



Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, March 28, 2016



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, March 28, 2016 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: Ann Batt, Eddie Briley and John Rivers

Members Absent: Councilmember Harry Archer

Others Present: David Walker, Town Manager; Derek Taylor, Town Attorney; Katrina Tyer, Town Clerk; Sabrina Simpson, Administrative Service Director; Jeff Harvey, Police Chief; Michelle Shreve, Planner; Marc Schulze, Public Service Director

CALL TO ORDER and PLEDGE OF ALLEGIANCE

Mayor Cooper called the meeting to order at 6:00 p.m. Mayor Pro Tem Navey led the assembly in the Pledge of Allegiance.

Councilmember Briley made a motion *to excuse* Councilmember Archer from the meeting due to being out of town for the death of his brother. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

APPROVAL OF AGENDAS

Councilmember Briley made a motion *to approve* the agenda. Seconded by Councilmember Rivers. Vote was unanimous, 4-0. Motion carried.

4. CONSENT AGENDA

- a) Tax Collection Report
- b) Tax Releases
- c) Financial Report
- d) Budget Transfer
- e) Budget Amendment
- f) Surplus Sales
- g) Approval of Agreement for Town Park Miniature Golf Course: Harris Miniature Golf Courses, Inc., Wildwood, NJ
- h) Town Council Meeting Minutes: 2/22/2016

Councilmember Batt made a motion *to approve* the Consent Agenda. Seconded by Mayor Pro Tem Navey. Vote was unanimous, 4-0. Motion carried.

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

5. CITIZEN REQUESTS/COMMENTS

Martha Beam, 208 Dunes Ave: She would like to check on the construction status of the Dunes Avenue beach access and how far it will extend over dunes. She also asked about the broken dog pickup receptacle station at the access, stating it looks and smells bad.

Mr. Walker replied construction of the access should begin in about two weeks and should be completed before Memorial weekend. It extends over the edge of the dunes as far down as we could get it to make sure it remains ADA accessible. He apologized for the pet receptacle and said it would be replaced immediately.

6. RESOLUTION 16-03-01: Retirement Resolution of Appreciation to Inspections Director Donna L. Turner

Mayor Cooper read the resolution for the audience. He appreciates Donna for her service and for returning for a part-time position.

Mayor Pro Tem Navey made a motion *to approve* Resolution 16-03-01, Retirement Resolution of Appreciation to Inspections Director Donna L. Turner. Seconded by Councilmember Rivers. Vote was unanimous, 4-0. Motion carried.

7. PROPOSED ORDINANCES AND RESOLUTIONS

a) **ORDINANCE 16-03-01: Ordinance Amending Chapter 12, Offenses and Miscellaneous Provisions; Section 12-3, Skateboards**

Jeff Harvey, Police Chief, reviewed the proposed ordinance and the intent to protect citizens and visitors. Councilmember Briley would like to have discussion at the next work session on how the skatepark will be managed to assure the rules are being followed and who will facilitate the miniature golf and concession stand. Chief Harvey assured police presence will be at the park.

Councilmember Briley made a motion *to approve* Ordinance 16-03-01, Ordinance Amending Chapter 12, Offenses and Miscellaneous Provisions; Section 12-3, Skateboards. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

b) **ORDINANCE 16-03-02: Ordinance Amending Chapter 5, Beach and Shore Regulations, Section 5-5.2 Bridge Abutment Parking Facility**

Mayor Cooper made it very clear this ordinance does not apply to the Causeway, only the Bridge Abutment parking facility. It would not limit any of the following on the Causeway:

- Business owner or customer parking
- Daily boat and trailer storage
- Fishing or special events

Councilmember Briley made a motion *to approve* Ordinance 16-03-02, Ordinance Amending Chapter 5, Beach and Shore Regulations, Section 5-5.2 Bridge Abutment Parking Facility. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

