that kind of stuff – I appreciate all they have done. And I appreciate all you (pointing at Mr. Owens) have done behind the scenes trying to negotiate. And just to clear up the rate, that was a special rate on the extra 50 we needed because that well is down. It wasn't for all of our water but for that 50. And you (pointing at Mr. Owens), rightfully so, asked for that rate and then the bulk rate for the rest. Alderman Partin and I discussed it yesterday; she said something that we all felt at that meeting, I think that was back in January, about wanting to get that rate and as she reminded me about something entirely different, because she was doing something she is supposed to do for the residents of Wrightsville Beach. That's what we're up here for and we're up here to get the best deal we can. And we tried. I'm happy where it ended up. We're agreeing to pay what we said we'd pay. And, we still want to get, hopefully, an agreement where we can get CFPUA to provide the water. The time that Wrightsville Beach can provide its water for years to come is long gone. That train left a long time ago. With that water committee we put together, we'll get there. So, I needed to say that. Thank you for the timeline and I thank everybody that had something to do with it."

Alderman Dull said, “I’ve said most of what I wanted to say, and Darryl you have, too. I was chairman of the Water Ad Hoc Committee before I became a Board member so, this is how long we’ve been working on it. We know we want to do something to improve the system here. But I do want to make it clear, as you just did and you also did (pointing at Mayor Pro Tem Miller and Mr. Owens) was that our well was damaged on the other side of the bridge and that was at no fault of our own. And the reason they were asked for a deal not any better than anybody else would get anywhere else they sell bulk water, except for the amount of water that we were getting from that well. And this is about a bigger picture issue for the long term. You know we want to be good neighbors with the CFPUA and everybody on the other side of the bridge that has to pay what they pay for it. I think in the best interest right now is I’m fine with the local agreement as presented. But I do think it just needs to be noted that we were not asking for anything special, no special privileges, just being taken care of for the damage to our well. So, we look forward to a long prosperous relationship.” Mr. Owens said, “What we can do, too, if you are interested in adopting this, it will be at the final approval of the Town Attorney because they are going to adjust it for that one little section I just mentioned to you guys about the extenuating circumstances and that the multiplier, at the executive director’s discretion, may not apply.” Mayor Pro Tem Miller said, “I saw that as benefiting us.” Alderman Partin thanked Mayor Pro Tem Miller for clearing up the matter. She reiterated that it had been reviewed and discussed for a long time. Mayor Pro Tem Miller then made the motion to adopt Resolution No. (2022) 2258 approving the interlocal agreement with CFPUA to purchase up to 150MG of water; and Budget Ordinance No. (2022) 551-B in the amount of \$100,000 to purchase water from CFPUA from March to July 1st. The motion was seconded by Alderman Partin and unanimously approved.

CONSIDER APPROVING THE CONSTRUCTION OF STORMWATER IMPROVEMENTS TO ARRINDALE STREET AND EAST ASHEVILLE STREET AND CONSIDER BUDGET AMENDMENT (2022) 563-B.

Mr. Owens said, “We’re finally at the point where we are going to go ahead with construction if this is approved. We had to finish and finalize the plan to bid this out. Basically, we’re asking for Budget Ordinance No. (2022) 563-B in the amount of \$165,000. That’s coming from your fund balance. We’ll come up with a construction contract that Brian (Edes) will help us with and will execute that contract and go forward with the project.” Mayor Mills asked if we could get this done before summer. Mr. Owens replied, “Yes, we’ll do our best. I think they are fairly quick projects and even if we had to do it a little later.” Alderman Dull made the motion to adopt Budget Ordinance No. (2022) 563-B in the amount of \$165,000. The motion was seconded by Mayor Pro Tem Miller and unanimously approved.

CONSIDER APPROVING MOVING FORWARD WITH A CONTRACT WITH SERVICEMASTER TO CLEAN ALL TOWN OFFICE BUILDINGS.

Mr. Owens said, “Basically, we said that we would bring this back to you. This cleans the buildings, cleans Town Hall, Flotilla Building, Public Safety Building, Public Works, and Parks & Rec three times per week. Basically, all common areas. The amount is \$3,503. We already have it in next year’s budget. And I compensated to do this year’s budget as well. That’s really about it other than executing the contract. This is mainly a staffing issue. We will still need to deal with different departments but it will all be under one umbrella.” Alderman Partin asked if we needed to clean three times per week. Mr. Owens replied, “Yes, normally we do. It’s really about cleanliness. If we decide we need to

scale back, I'm sure they would scale back. The other thing is that they will do it at night." Mayor Mills made the motion to approve the contract with ServiceMaster to clean all of the Town office buildings. The motion was seconded by Alderman Partin and unanimously approved.

