



Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, February 27, 2017



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, February 27, 2017 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; Katrina Tyer, Town Clerk; Sabrina Simpson, Administrative Service Director; Arrington Moore, Management Assistant; Michelle Shreve, Planner; Marc Schulze, Public Service Director; Jeff Harvey, Police Chief; John Harrell, Inspector; James Sebastian, Water Supervisor
Rich Johnson and Rich Porter, Planning Board members; John Lotspih, Board of Adjustment member

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.

APPROVAL OF AGENDAS

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

4. CONSENT AGENDA

- a) Financial Report
- b) Budget Amendments
- c) Budget Transfer
- d) Tax Collection Report
- e) Tax Releases
- f) Authorization to Advertise Tax Liens
- g) Approval of FY17-18 Budget Calendar
- h) Approval of 2017 Parking Program
- i) Call for Joint Council and Planning Board Meeting on March 7, 2017 at 6:00pm and April 20, 2017 at 6:00pm at the Town Boardroom for presentation on the UDO Update Public Review Draft - Module Two from CodeWright Planners
- j) Letter of Citizen Appreciation for Craven Gardner
- k) Ordinance 17-02-01: Ordinance Authorizing the Use of Cash
- l) Ordinance 17-02-02: An Ordinance Amending Chapter 8, Fire Prevention and Protection (Tents)
- m) Resolution 17-02-01: Resolution of Appreciation and Awarding Service Badge and Sidearm to Major Shawn Reaume
- n) Resolution 17-02-02: Resolution of Appreciation and Awarding Service Badge and Sidearm to Lt. Brian Prior
(*Resolutions will be presented to Officers at March 24 Retirement Luncheon)
- o) Town Council Meeting Minutes: 1/12/2017 Retreat; 1/12/2017CS; 1/23/2017; 1/23/2017CS

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

5. CITIZEN REQUESTS/COMMENTS

None.

6. PUBLIC HEARING and Approval of Major Site Plan Review The Pinnacle

Michelle Shreve, Planner, introduced The Pinnacle project. It was originally proposed and reviewed in 2006, but while the additional information was being gathered the developer decided to put the project on hold. The project has resurfaced with the purchase of the property by Max Barbour. Mr. Barbour has been working with Ron Cullipher of Stroud Engineering to coordinate the application of this major site plan. (Residential development with more than four units is subject to standards

set out in the UDO, Section 6.21: Multi-Family Housing Development Standards and the major site plan review process outlined in Article 14. According to Section 14.4.3, multi-family development requires major site plan approval).

On January 9, Stroud Engineering submitted a development proposal for a 4-story, 12-unit condominium building called "The Pinnacle" located at 431 East Fort Macon Road. The first floor is parking and storage and the second and third floors have six condo units each. The plan also includes accessory structures, a swimming pool, gazebo, bathhouse, and marina facilities (docks and boat lifts).

On January 19, letters were mailed to 101 property owners within 500' of the project. The letters notified property owners of the entire major site plan approval process, outlined the January 26 Technical Review Committee, Planning Board, and Town Council times and dates, and officially served as the notification for the Planning Board public hearing in accordance with state statutes.

Before Planning Board reviews a major site plan, the Technical Review Committee meets to discuss technical compliance of the project with all applicable Town codes and ordinances. The TRC is typically composed of Town department heads, the developer and/or agent, and other entities as necessary. The TRC met on January 26 and collectively recommended this project to the Planning Board. The Planning Board met on February 7 and unanimously recommended forwarding to Council for approval. Additional letters were sent to each property owner within 500' letting them know of the public hearing during tonight's Council meeting.

Councilmember Briley made a motion *to enter* public hearing on the approval of proposed Major Site Plan for The Pinnacle. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried. The time was 6:59pm.

Ron Cullipher, Stroud Engineering. Mr. Barbour is ready for the project to proceed. He is in the process of getting the state permits transferred to his name.

Alan Shelor, 100 Sound Drive. He is very familiar with Max Barbour. Mr. Barbour was looking for a small project at the beach to develop and he found this one. He will make it aesthetically pleasing.

Jeremy Rich, 412 E. Fort Macon Rd. He is concerned about the project blocking his sound view. Stated other adjacent property owners were not aware of this development. He requested approval be continued to make sure the neighbors could be notified. He wants to address the traffic concerns also. He understands he may be the only one concerned.

Councilmember Archer made a motion *to close* public hearing on the approval of proposed Major Site Plan for The Pinnacle. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried. The time was 6:18pm.

Michelle did receive a few questions from some of the Money Island neighborhood, but all seemed to feel positive about the development especially since it is on the sound side.

