



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
1010 West Fort Macon Road, Unit 17 and
Electronically via Zoom
Monday, January 11, 2021



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, January 11, 2021 at 6:00 p.m. electronically via Zoom and in the Council Meeting Room, 1010 West Fort Macon Road, Unit 17, Atlantic Beach, North Carolina.

- Members Present:** Mayor A. B. Cooper, III; Councilmember Austin Waters
- Members Present via Zoom:** Mayor Pro Tem Rich Johnson, Councilmember Harry Archer, Councilmember MJ Forrest, Councilmember Danny Navey
- Members Absent:** None
- Others Present:** David Walker, Town Manager; Betty Odham, Planning Secretary filling in for Town Clerk; Morgan Gilbert, Recreation Director
- Others Present via Zoom:** Derek Taylor, Town Attorney; Michelle Eitner, Planning Director; Julian Griffie, Planner; Gregg (Rudi) Rudolph, Carteret County Shore Protection Office; Marc Shultze, Public Works Director; Leghe Gerald, Water Supervisor

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, ROLL CALL and PLEDGE OF ALLEGIANCE

Mayor Cooper called the meeting to order at 6:00 p.m. and called the roll. Mayor Cooper and Councilman Waters were present in the Boardroom. Mayor Pro Tem Johnson, Councilman Forrest, Councilman Navey and Councilman Archer were all present via Zoom. All Councilmembers were present, either in person or via Zoom, and able to be heard. Councilman Forrest led the Pledge of Allegiance.

APPROVAL OF AGENDAS

Councilman Forrest made a motion *to amend the agenda* by removing item 4e) Schedule Public Hearing on rezoning request at ZMA-20-01_127/129 New Bern Street Rezoning Amendment Change for November 23, 2020 at 6:00PM from the Consent Agenda as the advertisement did not run in the newspaper and adding to the Consent Agenda Approval of Police Boat Slip Rental Contracts. Seconded by Councilman Archer. Approved unanimously by roll call vote, 5-0. Motion carried.

CONSENT AGENDA

- a) Authorization to Write-off \$1,537 in Delinquent Utility Accounts
- b) Tax Collection Report
- c) Tax Releases and Refunds Report
- d) Resolution 21-01-03: Resolution of Appreciation and Awarding Service Badge and Sidearm to Sherrie Culpepper
- e) Approval of Police Boat Slip Rental Contracts
- f) Conflict of Interest Policy
- g) Minutes: 12/10/20 WS; 12/21/20

Mayor Cooper noted the retirement of Sherrie Culpepper and thanked her for her service to the Town of Atlantic Beach over the years. He wished her much happiness in her retirement.

Councilman Navey made a motion *to approve* the Consent Agenda as amended. Seconded by Councilman Waters. Approved unanimously by roll call vote, 5-0. Motion carried.

CITIZEN REQUESTS/COMMENTS

No citizen comments

APPROVAL OF SUPPORT OF BOGUE BANKS MASTER PLAN

Mayor Cooper stated the Bogue Banks Beach Commission had been working with the Corps of Engineers for 20 years to get a beach nourishment program approved for all of Bogue Banks. In January, 2020 we surprisingly received federal funds to construct/begin the Corps plan. In the interim the Commission developed its own 50-year plan known as the Master Plan that was kick started in 2009. This Master Plan has been successfully used to construct the three phased Post-Florence Renourishment Projects beginning in 2019. The commission now has to choose between continuing with the Master Plan or go with the Corps Plan. After a year's worth of presentations, guest speakers, and a lot of thought; the Beach Commission decided to stay the course with the Master Plan. This does not preclude the Commission from going back to the Corps plan in the future. Mayor Cooper also stated Bogue Banks was lucky to have two good options for Beach Nourishment Projects. Many towns do not have any options.

Greg Rudolph stated he agreed with all points Mayor Cooper made.

Councilman Archer made a motion *to approve* the following resolution of consent, the Town of Atlantic Beach concurs with the Bogue Banks Beach Commission that the Bogue Banks Master Plan better suits the long-term shore protection needs of our Town and the Island of Bogue Banks, and therefore recommends that the County does not enter into a Project Partnership Agreement with the U. S. Army Corps of Engineers for the Bogue Banks Coastal Storm Risk Management Project. Seconded by Councilman Navey. Approved unanimously by roll call vote, 5-0. Motion carried.

Mayor Cooper thanked Rudi for all he has done on the Beach Commission, we are lucky to have him. Next month will be Mayor Cooper's last meeting with the Beach Commission.

Councilman Archer noted he wanted to thank Rudi for helping facilitate the Master Plan over the years. He stated he is the shining star for Bogue Banks Beach Commission.

DISCUSSION OF DRAFT RFP FOR CAUSEWAY/COR ZONE SMALL AREA PLAN

Mayor Cooper provided an overview of the draft RFP for the Causeway. The RFP would be put out so that firms can submit small area plans for the Commercial Corridor, or Causeway as we know it. The goal of the small area plan would be to describe the desired future for the area, articulate preferred, allowed and prohibited uses, provide architectural and design requirements for new development and provide framework for allocating limited wastewater capacity. He also provided an update on the sewer option for this area. The group that is purchasing the Sugarloaf Wastewater Treatment Facility have been working with engineers to figure out how to expand the capacity of the plant to provide us with an option to purchase bulk wastewater capacity. Negotiations have gone well and they will be closing on the property soon. We have an attorney working on an agreement between Sugarloaf and the Town to allow us to buy some wastewater capacity from them. Once details are provided, Council will be updated. If we are able to provide some additional wastewater options for the Causeway, it needs to be done in conjunction with strict development control. The whole reason for consideration of additional septic is to maintain the commercial integrity of the Causeway. The ideal situation would be while we are working out the details of the septic capacity, to have the small area plan ready to make sure the proper zoning controls are in place before anyone can connect into wastewater.