CONSIDER THE PURCHASE OF THREE POLICE VEHICLES AND REPAIRS TO THE POLICE DEPARTMENT SALLY PORT. BUDGET AMENDMENT (2022) 565-B.

Mr. Owens said, "We talked about this at the budget meeting that we've ordered some vehicles. We don't know where they are or when they're coming in. We do have three F150's that are available to us now. This year coming up there would be three vehicles, if approved in the budget, which generally we do two to three each year. These are available. We can bring those in right away. The cost is roughly \$143,000 and that's upfitted with the lights and sirens. We are also asking for a repair of the Sally Port, which is a safety issue for the officers, a safety issue for anyone we have in handcuffs or prisoners. That's \$17,000. So, the total is \$160,000 in Budget Ordinance No. (2022) 565-B and this is coming from the General Fund Balance. Anything that is approved that is in the draft budget will be taken out." When asked to explain the Sally Port, Mr. Owens said, "The Sally Port is basically a gate that opens and then closes behind the officer and when you take a prisoner out of the car or he's upstairs and somehow gets downstairs, he has to go over the fence. Hopefully, we can get the guy or girl as opposed to them going out the gate." Alderman Partin then made a motion to adopt Budget Ordinance No. (2022) 565-B in the amount of \$160,000 to purchase three F150 pickup trucks and to repair the Police Department Sally Port gate. The motion was seconded by Mayor Mills and unanimously approved.

RESOLUTION NO. (2022) 2261 TO APPROVE AMENDED POLICY AND GUIDELINES FOR NAMING TOWN ASSETS.

Alderman Partin gave the following overview: "At the December 8th Board of Aldermen meeting, we discussed a proposal to rename an asset. There was some concern about the policy that had been previously approved, so we were asked to go back and review and amend this policy for certain areas. I want to thank Sylvia, John Wessell, Kitty Brunjes, Jim Chaffins, and Neal Braggi for helping with this committee. I just want to point out what we did change. If you look at Purpose 1b, we added a section '*For purposes of this policy, public streets will mean a street bordered on all sides by property owned by the Town. This policy shall not apply to any public streets except those that are defined herein. The naming or renaming of streets subject to this policy shall be as directed by the Board of Aldermen.*' That was added to ensure that no public streets could be renamed or requested to be renamed. And then while we were in there, we decided we needed to clean up the last section '*Process to File to Request the Naming or Changing of a Name of a Town Asset.*' I kind of liked one, two, three, and four to complete the application process as you see here. And the other thing we felt needed to be clarified was having it all in one paragraph, so we came back and did a one, two, three, and four application process. The other thing we felt needed to be clarified was that this process request will go before the Planning Board which is a public meeting. At the conclusion of the public meeting, the Planning Board shall make a recommendation to the Board of Aldermen. And then, when the Board of Aldermen considers a request, again it's a public meeting. Then it covers two public meetings." Alderman Dull then made the motion to adopt Resolution No. (2022) 2261 amending the Policy and Guidelines for Naming Town Assets. The motion was seconded by Mayor Mills and unanimously approved.

CONSIDERATION OF REQUEST FOR KAYAK RACK AND DECKING AT 619 WAYNICK BOULEVARD.

Mr. Wilson gave the following overview: “We did discuss this agenda item at the February meeting for 619 Waynick Blvd. for a kayak rack and a decking request. This zoning district is in S-1, which is from Wynn Plaza to Sunset Avenue. On May 23, 2021, we received an application for permission to construct a kayak rack and decking in the S-1 zone. As our ordinance reads right now, it does let the Board of Aldermen look at these and approve or not approve these requests. At that meeting, staff got direction to take this back to the Planning Board to look at and to identify some concerns and, if we could, to come up with some standards to do that. The goal was not to try and do that all at one meeting; we were going to have to discuss this. But we felt like we had this application in front of us and we did look at it and spent a lot of time on it and still need to spend more time in the S-1. So, if you’ve seen the S-1, there’s plenty of sailboats out there and racks that don’t have permission out there. So, in our Planning Board meeting in March, we did discuss this. Members voted 5 to 1 for a favorable recommendation to the Board of Aldermen to approve the request to install decking and kayak racks at 619 Waynick. And on page 101, we did list some of our comments there for this project:

1. We limited to a height of 7 feet for structure poles, for the poles only.
2. We discussed the racks being secure.
3. Maximum width of 42 inches for the open storage structures.
4. Kayaks and Paddle Boards can be stored on one side of structure only. {When Karen gets up here she’s got a power point so you can see you couldn’t do double stack on the structures.}
5. They are allowed on one side of the property only so when you look down, you don’t have racks on both sides, you are limited to one. We feel like this will maybe protect some of the visuals or vistas in that area.
6. The open storage structures must run perpendicular to Waynick Blvd. That way they are not blocking any more views than what they would do.
7. You limit two structures per lot.
8. They are located closer to the side property line. They can’t be out of 7.5’ feet from the property line.
9. They must meet CAMA’s 30-foot setback.
10. Structures must be contained on the property.
11. Then we got into the artificial grass. This is a CAMA rule. There is a lot of artificial grass down there. You can’t put artificial grass in the 30’ buffer.
12. The maximum of 200 square feet decking is from the CAMA office so that would be a maximum there.

Mr. Wilson continued: “And then for Board action tonight, we ask you to consider the request for the proposed decking and kayak rack at 619 Waynick and discuss our standards listed above allowed in the S-1. If we get that direction from the Board, we are still going to be looking at the S-1. So, we looked at this application and you’ve got supporting information. Karen Dunn is here and she’s got a power point, too. If you have any more questions from me, I’ll be glad to try and answer them. Or you can make some recommendations tonight if you don’t like something here. This is just a recommendation so you can make changes to it.” Ms. Sue Bulluck asked, “Was there a grandfathering of it considered?” Mr. Wilson replied, “We haven’t gotten that far yet but I’m sure things like that will be talked about at some point in time.”

Ms. Karen Dunn, 620 Waynick Blvd, addressed the Board, “This is very similar to what you have already seen though I’ve updated it with the recommendations from the Planning Board on March 1st. Based on the Planning Board’s recommendations, we just reviewed what was at the Planning Board in March. So, one of the differences, initially when we had applied for this permit, we were told to put it outside of the 7.5 setback. After a lot of discussion at the Planning Board meeting with a view shed, etc., it was discussed that they should be closer to the edge of the property lines as opposed to perhaps in the middle of the track. So, I updated the site plan showing that the posts, which are 8-inch by 8-inch posts and likely they’re 10 feet, which 2 feet would go into the ground, or 3 feet would go into the ground. With that, no greater than 7-foot. And one of the reasons we’re not going to be having any vessels or anything up that high, we can’t even reach that high. But in order to have a secure lock system where each kayak could be individually locked, you need that extra length so you can drill holes and have cable running through each one of the posts. And that’s just an enlargement. The other one was pretty small (referring to the power point slide image). So, the structures that hold the kayaks, that’s what is 42 inches in length. And that was another recommendation by the Planning Board. So again, we’re trying to go with a low profile. And so, your overall footprint ends up being...” Alderman Dull asked, “What length did you have in your proposal?” Ms. Dunn replied, “Forty-two inches. That’s really all you need. At most, you’re going to have maybe a 36-inch-wide kayak. And then of course, the slatted wood deck. That’s a CAMA regulation. That didn’t change. We’re still having that off the 7.5’ side setback. So, this is what has been constructed out on Waynick Boulevard thus far and very similar to what we anticipate at 619. And although we’re wanting to have it, we’re required to have it out of that 30-foot area of concern.

Alderman Partin asked, “How many kayaks would you hang on them?” Ms. Dunn replied, “Four. Very similar to what they’ve got there.” Alderman Partin said, “So in that situation, to the right, there would be another kayak?” Ms. Dunn replied, “Well, they could put a kayak or maybe another paddleboard up there.” Alderman Partin said, “Anyway, another vessel or something would be at the top?” Ms. Dunn said, “They could. If they had that many.”

Alderman Dull asked, “How many owners are there in the association?” Ms. Dunn replied, “In our association, we have seven. And so, this is an example of the wooden slatted deck that CAMA requires no greater than 200 square feet (referring to the slide presentation). Because it’s wood and slatted, they consider that pervious. This is basically a very primitive photoshop deal showing the deck and then what those kayak racks would be within that 7.5’ side setback. And it’s not going to be as much of a wall, I don’t think, as that hedge behind it, but those are parallel if you wanted to see an example. So parallel to the property sideline, but perpendicular to Waynick Boulevard; and again to prevent blockage of views and we want our views to swell. Does anyone have any questions? I think I’ve got a couple more slides on here. Okay, I did have this reviewed last month. I discussed this with you with DCM (Division of Coastal Management), and they felt like it met their standards. And then the other thing I wanted to say about that last slide is that those are out of the AEC (Area of Concern), so they are 30 feet back from that bulkhead. And then the two would be landward of that AEC. I think you still have our permit application, all the property owners within it. And then just one more thing, we have applied for a permit and it’s out front now, and I think that is it.”

