



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, August 27, 2018



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, August 27, 2018 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 Richard Porter; Councilmembers: Harry Archer, Richard Johnson, Danny Navey, Austin Waters

Members Absent: None

Others Present: David Walker, Town Manager; Derek Taylor, Town Attorney; Katrina Tyer, Town Clerk; Sabrina Simpson, Administrative Service Director; Michelle Shreve, Planner; Arrington Moore, Events/Mgmt Asst; Jeff Harvey, Police Chief; Marc Schulze, Public Works Director; Mike Shutak, Carteret News-Times
Planning Board Members: Neil Chamblee and Lynne Brown
Board of Adjustment members: Vada Palma, Doug McCullough and Eddie Briley

CALL TO ORDER and PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDAS

Councilmember Archer made a motion *to approve* the agendas as presented. Seconded by Mayor Pro Tem Porter. Vote was unanimous, 5-0. Motion carried.

4. CONSENT AGENDA

- a) Financial Report
- b) Budget Transfer
- c) Tax Collection Report
- d) Tax Releases Report
- e) Review and Approval of Second Amendment of Co-Location Option and License Agreement with AT&T
(*cellular antennas on West Drive water tower*)
- f) Town Council Meeting Minutes: 7/23/18

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

5. CITIZEN REQUESTS/COMMENTS

a) Request for Review of Night Beach Driving Policy

Joey Starling, 107 E Bogue Sound Drive, present on behalf of his neighbors to ask Council to consider allowing beach driving at night, particularly to AB citizens. He suggested providing two different passes, one for daytime and one for nighttime. He feels having residents patrolling the beach at night will deter beach crime.

Mayor Pro Tem Porter voiced his concern with loud diesel trucks making noise on the beach strand at night. Councilmember Navey said it was not just break-ins, but also causing a nuisance. He feels allowing citizens to patrol will lead to problems between neighbors/citizens. Joey added that Topsail Island only allows driving by those with a fishing license, something we could consider to cut down on playing on the beach, day or night.

Mayor Cooper noted they were not in a position to review this tonight, but would instruct staff to review.

b) Review of Encroachment Agreement for sewer line on Greenville Ave

Ron Cullipher, Engineer for Developer Worth Baker, is requesting a ten foot utility easement across Greenville Ave. for the four residential properties planned to be built on the old Skippers Cove parcel on East Fort Macon Road. The County

determined the lot to the east of Greenville Ave. will not perk due to gravel fill, so this home will be included in a joint septic system with the other three proposed homes on the west side of Greenville Ave. The system will be installed by Baker and Smith and then turned over to a HOA. Cullipher noted the homes will probably be four bedrooms and will actually be less of a load on the septic system than the Skippers Cove Restaurant building.

Councilmember Navey made a motion *to approve* the Street Encroachment Agreement between the Town of Atlantic Beach and Baker & Smith Properties, LLC. Seconded by Councilman Archer. Vote was unanimous, 5-0. Motion carried.

Vada Palma, 116 Island Quay Ct., would like to discuss the VIPS (Volunteers in Policing) program. She has heard the numbers are low and would like to see an increase in recruitment efforts. Zulene Wooten, one of the original members of the VIPS, said participation has decreased and she used to really enjoy it.

Carolyn Bridgwater, Lot 49, Triple S Marina, present representing Triple S Marina residents. She would really like the golf cart proposal approved as well as parking at the Henderson Blvd. beach access. She previously submitted a petition including 68 names in support of golf cart usage and parking.

6. PRESENTATION REGARDING PROPOSED MAIN INTERSECTION UPDATES

Hon F. Yeung, Project Team Leader on behalf of Preston Hunter, Div. Eng., NCDOT, spoke on the proposed lane change and drainage issues at the main intersection. Their proposal is to elevate the road above sea level to install a new drainage system under the pavement, this would have significant impact on the businesses on the south end of the intersection.

Mayor Cooper noted that due to the significant construction and business and resident support needed for the stormwater project, we are only prepared to move forward with the lane reconfiguration at this time.

7. REVIEW OF PROPOSED SIDEWALK EASEMENTS AT THE CIRCLE AND CALL FOR A PUBLIC HEARING AT THE SEPTEMBER 24, 2018 COUNCIL MEETING

Mr. Walker reminded Council this topic was reviewed a year ago during a work session. This request does not cause the Town to lose any property, only requests to close some old easements and accept new ones. A public hearing is not required, but we will accept public comments due to the high interest in the circle area.