Council answered public questions and addressed comments.

Councilmember Archer made a motion *to approve* the proposed Major Site Plan for The Pinnacle. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried. The time was 6:18pm.

7. Resolution 17-02-03: Resolution of Commitment of Funds Water Resources Development Project Grant (Dredging)

Staff has been working with the Division of Water Resources to put together a package that will fund dredging projects. If the state decides these projects are fundable, we are eligible for them to refund 66.6% of our cost (up to \$96,000). As with all state grants, in order to be eligible a resolution needs to be adopted by the Council stating they will match the funds if available.

Mayor Pro Tem Navey made a motion *to approve* Resolution 17-02-03: Resolution of Commitment of Funds Water Resources Development Project Grant. Seconded by Councilmember Rivers. Vote was unanimous, 5-0. Motion carried.

8. TOWN MANAGER REPORT

a) Review of SCADA project and approval of \$283,000 bid by Custom Controls Unlimited, Resolution 17-02-04: Resolution Approving Financing Terms; and Budget Amendment

During the November 3, 2011 Council Worksession, Council was provided a water system reliability report from Francis Sanders Jr., P.E. The report verified that the computerized control of the water system was extremely limited and the system was in need of a SCADA system so that it could be reliably controlled by staff and adequate data could be collected to analyze and correct existing and future problems. Water Department staff has since been evaluating various municipal Supervisory Control and Data Acquisition (SCADA) systems to see how other municipalities benefited.

On August 17, 2015, the Bid Package for a SCADA system for the water plant was sent to perspective bidders. On September 30, 2015, the following bids were received:

Custom Controls Unlimited Inc.	\$283,000.00
MicroComm	\$238,782.00
Instrumentation Services, Inc.	\$465,000.00
Lord & Company, Inc.	\$481,916.04

MicroComm, the low bidder, did not meet the minimum qualifications in the bid package. The next low, responsible bidder meeting all qualifications is Custom Controls Unlimited Inc. This firm also serves Morehead City, Surf City, Carteret County, and Topsail Beach.

Financing bids were solicited for \$250,000, with a seven year payout with annual payments in arrears. The Town would pay the balance from cash. The following bank quotes were received on February 17, 2017:

BB&T	2.49% interest
Capital Bank	3.09% interest

Councilmember Briley made a motion *to approve* the \$283,000 bid by Custom Controls Unlimited, Resolution 17-02-04: Resolution Approving Financing Terms; and Budget Amendment #9 appropriating funding. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried.

b) Review and Approval of bid for Raleigh Avenue Beach Access: Bogue Banks Marine; \$58,340

In October 2016, the Town was awarded a grant of \$40,700 through the CAMA Program. The following bids were received for additions to the existing Raleigh Avenue Beach Access; elevated wooden walkways, ramps, etc. on February 22, 2017.

Bogue Banks Marine	\$58,340.00
L.A. Downey & Sons, Inc.	\$95,443.00
Thomas Simpson Const.	\$76,000.00

Councilmember Batt made a motion *to approve* the \$58,340 bid by Bogue Banks Marine for construction of the Raleigh Beach Access project. Seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried.

9. MAYOR/COUNCIL COMMENTS

Mayor Cooper stated he has been in contact with some of the property owners at Ocean Ridge regarding work at the Town Park. He responded by sending an email to the property owners letting them know of the details and that an adequate vegetation screen (wax myrtles, cedar trees, etc.) will be placed where the dune was removed. They were also concerned with the lighting and have been assured that after the lighting is finished, each light can be turned on or off as needed for safety and security.

Mayor Cooper stated the raised oyster bed discussion from last month has had some progress. He and Mr. Walker went to the Division of Marine Fisheries public comment session and spoke against the project. Residents of 8½ Marina were also present. The Division granted Sammy Boyd's request for one of the three beds. We need to decide if we want to join in an appeal. Councilmember Briley would like to pursue the appeal due to boat access at the location. Attorney Taylor recommends other opposing parties to file separate appeals.

Councilmember Briley made a motion *to direct* Derek Taylor, Town attorney, to investigate and take the needed steps for appeal of the recent NC Department of Environmental Quality, Division of Marine Fisheries decision. Seconded by Mayor Pro Tem Navey. Vote was unanimous, 5-0. Motion carried.

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:08 p.m.

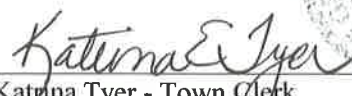
These minutes were approved at the March 27, 2017 meeting of the Atlantic Beach Town Council.

ATTEST:



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor


Katrina Tyer - Town Clerk