Alderman Dull said, “I know that we don’t act on anything that’s brought up in the public comment period and that’s fine. I do think there is more body of work that needs to

be done as a district but for some reason it's got its own zone. Somebody somewhere along the way thought that it needed to have its own district so each district could have its own set of boundaries and what they're supposed to be able to do and not do. I can say I've always ridden up and down that road and enjoyed that view. Like Airlie Road; you enjoy that. I don't know if that was the reason or not when they set up that district. I guess it was set up for a reason. I do believe there needs to be a set of controls for what it is we allow on that side of the street but I'm not against kayak racks at all. I think, what is reasonable? Am I walking down the street, can I enjoy that view? Is that where you set the guidelines? Or are the guidelines when you sit in your vehicle. So, I think Tony's got on here some questions about height and the setback and the number of units. I see what the Planning Board has recommended. I would like to talk about the 12 things here and I'd like to take maybe one at a time and see where we all are on it."

Alderman Dull said, "Item 1. Maximum Height of 7 feet. I think it's more about what you're putting on the rack. I think it's not the pole but what's laying on the rack. So, quite honestly, I think we should come up with some kind of standard like we did with the steps. I don't know how much you would need off the ground. I don't know if you want to speak to that (pointing at Ms. Dunn)." Ms. Dunn said, "What we would like to do is have it at least two feet off the ground so that you can maintain the grass and the landscaping and have it, particularly in our situation, where you have the hedge of the neighboring property owner that we've had to really cut back because it's grown into our property three or four feet, so we've had to maintain that on our side. So probably off the property line about three feet, mainly because we want to keep it neat and we want to be able to easily get under it, around it, and it also helps to be able to manipulate putting the kayaks or paddleboards on or off. You know, when you think about the height, it's kind of hard to be lifting 60 pounds up seven feet or anything like that. I would say that, I'm 5'3", if I have another friend, the two of us could maybe get it this high. So, you know, it's almost self-regulating. And the number of the racks are self-regulating based on the length of the property. If you have to come back 30 feet from the AEC, and in our case, we're about 50 feet on that side of the property, we could only get two kayak racks. If you had 30 feet, you wouldn't be able to have any because you'd still be in that AEC. So those larger tracks, our track is 2,500 feet. So, some of the larger tracks that might be 3,000 or 4,000. When the Planning Board recommended limiting it to no greater than two and parallel with the property line perpendicular with Waynick, I think my interpretation of that intent was to prevent having so many of them. And I do believe it becomes self-regulating because of the AEC and just the dimensions of the property." Alderman Dull said, "Item 2, must be secure to the ground." Mayor Mills asked, "Does anyone have an issue with item 2?" None. "What's the next item?" Alderman Dull said, "Item 3. Maximum width of 42 inches." No one had an issue with that. Alderman Dull said, "Item 4, must be stored on one side of structure which I think makes sense." No one had an issue with Item 4. Alderman Dull said, "Item 5. Structures are allowed on only one side of the property." No one had an issue with that. Alderman Dull said, "Item 6. Open storage structures must run perpendicular to Waynick Blvd." All agreed with that item. Alderman Dull continued, "Item 7. Limited to two structures per lot. We might want to come back to that one. Next item, Item 8, must be located no more than 7.5 feet from the side property line. Must be within the 7.5 feet." Ms. Dunn said, "When the Planning Board reviewed it, they said let's make sure it's within the 7.5-foot setback to get it out of the view." Alderman Dull said, "It needs to state within the 7.5-foot setback just so it's clear, the whole structure." Mr. Edes said, "I would recommend on that condition that we say the entire structure and any vessels stored on the structure must be within the 7.5-foot setback."

Mayor Mills asked if there was an issue and Mayor Pro Tem Miller replied, “I think it’s awesome. That’s what we wanted.” Mayor Mills said, “Everything has to be contained within that 7.5-foot setback.” Alderman Dull said, “We’re not trying to single you out. We’re trying to set a standard here. Item 9, structures must meet CAMA’s setback, 30 feet. That’s a CAMA rule. Paddleboards must be contained on the property. No artificial grass allowed on the property is a CAMA rule. Maximum of 200 square feet of drip through decking.” Mayor Mills asked if anyone had anything else they wanted to add or talk about. Mr. Owens asked Mr. Wilson if the walkway was included in the 200 square feet. Mr. Wilson said, “CAMA does not include the walkway. If you live on the sound side, you can have a 6-foot drip-through walkway. It’s not counted to the 200 square feet of uncovered decking.” Mr. Owens said, “So I think ultimately, that needs to be part of the regulation. Right now, it says no structures. And what we’ve been doing historically, we’ve been allowing this.” Mr. Edes said, “We’re not really addressing this tonight but ultimately we need to.”

