



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 West Fort Macon Road and electronically via Zoom
Monday, December 21, 2020



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, December 21, 2020 at 6:00 p.m. electronically via Zoom and in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Present in the Boardroom: Mayor A. B. Cooper, III; Councilman Austin Waters; David Walker, Town Manager; Katrina Tyer, Town Clerk; Morgan Gilbert, P&R Director/Communications; Jeff Harvey, Police Chief; Betty Odham, Planning Secretary

Present via Zoom: Mayor Pro Tem Richard Johnson; Councilmembers: Harry Archer and Danny Navey; Derek Taylor, Attorney; Michelle Eitner, Planner; Marc Schulze, Public Services Director

Members Absent: Councilman MJ Forrest

Due to the Social Distance restrictions associated with the COVID-19 Virus, there was a limited amount of seating in the Boardroom for the meeting.

CALL TO ORDER and PLEDGE OF ALLEGIANCE

Mayor Cooper called the meeting to order at 6:00 p.m. and called the roll. Councilmembers were present and able to be heard. Councilman Navey led in the Pledge of Allegiance.

APPROVAL OF AGENDAS

Councilman Archer made a motion *to approve* the Consent Agenda. Seconded by Councilman Waters. Agenda was approved unanimously, 4-0. Motion carried.

CONSENT AGENDA

- a) Financial Report
- b) Budget Amendments
- c) Public Safety and Town Hall Complex Project Ordinance and Budget Amendment
- d) Tax Collection Report
- e) Tax Releases and Refunds Report
- f) Approval of 2021 Meeting Schedule
- g) Surplus Property/Equipment - December 2020
- h) Approval of **Resolution 20-12-02**: Resolution in Memory of Lacy M. Henry
- i) Approval of Minutes: 11/23/2020

Mayor Cooper spoke about former Councilmember Lacy Henry and read the proposed Resolution aloud. Councilman Navey made a motion *to approve* the Consent Agenda. Seconded by Councilman Waters. Agenda was approved unanimously by roll call vote, 4-0. Motion carried.

CITIZEN REQUESTS/COMMENTS

None.

PRESENTATION OF THE NC LEAGUE OF MUNICIPALITIES LAW ENFORCEMENT RISK REVIEW

Matthew A. Selves, Public Safety Risk Management Consultant with NCLM, is present to announce the Atlantic Beach Police Department completed the Law Enforcement Risk Management Review and proactively serving the community in a professional manner while taking steps to minimize risks to our citizens and officers. He explained the purpose for a law enforcement risk review is to assess an agency's adherence to best practices, court decisions, and policies and procedures related to high liability activities in law enforcement. The goal is to mitigate liability exposures, enhance officer safety, and validate that training and operating procedures are meeting industry standards. The risk management review was designed and

peer-reviewed by a panel of police chiefs representing a cross section of N.C. law enforcement agencies and is available to those agencies who participate in the League's property and liability insurance pool.

REPORT OF THE DREDGING COMMITTEE AND APPROVAL OF RESOLUTION 20-12-01: A RESOLUTION COMMITTING FUNDS FOR THE WATER RESOURCES DEVELOPMENT PROJECT GRANT SHALLOW DRAFT NAVIGATIONAL CHANNEL DREDGING

Marc Schulze, Public Works Director, reviewed the discussions from the December 9 meeting of the Dredging Committee. The committee is recommending dredging all of the channels: Asbury Beach, Causeway, New Causeway, Money Island and Royal, for a total of 833 cubic yards. The maximum dollar amount of the grant this year is \$150,000.

Councilman Archer made a motion *to approve* the Resolution 20-12-01: Resolution Committing Funds for the Water Resources Development Project Grant Shallow Draft Navigational Channel Dredging. Seconded by Councilman Waters. Resolution was approved unanimously by roll call vote, 4-0. Motion carried.

PLANNING AND ZONING

a. Rezoning Request of 127/129 New Bern Street

Phil Lewis with Ocean Reef Investments LLC has requested a zoning map amendment (rezoning) of 127/129 New Bern Street from the current zoning district Residential Single-family Wide yard (RSW) to the Residential Multi-Family (RMF) zoning district. This lot fronts New Bern Street, but was zoned RSW with the lots on Club Colony. All of the other lots on New Bern Street are RMF zone. The subject parcel is 7,818 square feet. In RMF, single-family use requires 5,000sf and multi-family use requires 3,200sf per unit (7600sf for a duplex). All other uses require 10,000sf. Michelle reminded the board they must consider the parcel itself, not the intention of the owner for re-development.

Councilman Waters made a motion *to enter* public hearing on the proposed Rezoning Request of 127/129 New Bern Street. Seconded by Councilman Archer. Vote was unanimous, 4-0. Motion carried. The time was 6:27pm.

No public comments. No one was present in the boardroom or via Zoom.

Pursuant to virtual meeting laws due to COVID-19 allowing a 24-hour written comment period after the public hearing, the public hearing will remain open and will continue until the January 11, 2021 Council meeting at 6:00pm.

b. Call for Public Hearings for Proposed Amendments to UDO on February 22, 2021

i. ZTA-21-1 – Freeboard

This staff-initiated text amendment proposes the addition of one foot of freeboard in order to comply with NFIP Community Rating System (CRS) requirements to maintain our Class 8 score.

ii. ZTA-21-2 – Ocean Ridge Preservation Association

This citizen request offers several ordinances to preserve the residential nature of the Ocean Ridge neighborhood.

Councilmember Waters made a motion *to schedule* a Public Hearing on ZTA-21-1 – Freeboard and ZTA-21-2 – Ocean Ridge Preservation Association for the February 22, 2021 Council Meeting. Seconded by Councilmember Archer. Vote was unanimous, 4-0. Motion carried.

c. PLANNING BOARD RE-APPOINTMENTS

Mark Ferrell, Sharron Wilson, Fred "Joey" Dean and Curt Winbourne seats expire on December 31, 2020. All have good attendance the past year, are willing to serve and would like to be reappointed for another term.

Mayor Pro Tem Johnson made a motion to re-appoint Mark Ferrell, Sharron Wilson, Fred "Joey" Dean and Curt Winbourne to the Planning Board with terms expiring on December 31, 2023. Seconded by Councilman Archer. Agenda was approved unanimously by roll call vote, 4-0. Motion carried.

Mayor Cooper stated how fortunate we are to have such talented people on the board who are willing to give their time.

TOWN MANAGER REPORT

Mr. Walker noted this was the last Council meeting to be held in this boardroom, demolition will begin soon. We believe it was constructed in the mid-80s. The relocation of town hall to Atlantic Station has gone well and we are excited to begin construction of the new town hall. Final approval of the financing is on the LGC's agenda for January 5.

MAYOR/COUNCIL COMMENTS

Councilman Navey wishes everyone a Merry Christmas and a Happy New Year. He appreciates the support of everyone on the Council.

Councilman Waters stated that this has been an interesting year for all of us. The town staff and manager have done a great job handling all the Covid issues.

Councilman Archer appreciates the board allowing to participate virtually in all of the meetings. He wishes all of the citizens a Merry Christmas.

Mayor Pro Johnson echoes the remarks that the staff and manager for a great job.

Mayor Cooper wishes everyone a Merry Christmas.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:41pm.

These minutes were approved at the January 11, 2020 meeting of the Atlantic Beach Town Council.


ATTEST:

(seal)



Katrina Tyer - Town Clerk

TOWN OF ATLANTIC BEACH



A. B. Cooper, III - Mayor