



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, July 22, 2019



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, July 22, 2019 at 6:00 p.m. in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present: Mayor Pro Tem Richard Porter; Councilmembers: Harry Archer, Richard Johnson, Danny Navey, Austin Waters

Members Absent: Mayor A. B. Cooper, III

Others Present: David Walker, Town Manager; Katrina Tyer, Town Clerk; Jeff Harvey, Police Chief; Michelle Eitner, Planning Director; Marc Schulze, Public Services Director; Nick Krebs, Planner
Mike Shutak, Carteret News-Times

CALL TO ORDER and PLEDGE OF ALLEGIANCE

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

Councilmember Archer made a motion *to excuse* Mayor Cooper due to travel. Seconded by Councilmember Johnson. Vote was unanimous, 5-0. Motion carried.

APPROVAL OF AGENDAS

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

4. CONSENT AGENDA

- a) Financial Report
- b) Tax Collection Report
- c) Tax Releases Report
- d) Tax Refunds (Bland and Sumrell)
- e) Tax Collection FY18-19 Annual Report
- f) Order to Collect Taxes
- g) Approval of EMS Billing Contract with Carolina Ambulance Billing (South Carolina)
- h) 2019 Beach Music Festival Summary
- i) Town Park Revenues and Expenses Summary
- j) Town Insurance Program Summary
- k) Approval and Awarding of the 2019-20 Phase II – Vegetative and C&D Debris Removal Contract to State Tree as primary award and Custom Tree Care as secondary award
- l) Approval of **Resolution 19-07-02**: Resolution Adopting the Municipal Records Retention and Disposition Schedule Published by the North Carolina Department Of Cultural Resources, Division Of Archives and Records
- m) Continuance of Public Hearing on proposed Amendment to Chapter 18, UDO on Backfilling Bulkheads until August 26, 2019 at 6:00pm
- n) Town Council Meeting Minutes: 5/9/2019WS; 6/24/2019

Mayor Pro Tem Porter noted the EMS Billing Contract item is listed tonight to allow time to give the current company proper notice and for the town attorney to review and finalize the contract with Carolina Ambulance Billing. 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

Carolyn "Scotty" Mallard, 1713 Windsor Road, Kinston and 308-310 West Bogue Blvd. She is concerned about the damaged McDonalds fence that abuts her property. She contacted McDonalds and was told they were not replacing it. On July 1 she spoke to Michelle and on July 17 Michelle told her she had mailed a letter without a response. She is asking Council to enforce the repairing the 80 feet of missing fence.

Sara Alexandra Patten, 304 West Bogue Blvd. and Winston Salem. She has recently had stuff stolen from her deck. She understands from the Police Department, crime has increased since the damage to the fence.

John Crawford, 306 West Bogue Blvd. and Greensboro. There has been an increase of trash and dogs in the area. The privacy from their backyards has been taken.

David Cox, 311 West Bogue Blvd. He knows neighbors that have had stuff stolen since the fence has been down. He would like the Town to assist in getting the fence repaired.

Michelle advised she spoke with Mike Holder of McDonalds and was told they do intend to repair the fence and are trying to get a quote. Michelle confirmed there is a perimeter buffer. Mayor Pro Tem Porter suggested Michelle send another letter per their conversation and set a deadline for completion of the repairs before we begin fining.

6. RESOLUTION 19-07-01: RESOLUTION OF APPRECIATION FOR EDDIE DAWKINS

Mayor Pro Tem Porter read the Resolution of Appreciation and Sympathy for Eddie Dawkins aloud. Councilmember Archer made a motion *to approve* Resolution 19-07-01: Resolution of Appreciation and Sympathy for Eddie Dawkins. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

7. PLANNING BOARD VACANCY APPOINTMENT

Councilmember Archer made a motion *to appoint by acclimation* Mark Ferrell to the Planning Board with a term expiring December 31, 2020. Seconded by Councilmember Johnson. Vote was unanimous, 5-0. Motion carried. Mr. Ferrell was present in the audience.

