



**Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, October 26, 2015**



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, October 26, 2015 at 6:00 p.m. in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

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

Members Absent: None

Others Present: David Walker, Town Manager; Derek Taylor, Town Attorney; Sabrina Simpson, Deputy Town Clerk; Jeff Harvey, Police Chief; Jessica Fiester, Planning Director

If a Councilmember wishes to revise the Agenda, a motion to add/delete/move an item will be entertained prior to the adoption of the Agenda.

CALL TO ORDER

Mayor Cooper called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

In lieu of an invocation, Mayor Pro Tem Navey spoke on freedoms. We recently had an election with 22% turnout, compared to Raleigh's 11% and Cary's 8%. We have freedom of assembly with openness. We have freedom of press. And we have the freedom to bear arms. He likes to hunt and believes in the ability to protect yourself and your family. Freedom is not free and many of the military lost their lives fighting for that right. Our military Veterans deserve our gratitude. God Bless Atlantic Beach and God Bless the USA.

Mayor Cooper led the assembly in the Pledge of Allegiance.

APPROVAL OF AGENDAS

Councilmember Archer made a motion *to approve* the agenda. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried.

CONSENT AGENDA

All items listed below are routine and will be enacted by one introduction/motion/second/roll call vote. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered separately.

- a) Tax Collection Report
- b) Tax Releases
- c) Tax Refund
- d) Financial Report
- e) Budget Transfer
- f) Approval of Contract with Tarheel Medical Billing, Inc.
- g) **Resolution 15-10-01:** Resolution Authorizing the Use of Cash
- h) Town Council Meeting Minutes: 9/17/2015 WS; 09/28/2015

Councilmember Briley made a motion *to approve* the Consent Agenda. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

(Clerk's Note: a copy of Consent Agenda items are attached and therefore made a part of these minutes.)

CITIZEN REQUESTS/COMMENTS

Michael Murdoch, 415 Wildwood Rd, Newport

He grew up here and is concerned with our natural coastline at risk for off-shore drilling. One reason he is opposed to offshore drilling is because of the huge area covered by sonic blasting, it is harmful to animals and fish we depend on. There will be devastating leaks and spills if we drill for oil. There isn't a place to be on the sideline. If you don't oppose it, your

children and grandchildren will pay for it. This is a magical place that has stayed the same for 80-90 years, a tourism dream. It doesn't get any better than this and he hopes we appreciate it and vote to oppose.

Laurie Tatem, 109 Dogwood St.

Are we looking at doing anything for pedestrian crosswalks? There was only one sign up and it has blown away. She thinks we need to spend money for not just the lights, but signage.

We don't have a big crowd here tonight for Seaside Villas because Council will do what they want to do. She only hopes Council does what was asked and consider what will happen to the neighborhood if this is allowed, especially after all the recent rains and flooding.

Mayor Cooper responded saying signage on the DOT road could be removed by DOT. We have asked for more signage in the past. We are working with DOT for striping and more crosswalks in areas that need them.

Mayor Cooper also stated if this Council was going to do what they wanted on Seaside, it would have happened six months ago. Instead comments have been considered and the developers have changed the plan multiple times. He feels the process is working the way it is supposed to with public comments.

Mr. Hill, representing Katherine Abbott, 314 East Boardwalk

Commends the Public Works Department after the recent rains and flooding. The problem is we need to do more engineering to fix the problem. He thinks we need to spend money on larger pumps and grinder pumps to grind up the stuff that gets stuck. A bad problem is on Boardwalk, his mother has spent thousands of dollars trying to help fix the problem, but it will take the Town's help too. The pump is there, and when it works it is fine, the problem is when it gets clogged.

Mayor Cooper stated we have looked at an engineered solution for that area and will look into the problems with the pump.

Pace Winstead, 510 Kinston Ave

Thanked Danny for his comments about our freedoms. She would like to congratulate all of the Council on the recent elections. It was a good, clean race. The first time Seaside Villas came up, she remembers the number of units being the concern. She recalls it was 71-units. She recalls various Councilmembers stating that was too high. The current site plan is 56-units with various size bedroom units, which equates to the same number of people that held the original plan from 71-units. The number for 56-units sounds reasonable until you look at the number of units that are now four bedrooms. The bottom line is it is the same number of people, same density, and same number of vehicles.

Suzanne Hassel, 528 N Kinston

She is surprised the skatepark isn't moving faster, but she understands. She has major concerns with the sidewalks, especially along West Fort Macon with the angled sidewalks from Beach Tavern to First Citizens Bank.