Alderman Dull asked Ms. Dunn about the number of kayaks considering there were seven members. A discussion began about the height. Mayor Mills asked, “Could you lower the two-foot height for maintenance and maybe finish off with sand so that the first vessel doesn’t have to be 2 feet off the ground but 6 inches off the ground so you can bring the total height down?” Ms. Dunn replied, “So when I read the CAMA standards, you can’t have any kind of gravel, stone, or impervious surface.” When asked about using slatted wood, like decking, she replied, “So, I don’t know what that does to maintenance. You’re saying build a deck underneath it?” Mayor Mills said, “Not a deck but finish it off so it’s not just bare down there. But, what you’re proposing is that we have to start at 2 feet off the ground, to start with. And so, to get all the kayaks you need, you have to go to 7 feet. I think there might be an issue here with having to go 7 feet.” Ms. Dunn said, “So the poles themselves would be no greater than 7 feet and they may not even be 7 feet. We have to talk to a contractor. I think the ones that are constructed on Waynick are probably 6½ feet.” Mayor Mills said, “I go by there every day. I’ve stood out there by some of them. You can cut a pole and make it whatever you want it to be.” Ms. Dunn said, “I would say for the most part, kayaks, the depth of them could be 20 plus inches, maybe almost two feet, depending upon, I have a fishing kayak that is a double that is probably at least a depth with its keel and everything, it’s probably at least two feet in depth.” Alderman Dull said, “Then you don’t need 2 feet. You just have to have at least 2 feet where you slide it into the slot.” Ms. Dunn said, “Let’s go back to the picture where it’s constructed. The support pole is probably 2 feet from the ground and it’s on an angle. And probably where that support pole meets the structure pole, it’s probably 20 inches, maybe 18.” Alderman Dull said, “You could lay the first one on the ground.” Mayor Mills said, “Maybe you can take it two inches off the ground and bring your total height down.” Alderman Dull said, “I’d like to be able to see over the top of it. You don’t want to start building walls down the road. It’s not as much about you as setting a precedent and I do think there’s more work that needs to be done on this.” Ms. Dunn said, “I think that’s why the Planning Board said it should be perpendicular to Waynick and in the side setback so the view is straight on.” Alderman Dull said, “Just to move this thing along, the top of that pole or the top of whatever is sitting in there is no higher than 5 feet.” Ms. Dunn said, “The height, as I have said, is somewhat self-regulating and I don’t know what my fellow landowners or boatowners – what kind of boats they’re going to have and how tall it’s going to be.” Alderman Dull said, “I would recommend that 1) the maximum height is five feet for property stored on the rack.” Mayor Mills said, “If your pole is extended higher, then that’s okay. What’s being stored is blocking the view.”

Ms. Dunn said, “In my case, I’m not at the water line. I’m 30 feet from the area of concern and I will say to you that pickup trucks parked in a parking spot right out on Waynick, you can’t see over them. They are taller than a kayak rack.” Mayor Mills said, “But they’re not there 24/7.” Ms. Dunn said, “We have some that are parked there all the time.” Alderman Dull said, “I appreciate your help. I think I’ve got what I need. I’m ready to make a motion if that’s alright.”

Alderman Dull made the following motion: “I would move that we accept the Planning Board’s recommendation for modifications to item number one, which would change it to say maximum height of five feet and instead of for structural poles it would say for any property stored on the rack.” Mayor Mills said, “I think you need to put a limit on the poles, too.” Mr. Edes agreed with the Mayor. Alderman Dull continued the motion, “I think we can say with a maximum 6-foot height on the pole. And then clarify item number 8, must be located within the 7.5 side property line. That would be my motion.” Alderman Partin asked if Alderman Dull wanted to allow two structures per lot and he responded yes. The motion was then seconded by Mayor Mills and unanimously approved. Mr. Edes said, “Mayor, I recommend that staff and I reduce this approval to writing with those conditions.” Mayor Pro Tem Miller said, “It was asked earlier of us what we’re going to do about the existing. Do we send it back to the Planning Board?” Mayor Mills said, “No, I’m going to talk to the Town Attorney.”

MAYOR MILLS: OTHER ITEMS AND REPORTS.

- A Closed Session will follow Other Items and Reports.
- Ports and Waterways met yesterday. Nothing concerning Wrightsville Beach. Environmental assessment got pushed back to June.

ALDERMAN DEGROOTE: OTHER ITEMS AND REPORTS.