Mayor Pro Tem Johnson asked if we had looked at other communities that had implemented plans such as this small area plan. Mayor Cooper stated he did not know of any that were specifically tied to wastewater, but he has seen several of the small area plans that were tied to revitalization of downtown areas. He stated it was not uncommon, our challenge is fitting in the wastewater option.

REPORT OF STATUS OF WATER UTILITY COMPLIANCE

Marc Shultze, Public Works Director and Leghe Gerald, Water Supervisor provided the background information and timeline on the disinfection byproduct issues. It was determined that a switch was needed to change the disinfection process from Chlorine to Chloramines. Council was briefed in July 2020 on this issue. A proposal was obtained from GMA, Groundwater Management Associates, for phased implementation. Phase one of this project includes \$5,200 of preliminary design, \$20,750 for Design, and \$2,200 for the Engineers Report and PWSS Review and Questions. Total of Phase one will be \$28,150. These funds would come from the water and utility funds. This will require a small facility to be built and housed at our Town water plant. We are currently not meeting State standards of water quality.

Mayor Pro Tem Rich Johnson made a motion *to approve* Phase One of the Groundwater Management Associates Proposal. Seconded by Navey. Roll call vote completed. Motion carries unanimously.

Planning and Zoning

REZONING REQUEST OF 127/129 NEW BERN STREET

Michelle Eitner, Director of Planning provided an overview of the 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 request was carried over from the December Council meeting due to the virtual meeting requirements. Michelle noted no public comment was received in the period following the December Council Meeting.

Councilman Waters made a motion *to close* the Public Hearing that was continued from the December Council Meeting. Seconded by Councilman Archer. Vote was unanimous. Motion carried.

Councilman Archer made a motion *to approve* the Resolution 21-01-01 which is the resolution of consistency. Seconded by Navey. Roll call vote completed. Motion carries unanimously.

Councilman Archer made a motion *to approve* Ordinance 21-01-01, the ordinance amending the official zoning map of the Town. Seconded by Mayor Pro Tem Johnson. Roll call vote completed. Motion carries unanimously.

Councilman Waters made a motion *to approve* Resolution 21-01-02, the resolution authorizing an Amendment to the CAMA Land Use Plan. Seconded by Archer. Roll call vote completed. Motion carries unanimously.

MSP-20-1: AMENDMENT-CRYSTAL VIEW - 109 KNOLLWOOD DRIVE

Michelle Eitner, Director of Planning provided an overview of the request to change the open space of Crystal View Condominiums. The major site plan amendment proposes a change to the active open space provided for the approved Crystal View North development. The previous major site plan accounted for required open space at the shared swimming pool for the entire Crystal View Complex. The amendment to this major site plan is the provision of open space for the new building as a horseshoe court directly adjacent to the building. This does not qualify as a minor amendment so it must go through complete major site plan approval. Michelle went through the compliance matrix and the new proposal meets the necessary requirements. No concerns were received from TRC or Planning Board.

Councilman Archer made a motion *to approve* the amendment to MSP-20-01 Crystal View - 109 Knollwood Drive as presented. Seconded by Councilman Waters. Roll Call vote was completed and approval was unanimous. Motion carries.

MSP-20-02 TACKLE BOX TAVERN - 115/117 ATLANTIC BOULEVARD

Michelle Eitner, Director of Planning provided an overview of the request to amend the major site plan of The Grove Oceanside II Phase II (Tract 8). This major site plan amendment proposes several changes to the major site plan. The changes proposed include the following:

1. Recombination of tracts 8A and 8 B that were subdivided at the plan's last amendment
2. Reduction in number of structures
3. Increase the previously approved building footprint and impervious coverage by 137 square feet
4. Increase the previously approved floor area by 407 square feet
5. Reduction in open space by 368 square feet

Compliance matrix was reviewed and all ordinances have been met. Neither TRC nor Planning Board had any concerns regarding this amendment request.

Councilman Navey made a motion *to approve* MSP-20-2 Tackle Box Tavern - 115/117 Atlantic Boulevard. Seconded by Councilman Archer. Roll call vote was completed. Motion carried unanimously.

TOWN MANAGER REPORT

Town Manager David Walker, provided a few updates on Town projects. First, we are meeting tonight in the new temporary Boardroom in Atlantic Station. Second, demolition has begun on the old Town Hall facility and if weather cooperates should be completed by January 22nd. Next, the equipment has been delivered and work has begun on the West End Drainage Project. Finally, after talks with Pine Knoll Shores officials in regard to a drainage project being conducted on their golf course, it has been decided none of the work trucks associated with that work will be accessing the golf course from the Atlantic Beach side.

MAYOR/COUNCIL COMMENTS

Mayor Cooper noted a survey would be going out to all Councilmembers to get their ideas on agenda topics for the Council retreat.

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 March 22, 2021 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)

TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor


Katrina Tyer - Town Clerk