Mayor Cooper stated a big problem is that it is along the State right-of-way. Long range plans have a sidewalk plan, but in the short-term we are working on wayfinding signage to direct people to the back roads.

Phil French, 509 W Boardwalk

Why is the 70+ unit plans for Seaside Villas still on the town's website? And why isn't the current UDO? What is being done to align the Land Use Plan with the UDO?

Mayor Cooper stated the website plans are up to date, as verified by staff locating them immediately during the meeting.

Councilmember Archer stated regarding the UDO, Council has contracted with CodeWright to examine the UDO.

ACTION AGENDA

Review of Seaside Villas project and Schedule a Public Hearing for the November 23, 2015 Council meeting

Jessica Fiester presented the 56-unit townhouse project known as Seaside Villas. It was reviewed by the Technical Review Committee on September 23. The TRC unanimously agreed the project was ready to go to the Planning Board for a review.

The Planning Board reviewed this project on October 13, 2015, where it received unanimous approval and was sent to the Town Council for a Public Hearing.

On September 15, letters were mailed to 80 property owners within 500-feet of the project site inviting them to provide written or verbal comments and an invitation to attend the TRC and Planning Board meetings and provide comments. No comments were provided at the Planning Board meeting or in writing on this project for the Planning Board to review. Signage was posted on-site on September 15 to ensure public awareness this project had been submitted for review.

Ms. Fiester pointed out that one page on the plans had the bedroom figures reversed, whereas the other twelve pages had it correct. This is where Mrs. Winstead got her figures. In actuality, the density is going down.

Mayor Pro Tem Navey made a motion *to schedule a public hearing* on November 23, 2015 for the proposed Seaside Villas project. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

TOWN MANAGER'S REPORT

Mr. Walker explained this is to construct a wellhead and pumping system for water supply well #2A, well site improvements, and associated pipelines at well site #2.

The original bid opening was September 30, 2015. Only two bids were received and were returned unopened to the bidders. The project was re-advertised and bids were opened publicly on October 14, 2015. Again, only two bids were received: Magette Well & Pump Company, Inc. for \$289,800 and A. C. Schultes of Carolina, Inc., for \$320,000.

Councilmember Archer made a motion *to approve* the Well 2A construction contract with Magette Well & Pump Co, Inc. in the amount of \$289,800. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

MAYOR/COUNCIL COMMENTS

Mayor Cooper led discussion of Proposed Offshore Energy Drilling and seismic testing.

Mayor Pro Tem Navey finds it ironic that the Department of Interior will probably grant these permits, the same Department that recently put restrictions on us as Turtle Habitats. Commercial and recreational fishermen and nourishment get restricted, but they may permit wells for drilling oil. A recreational fisherman, it isn't worth the down side. He is opposed.

Councilmember Rivers fishes and these things have spills. He is opposed to it.

Councilmember Archer stated there are several items he feels everyone should evaluate. Revenue sharing and royalties is one thing to get educated on. All of that water out there belongs to the federal government. The Feds say no municipality or state can share in the royalties. Why would we support this if we cannot even receive royalties from it? As it relates to seismic testing, he and Mayor Pro Tem Navey met with experts and no numbers were given for statistical purposes. The governor is pushing hard for the seismic testing at the state level. He thinks the seismic testing will take place. He has a wait and see approach.

Councilmember Briley feels you need to take a stand when needed and not wait and see. He is on the water a lot. We have a wonderful thing in our ocean and to do anything that would jeopardize this environment is crazy. He says take a stand with a resolution against the drilling, seismic testing, all of it.

Councilmember Batt agrees with Councilmember Briley. She takes a stand that she is opposed.

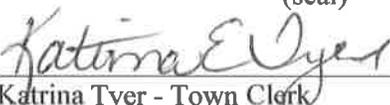
Mayor Cooper said the consensus of the group is that we are opposed and take a stand against it. We don't have a formal resolution ready, but we agree to oppose it.

Councilmember Briley made a motion *to draft a proposal resolution* against offshore drilling and seismic testing. Seconded by Councilmember Batt. 5-0 unanimous. The draft will be distributed among Council and placed on next agenda for approval.

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:12 p.m.

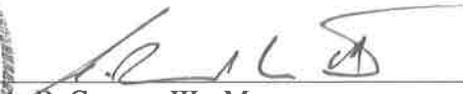
These minutes were approved at the November 23, 2015 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)

Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


B. Cooper, III - Mayor