8. PROPOSED INTERSECTION IMPROVEMENTS REVIEW

Marc Schulze, Public Works Director, met with DOT officials and they are still working on a plan for the drainage issue at the main intersection. Due to the Town's population being less than 10,000 people, DOT would bear 100% of the cost. The project they propose affects two of the Town's potable water lines, one water line affects the entire Causeway. An outage would be at least 6 hours. The other line only affects First Citizens Bank and Pacific Superstore. They would like to let the contract in February 2020 with construction from April-May. Staff feels this is the wrong timeframe to start this project and recommend postponing construction until after Labor Day 2020. New pipes will be installed 8 feet deep and there is no way to calculate how long the dewatering process will take.

Councilmember Navey made a motion *to recommend* postponing the project until after Labor Day 2020. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried.

9. PLANNING AND ZONING

- a) Review of and Call for Public Hearing at Joint Council and Planning Board meeting on August 6, 2019 at 6:00pm on proposed Modification of Major Site Plan – Grove Oceanside II Tract 8

Michelle briefly reviewed the proposed project and the plan review process.

Councilmember Waters made a motion *to call* for a public hearing at the Joint Council and Planning Board meeting on August 6, 2019 at 6:00pm on proposed Modification of Major Site Plan. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

- b) Review of and Call for Public Hearing for August 26, 2019 at 6:00pm on proposed UDO amendment to change the street setback in the MUN zoning district from 20ft to 10ft

Due to current and anticipated redevelopment plans, staff is recommending reducing the street setback from 20ft to 10ft similarly to RSD zoning district and pre-UDO standards.

Councilmember Johnson made a motion *to call* for a public hearing at the Council meeting on August 26, 2019 at 6:00pm on proposed UDO amendment to change the street setback in the MUN zoning district from 20ft to 10ft. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried.

- c) Review of and Call for Public Hearing for August 26, 2019 at 6:00pm on proposed CAMA Grant Application for Durham Ave. Beach Access

Councilmember Archer made a motion *to call* for a public hearing at the Council meeting on August 26, 2019 at 6:00pm on proposed CAMA Grant Application for Durham Ave. Beach Access. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried.

- d) Status of Fall Projects

Grants: We are working on the following opportunities: Dredging Grant for annual maintenance dredging; CAMA Public Access Grant for Durham Avenue renovation; CAMA Planning and Management Grant for the Land Use Plan Update.

Land Use Plan: An update is planned for this fall with CodeWright Planners to update population projections, existing land use map, policies and implementation strategies.

Pedestrian and Bicycle Access Infrastructure: Working with DERPO for NCDOT funding cycles for the following:

- Sidewalk (north side) from Seaside Villas to Dollar General
- Sidewalk (south side) from main intersection to Cedar Lane
- Crosswalk across Fort Macon Rd at Charlotte Ave intersection
- Refuge island crosswalks (independent of stoplight intersections)
- Signal lights at crosswalks

- e) Community Rating System (CRS) Review

Nick Krebs, Planner, noted we currently have an 8 rating, which offers a 10% discount. There was discussion on how to improve the rating, one thing to consider is freeboard.

Nick noted the Rccreational Water Quality Committee should have the sampling completed by September. Mayor Pro Tem Porter feels the recreational water testing is very important outreach program for the Town.

10. TOWN MANAGER REPORT

- a) Status of Capital Projects

Mr. Walker provided a status report on pending projects. The DoubleTree beach access and Raleigh Ave. storm drainage projects are nearing completion.

9. CITIZEN REQUESTS/COMMENTS

None.

10. MAYOR/COUNCIL COMMENTS

None.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:57 pm.

These minutes were approved at the August 26, 2019 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)

Katrina Tyer
Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH

A. B. Cooper, III
A. B. Cooper, III - Mayor