- Ms. Bulluck brought everyone up to date regarding the MAC Committee.

ALDERMAN DULL: OTHER ITEMS AND REPORTS.

- TDA meets later this month.
- He would support if Mr. Braggi wanted to help define that S-1 District.

MAYOR PRO TEM MILLER: OTHER ITEMS AND REPORTS.

- “Although that bridge does not fall under the jurisdiction of the WMPO, I’m going to comment on it. As Ms. Bulluck mentioned earlier, there’s a monthly progress meeting that happens with D.O.T., the contractor, and staff. I think D.O.T. is coming back with some suggestions along with the contract about how we can improve the current situation. So, stay tuned.”
- “Speed bumps. One of the issues that’s come up with that project is people taking a right turn going into the neighborhood and then going down Jasmine. Jasmine has a petition going around, that’s our process, to get the speed bumps put into a residential street. I would like for y’all to consider, because of the current situation with people rushing down Jasmine to get in line quicker, that we go ahead and install those speed bumps. We will go ahead and file those complete forms when they come but we don’t have it all together yet. The residents of Jasmine do want those speed bumps like we do in other neighborhoods.” The Board agreed by consensus to give Mr. Owens direction to proceed with the speed bumps on Jasmine.

MR. EDES: OTHER ITEMS AND REPORTS.

- Will be attending an upcoming Municipal Attorneys Conference at the School of Government in Chapel Hill.

MR. OWENS: OTHER ITEMS AND REPORTS.

- Noted that Preston Lennon, the reporter from Port City Daily, was attending his last Board meeting as he was retiring.

CLOSED SESSION FOR ATTORNEY CLIENT CONSULTATION PURSUANT TO G.S.143.318.11.

Mayor Pro Tem Miller made the motion at 7:20 p.m. to go into Closed Session for attorney client consultation pursuant to G.S.143.318.11. The motion was seconded by Mayor Mills and unanimously approved.

MEETING RECONVENED.

Mayor Mills reconvened the Regular Meeting at 7:31 p.m. and asked the record to reflect that the Closed Session had been held for the reason so stated with no action taken.

DISCUSSION OF BID FOR SANITATION SERVICES.

Mr. Owens said, “We did bid out sanitation services. We had one proposal and it was non-responsive. It couldn’t provide all the services, mainly on the commercial side, but on some other things that we wanted to see like bulk items and vegetation. There was another company that came in and also gave us a proposal and it would appear that they can provide all the services that we need for them to do and to basically get out of the CDL (Commercial Driver’s License) and sanitation business. That’s why we’re doing what we’re doing because CDL licenses are tough now. Basically, you have to take a class that’s five or six weeks, it’s about \$3,500 and that doesn’t include overhead and meals for the person doing the class and hotel rooms.” When Aldermen Partin asked if we have been paying for this, Mr. Owens replied, “The CDLs that we have, we’re three down. We need three of them. If three of them dropped out of the sky right now, we’d probably be able to continue to do sanitation services even though I would be concerned about the future because of what they make and how they have to go about getting a license. This is impacting all municipalities and probably any business that has to have a CDL. It’s going to impact municipalities hard for street sweepers, sanitation trucks, etc. There are some out there that you buy that don’t have CDL licenses, but they’re really limited, too. So, we went out to bid for services. We got two separate proposals. One of those was Wall and they basically can do everything that we need them to do. What I’ve done for you is pull together a budget and what a budget might look like next year if we decide to go this route. Roughly, our budget is \$1,000,000 per year for what we do. This budget would be a little bit larger. It’s going to cost approximately \$1,500,000 for them to basically service the trash cans, those types of things. We will continue to bill for the residential side of things and make a little bit of profit on that \$60,000. The commercial side of things with the bid from Wall, about ninety costumers, we would let them bill those customers directly. The prices are very similar. The carts will be the same.”

