



Minutes
Town of Atlantic Beach, North Carolina
Town Council – Work Session
Thursday, May 14, 2015 – 2:00 p.m.



A regularly scheduled work session of the Atlantic Beach Town Council was held Thursday, May 14, 2015 at 2:00 p.m. in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present: Mayor A. B. Cooper, III; Councilmembers: Harry Archer, Ann Batt, Eddie Briley, and John Rivers

Members Absent: Mayor Pro Tem Danny Navey

Others Present: David Walker, Town Manager; Katrina Tyer, Town Clerk; Donna Turner, Inspections Director; Jessica Fiester, Planning Director;

Mike Shutak, Carteret News Times Reporter

CALL TO ORDER

Mayor Cooper called the meeting to order at 2:00 p.m.

Councilmember Archer made a motion *to approve* the agenda as presented. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

Councilmember Briley made a motion *to excuse* Mayor Pro Tem Navey from today's meeting due to an appointment. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

Receive Report from Peppertree Association per conditions of Resolution #15-03-01

Attorney Taylor reviewed the facts from the March 19, 2015 hearing. He explained the reason for today's meeting was for Peppertree-Atlantic Beach Association, Inc. ("Peppertree") to provide an update on their progress.

Joseph E. Propst, Hope Carmichael's partner with Jordan Price Wall Gray Jones & Carlton PLLC, was present on behalf of Peppertree. Mr. Propst specializes in bankruptcy. His firm has done all the title work necessary for the title search. He provided details to Council that they have complied with all of the conditions of the March Resolution.

Mr. Propst then reviewed future plans Peppertree has for the property. Peppertree filed Chapter 11 Bankruptcy on May 13, 2015. They did not do this to alarm anyone, but to hopefully assist with the demolition of buildings 1-14. Bankruptcy proceedings will aid Peppertree in providing over 2,000 property owners with proper notice. An affirmative agreement from all of the owners will not have to be reached, the bankruptcy court can make a determination for what to do with the property. The bankruptcy filing has no effect on what the Town can do. Peppertree is still willing to work with the Town to achieve the ultimate goal of tearing down the buildings.

Peppertree plans to tear down buildings 10-14 also, even though the February 12, 2015 condemnation order was just for the decks and stairs. As ordered by Council in March, all of the decks and stairs have been removed. Temporary stairs have been added allowing access to the units for removing items and cleaning. Peppertree asked for an additional 30 days before turning off the power to the buildings so they can continue to use the elevators for removal of items.

They are working on finalizing terms with a demolition company. They asked Council to allow them until late fall to demolish the buildings so not to disrupt the tourist season.

It was the consensus of Council to allow for an additional 30 days before turning off the power to buildings 10-14 and to allow for demolition after the summer tourist season. Peppertree shall also keep buildings 1-14 fenced with a 6 foot safety fence to assure the buildings remain unoccupied and non-accessible by the public.

Councilmember Briley called for a motion *to allow* Peppertree-Association Atlantic Beach, Inc. an additional 30 days before turning off the power to Buildings 10-14 to continue to remove items and cleanout the buildings and for Peppertree-Association Atlantic Beach, Inc. *to return* to the September 17, 2015 Town Council meeting to provide a comprehensive plan on demolition and removal of debris of Buildings 1-14. Seconded by Councilmember Archer. Vote was unanimous, 4-0. Motion carried.

Mayor/Council Comments and Advisory to Staff

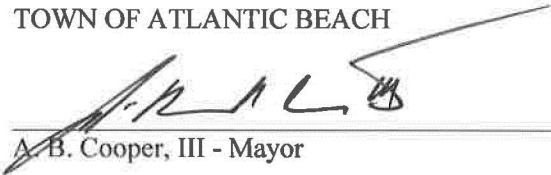
None.

There being no further action taken or business before Council the meeting stood adjourned. The time was 2:50 p.m.

These minutes were approved at the June 22, 2015 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

(seal)


A. B. Cooper, III - Mayor

ATTEST:


Katrina Tyer - Town Clerk