8. PLANNING

a) **Plan Review Schedule for Resubmitted Plans (dated March 4, 2016) for Seaside Villas by 2800 WFM Inc.**

Michelle Shreve, Planner, reviewed the Seaside Villas resubmission, the process thus far and future plans. This re-submittal is for the exact same number of units in the exact same locations. It provides labels for power poles and additional information on adjoining property owners. The Planning Board is scheduled to review the plans on April 5, 2016. There have been no changes in the plan since it was discussed at the March 17, 2016 work session.

b) **Official Zoning Map Corrections Process Schedule CALL FOR A PUBLIC HEARING on April 21, 2016.**

Planner Shreve provided Council with the plan to correct two scrivener's errors within the town's zoning map. Corrections are at the Needle Rush Bay subdivision and the parcel north of Jungle Drive.

Town Attorney, Derek Taylor, advised Council to table the issue for the property north of Jungle Drive. After a review of the minutes, it was determined that even though the strip of land north of Jungle Drive should have been color coded to match the rest of the parcel south of Jungle Drive, one of the maps presented to Council in 2005 during the re-zoning request left the strip of land colored the same zone as the neighborhood behind it rather than the same color as the rest of the parcel south of Jungle Drive. We initially thought this was simply a clerical error, but have determined Council voted on what was presented to them. Since this is no longer a clerical error, in order to fix the issue, Council must take a different action. However, no matter how we correct the zoning map it will not affect the proposed Seaside Villas project.

To correct the Needle Rush Bay property, in the spirit of transparency, the planning department will notify adjoining property owners there was an error made and the Planning Board will review the issue on April 5, 2016.

Councilmember Rivers made a motion to schedule a public hearing on April 21, 2016 to address a scrivener's error on the official zoning map at 608 W Fort Macon Rd (parcel 637515648942000). Seconded by Mayor Pro Tem Navey. Vote was unanimous, 4-0. Motion carried.

7. TOWN MANAGER'S REPORT

a) Approval of Park Expansion Budget

Mr. Walker reviewed the park expansion budget for Council. We hope to raise enough funds to cover a large portion of the town's expenses.

Councilmember Rivers made a motion *to approve* the budget amendment for the park expansion budget. Seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

b) Status of Capital Projects

- a) Skatepark – Contractors are pouring concrete in two weeks; currently packing the sand
- b) Miniature golf – waiting on the design of the bathroom/concession stand so they can be built at the same time
- c) Well 2A – the pumps are in and the pre-fabricated housing will be delivered soon
- d) Cedar/Durham Drainage – the project is on schedule and should be completed on time
- e) West End Public Works Facility – we have received all of the permits needed to begin this project. The engineers are putting the bid package together. The project will be done in two phase; getting the site ready and installing the septic system, then construction of the building. Lee Dixon is designing the building based on the previous design approved by the board
- f) Dunes Avenue Beach Access - We are ready to proceed

MAYOR COUNCIL COMMENTS

Councilmember Rivers stated he has received favorable comments with all the projects going on.

Councilmember Briley commented how busy the park was today with Carteret County schools closed. He asked when the Old Causeway drainage project may occur. Mr. Walker stated he intends to make it a fall project to be awarded after Labor Day. There will be a lift station with the same concept as we used in the Hoop Pole Creek area. The water must flow over the land for 50ft. The town has a piece of ROW that abuts the water, which we will use for the station drainage so no easements must be obtained.

Mayor Cooper again expressed his condolences to Councilmember Archer for loss of his brother.

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:47 p.m.

These minutes were approved at the April 25, 2016 meeting of the Atlantic Beach Town Council.

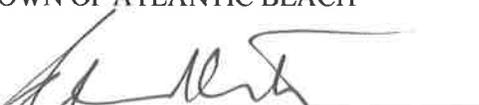
TOWN OF ATLANTIC BEACH

ATTEST:

(seal)

Katrina Tyer - Town Clerk




B. Cooper, III - Mayor