Councilmember Waters made a motion *to schedule* a Public Hearing on the Sidewalk Easements for the September 24, 2018 Council Meeting. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried.

8. UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS

Michelle Shreve, Planner, reviewed the proposed amendments. Under the new UDO all text amendments are required to go through the same review and approval process. During the Planning Board review on August 7, they recommended deleting a change to Table 18.10.2.E for additional encroachment for uncovered front porch steps and due to intentions to construct a new town hall, amended Item #8 to include major governmental complex.

Mayor Pro Tem Porter made a motion *to open* the Public Hearing. Seconded Councilman Waters. Vote was unanimous, 5-0. Motion carried. Time was 6:43pm.

No Comments.

Mayor Pro Tem Porter made a motion *to close* the Public Hearing. Seconded by Councilman Johnson. Vote was unanimous, 5-0. Motion carried. The time was 6:44pm.

Councilmember Archer made a motion *to approve* Resolution 18-08-01: Resolution of Plan of Consistency in Accordance with NCGS 160A-383. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

Councilmember Navey made a motion *to approve* Ordinance 18-08-01: Ordinance Amending Chapter 18, Unified Development Ordinance. Seconded by Mayor Pro Tem Porter. Vote was unanimous, 5-0. Motion carried.

9. CAMA LAND USE PLAN AMENDMENT

The proposed amendments have been approved by CAMA District Planner as amendments, not an "update". At the July meeting, Council unanimously recommended to continue the public hearing and for the Planning Board to review at their August 7 meeting.

Mayor Pro Tem Porter made a motion *to re-open* the Public Hearing. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried. The time was 6:47pm.

No comments.

Mayor Pro Tem Porter made a motion *to close* the Public Hearing. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried. The time was 6:48pm.

Mayor Cooper noted there were a few incidences in which densities were listed that did not match the UDO. He presented changes for pages 152, 170, 198, 199, 200, 201, and 205(chart) to include the 21 units per acre (2000sf/unit) for MHI and 17 units per acre (2500sf/unit) for COR.

Mayor Pro Tem Porter made a motion *to approve* Resolution 18-08-02: Resolution Authorizing an Amendment to the CAMA Land Use Plan as amended with Mayor Cooper's recommendations listed above. Seconded by Councilman Waters. Vote was unanimous, 5-0. Motion carried.

10. PROPOSED GOLF CART USAGE

Councilmember Navey made a public statement against usage of golf carts due to safety concerns. He does not feel approving an ordinance for 30% of citizens is worth risking safety. Also, this adds extra work on the police department.

Mayor Cooper allowed informal comments from the audience. Eddie Briley commented this ordinance eliminates part of the Town from participating in using golf carts. He feels Council should wait until paths are created and the entire Town can benefit. Vada Palma inquired about making the future bike paths large enough for golf carts. Neil Chamblee inquired about the Town allowing and enforcing use on private property. Zulene Wooten inquired about crossing Hwy 58 in the pedestrian crosswalks. She hopes to see this ordinance pass and it stops usage by underage children.

Mayor Cooper noted the Town can see how well this is recived and then develop ways to improve infrastructure.

Mayor Pro Tem Porter made a motion *to approve* Ordinance 18-08-02: An Ordinance Amending Chapter 10, Motor Vehicles and Traffic, Article I, Section 10-1, Definitions and Article X, Operation of Golf Carts, Section 10-189 Registration and Permit Requirement with *the addition* of Island Quay Court and Island Quay Drive as a crossing and an effective date of November 1, 2018. Seconded by Councilmember Johnson. Vote was 3-2, Navey and Archer opposed. Motion carried.

Clerk's Note: After the August 27, 2018 meeting approving Ordinance 18-08-02, a Second Reading was scheduled for September 24, 2018, in which Ordinance 18-08-02 was adopted and approved. Effective Date: November 1, 2018

11. TOWN MANAGER REPORT

None.

MAYOR/COUNCIL COMMENTS

Mayor Cooper noted the police department received a FEMA grant in the amount of \$107,000 for the purchase of new mobile and hand held radios. We expect to be able to purchase 18 handhelds, and 20 vehicle units.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:06 p.m.

These minutes were approved at the October 22, 2018 meeting of the Atlantic Beach Town Council.

ATTEST:

 (seal)
Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


B. Cooper, III - Mayor