Alderman Partin asked about Lees Cut. Mr. Owens said, “If you have a dumpster,

we'll try to convert you over to the front load thing and then they will bill you at their rate which is basically less than our rate at this point." Mr. Owens further explained the dumpster sizes and waste removal mechanism of the trucks and dumpsters, but he explained that Wall would handle any dumpster changeovers. All commercial customer service would be handled by Wall. Mr. Squires said that Public Works gets frequent calls for changes to commercial pickup and Wall would handle that. Alderman Partin asked about emergency pickups. Mr. Owens replied, "Basically, the total amount would be \$1,500,000 for all the service. That includes all the trash around Town, the beach cans seven days a week, which would now be on the landward side as opposed to the beach; they can't drive out there. The 200 or so cans we have around Town that we do on a daily basis, they will do that now. I'm going to let Buck get into the weeds of this. We're also proposing to keep four employees and he can explain to you why that is. It's really a transitional thing, too, but he'll tell you what their job descriptions are going to be. And if we see we don't need four employees, we can always scale back or move them to another position, so it's really a transitional thing. Mainly, we're keeping our two CDL drivers and a couple of other employees. Wall has agreed to take any of our employees that may want to go that route. If our people want to go somewhere else, then that's a possibility." Alderman Partin said, "That way they don't feel like they're losing their job or that they don't have options." Mr. Owens said, "We don't have a contract yet, so Brian is going to be tasked with doing a contract rather quickly. As it gets towards April, it's going to be very difficult for us to keep up with sanitation because of the extra load so we need to move quickly." Mayor Pro Tem Miller said, "If I heard this correctly, for a total of \$1,842,324 we're not going to lose any services that we have to date." Mr. Squires said, "You're still going to have twice per week pick up all year long." Mayor Pro Tem Miller said, "So apple to apple, I'm not going to know any real difference other than I know and it's going to cost us \$842,324 more than we're currently spending." Mr. Owens replied, "Yes." Mayor Pro Tem Miller said, "So it's going to cost \$842,324 more plus four people." Alderman Partin said, "That's already on there, the \$129,472." Mr. Owens said, "This is all in and it includes storm water budget." Mayor Pro Tem Miller said, "This does not include selling trucks, this is just what it costs if we go from now on and we don't sell anything, unless inflation, this is what the number is, \$842,324 more." Mr. Owens replied, "They said they would hold their line on those prices for three years." Mayor Pro Tem Miller said, "Then we're going to start getting rid of stuff." Mr. Owens said, "They are willing to lease our trucks so it will go quicker. They're willing to purchase our trucks if need be. So, it's an all-in type thing. I would love to have three more CDL drivers and continue to provide the good services that we have in the past. I think these guys can transition, and we will help them transition, to make sure that the citizens still have the same services."

Mayor Pro Tem Miller said, "One more question and it's just a yes or no answer. If I don't have all those trucks and sanitation equipment anymore, what else would I be fixing in that building where the steel beams are falling out?" Mr. Owens replied, "Everything the Town owns. Every vehicle." Mayor Pro Tem Miller said, "But how many crazy big vehicles do we own other than the load packers?" Mr. Squires replied, "The firetrucks." Mayor Pro Tem Miller said, "That's what I needed to know." Mr. Squires said, "We're taking four vehicles away from the garage, four load packers out of over one hundred Town vehicles."

Alderman Partin asked how the Town was going to make up the \$842,324. Mr. Owens pointed to a handout he had provided. Alderman Partin asked about leasing the trucks. Mr. Owens replied, "I wouldn't propose leasing for an exorbitant amount. They are proposing to purchase them at a fair market value at some point."

Alderman Partin asked Mr. Owens if he was sure that the changeover could take place in such a short period of time. Mr. Owens explained that we would help with the transition and continue with commercial until we can make a smooth transition. Town staff would ride along with Wall staff. Wall is going to do everything like the Town but under a different name. Mr. Owens referencing the handout said, "I am not proposing any gap funding this year. We can fund this a number of different ways. I did not say to do this by raising taxes, but that's an option. What I'm proposing is sanitation fees we generate of \$1,000,000. We have stormwater fees of \$110,000. We can bring in an extra \$100,000 of ROT fees that we don't use normally. Buck has told you that storm water is extra low at \$2 per family so we're proposing going to \$6 so that's \$220,000. The contract is proposing a \$22 rate. We charge \$24.50 for a residential cart. That brings in \$60,000. I didn't at this point go up on our sanitation fee but we could consider that. Our parking revenues, we're fairly conservative with that, so adjusting that up by \$200,000. We've still got a shortfall, but we could use reserves. This year, we just see how everything goes. This is going to be a learning curve. We did the best we could with this budget in trying to project revenues and expenditures."

Mr. Squires said, "I think some of you may have some issues with the number of people we are keeping. Let me try to explain to you why we came up with that number. They're going to do everything except pick up litter. We're going to pick up litter so that's two people. In our proposal, we proposed to you to do away with one position in Water & Sewer that cuts the grass. So, these two people, when they're done picking up litter, they are going to cut the grass. So that's the whole idea of combining the sanitation department in with this Environmental Services & Stormwater. I'd like to keep the two CDL drivers because we have a CDL sweeper; so I'd like to keep that at the present time. I'm looking at a non CDL sweeper. I'm supposed to get a demo in April of a machine that's non CDL. One of the CDL drivers we're keeping has nineteen years of service in, so he may retire in the next year. That will leave me one left who is a supervisor. So, that's where we came up with the number four – sweeper driver, two litter people, and a supervisor. That may change as the needs change. I feel comfortable keeping four to keep an eye on what they're doing as a contractor. Once I get comfortable with them, maybe I can do something different." Alderman Dull asked if Wall was going to use the Town's cans or their own. Mr. Squires said that they would be using the Town's cans and when new cans are needed, they would replace them with theirs. Alderman Dull expressed concern over the color. Mr. Squires said that was discussed. Mr. Squires said that they would be trying to convert all the commercial dumpsters to front load.

Mayor Pro Tem Miller asked if they would be treated like parking. Mr. Owens replied, "They would be a contractor just like Pivot Parking." Mayor Pro Tem Miller asked about the equipment. Mr. Owens replied, "Right off the bat we're probably going to have them lease our trucks." Mr. Squires said, "Honestly, they don't have enough trucks right now to do this plus what they're doing." Alderman Dull said, "So we're going to lease back." Mr. Squires asked the Town Attorney if the Town had to lease or could they sell them. Mr. Edes replied, "We can sell them, and we got some information from our insurance company today that I need to analyze." Mayor Pro Tem Miller asked, "Who owns the cans?" Mr. Owens said, "We do. When we transfer over, they'll be in possession." Mayor Pro Tem Miller said, "So we're going to be totally out of trash. They're not going to walk out of here one day and all this equipment is still ours." Mr. Owens explained that this was probably something that needed to be put in the contract as well as the color. Alderman Partin asked who would be managing the contract and Mr. Owens said Mr. Squires would ultimately be handling it.

Mr. Squires said, “There are some pitfalls. This summer, the cans are on the street ends. If we have a beach next summer, we can’t put blue cans back out on the beach because they’re not going to service the beach. They’re going to pick them up at the end of the street. That’s something you’ve got to keep in mind. At first, they only wanted to do six days a week. But we need seven days a week for the beach cans. We just can’t on a weekend not pick them up. So we talked them into that. This transition is going to be difficult because they don’t know what we do and when the guy came down and looked at our operation, he looked and said, ‘I don’t know how you do it’. He said, ‘I don’t know how you do it and get out of here by 3:30.’ If you do it long enough, you learn it, and you learn the shortcuts. We’re going to work with them to hopefully give the service that we give. One of the other issues is brush. We got them to give us a price on picking up brush but it’s once a week on Wednesday. So, my concern is you put your brush out on Thursday, it’s going to sit there all week so we have to come up with maybe an ordinance that says you can’t put your brush out before Tuesday, and then no brush from Wednesday until the following Tuesday. They’re not going to give the customer service that we give but we’re going to try to get it as close as we can.” Mr. Owens explained that a lot of people use yard service. Alderman Partin asked about holidays and Mr. Squires explained that they would have the same holiday schedule that the Town followed. Mr. Squires said that they take Christmas, New Years, and Thanksgiving. Alderman Partin explained that she would like to see in the contract that they must provide service such that they don’t miss service for three straight days.

Mr. Edes explained, “At this point all you need is a consensus to direct us to come up with a contract but we’re not going to wait until next month to enter into it.” Mr. Owens said, “We need to move faster than that so if we need to have a special meeting.” Mayor Mills said, “If we need to have a budget meeting.” Mr. Owens said, “That’s going to be way into April.” Mr. Owens advised that he would be out of the office next week, but the Board could proceed with a special meeting to approve the contract. Mr. Owens explained that they needed a 48-hour notice to hold a special meeting. Mr. Edes said, “I can draft it, send it to each of you and tell you that Tim and staff is fine with it. Individually, you tell me you’re good with it. We execute it and then ratify it at next month’s meeting. I mean, there’s a case on that.” Mayor Mills said, “That would be the way I suggest. That way we don’t have to worry about a date and time and then we end up trying to second-guess our lawyer.” Mayor Pro Tem Miller said, “I don’t see how we can add anything to the discussion.” Mr. Owens said, “There is one thing I want to check with these numbers and I will make sure that happens tomorrow and then you’ll be able to see the budget.”

Mr. Edes said, “I guess we do need a motion to authorize the Mayor to sign, because you’re going to be gone (directed at Mr. Owens), for the Mayor to enter into the contract with Wall.” Mayor Pro Tem Miller made the motion to authorize Mayor Mills to execute the contract with Wall. The motion was seconded by Alderman Dull and unanimously approved.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:52 P.M.

Respectfully submitted,

Sylvia J. Holleman, Town Clerk
(From Minutes compiled by Recreation Program Supervisor Katie Ryan)