



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
1010 West Fort Macon Road, Unit 17 and
Electronically Via Zoom
Monday, February 22, 2021



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, February 22, 2021 at 6:00 p.m. electronically via Zoom and 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 Johnson; Councilmembers: Harry Archer (via Zoom); MJ Forrest (via Zoom), Danny Navey, Austin Waters

Members Absent: None

Others Present: David Walker, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Attorney (via Zoom); Michelle Eitner, Planning Director; Marc Schultz, Public Works Director

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. All Councilmembers were present and able to be heard. Councilman Navey led in the Pledge of Allegiance. Mayor Cooper thanked the audience for coming out in this rain and explained to others how to speak via Zoom.

3. APPROVAL OF AGENDAS

Councilman Archer made a motion *to approve* the agenda as prepared. Seconded by Mayor Pro Tem Johnson. Approved unanimously by roll call vote, 5-0. Motion carried.

4. CONSENT AGENDA

- a) Finance Report
- b) Tax Collection Report
- c) Tax Releases and Refunds Report
- d) Authorization to Advertise Tax Liens
- e) Approval of FY21-22 Budget Calendar
- f) Approval of 2021 Paid Parking Program
- g) **RESOLUTION 21-02-01:** Resolution of Appreciation to Doug McCullough
- h) **RESOLUTION 21-02-02:** Resolution Approving Temporary One-Way Traffic Pattern on West Bogue Boulevard and South Kinston Avenue (Note: one-way is only for such times as needed for entry of large equipment and material, it is not continuous at all times during construction)

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

CITIZEN REQUESTS/COMMENTS

Joanie Dennis. 117 New Bern Street. There is no place for cars to turn around once they pull onto New Bern Street and the public parking lot is full. They pull in her yard and wait for a spot. She says this goes on until 10pm.

Mayor Cooper noted we would look into designating a space as a turn around spot to try and address the issue.

Vada Palma. 116 Island Quay. Asking about the status of preservation of the live oaks in town and an amendment to the ordinance. She asked the status of paving the ABC Store lot that had recently removed all of the oaks. She would like to at least see that if trees are removed they be replaced.

Randall Lovit, 21 Mobile Drive, Unit A – (via Zoom). Speaking about the amount of water ponding on his street and in his yard. He thinks the issue is water is unable to drain to Hoop Pole Creek. He has sent photos to staff and was pleased with their response,

but would like to know what the town intends to do and when.

Mayor Cooper and the Town Manager acknowledged the issue and identified the future plans to relieve the area.

PUBLIC COMMENT REGARDING PROPOSED GFL CONTRACT AMENDMENT REGARDING SOLID WASTE SERVICE

Mr. Walker introduced Blaine Ellzey, who was present in the audience, and reviewed the current proposal from GFL Environmental (formerly Waste Industries). After a series of negotiations with town staff on how to improve efficiency and eliminate many citizen complaints regarding service to older carts, GFL proposes to provide new 95-gallon carts for trash and recycling to each residential customer serviced through their agreement with the Town. The trash carts will be solid green and the recycling carts will be royal blue.

GFL believes the standardization of carts will not only improve the aesthetics of the solid waste and recycling program, but since the carts are wind resistant, they will reduce litter as well. The recycle carts will also eliminate all of the open 18 gallon bins for recycling and allow more capacity for the residents to recycle. The new carts will be digitally coded for the service address. The new carts are designed to be emptied by automatic trucks, and GFL plans to purchase, deliver and maintain the carts. GFL will provide these carts at no additional cost to the town's citizens, and will repair or replace them at no additional charge if they are broken during service. Citizens will no longer have to purchase their carts, replacement wheels or axles, simply call GFL for them to maintain. The older carts will be taken away, or the owner may keep them for another use, but GFL will not service them for trash or recycling pickup. If approved, the new carts would be delivered before the summer collection season begins.

Vada Palma. 116 Island Quay. Questioned the need for two colors.

Jay Stockyard. 500 West Atlantic. He had some questions regarding the delivery schedule. (Which will remain the same).

Blaine Ellzey, with GFL, will help communicate and make the transition to new carts a smooth one, nothing is changing as far as service, only the cart.

PLANNING AND ZONING AB WATERSHED RESTORATION AND STORMWATER RESILIENCY PLAN

Michelle Eitner, Planning Director, reviewed the Recreational Water Committee's efforts to learn about water quality of surrounding recreational surface waters by testing and data interpretation with assistance from UNC IMS. We budget \$15,000 annually to support on-going testing of sound-side recreational waters to determine sources of contamination and develop an action plan accordingly. The committee recommends initiation of a Watershed Restoration Plan in conjunction with the NC Coastal Federation and to initiate an outreach/education program to increase public awareness of important logical steps necessary to protect our recreational waters.

Lauren Kolodij, NC Coastal Federation, provided a presentation on runoff and proposed ideas on how to reduce the runoff we currently have.

Jonathan Hinkle, LDSI Engineering, discussed how to reduce stormwater runoff volume and increase water quality.

Mr. Walker noted the Watershed Restoration and Stormwater Resiliency Plan will help us when applying for funding for upcoming projects.

Mayor Pro Tem Johnson made a motion *to approve* Resolution 21-02-03: Resolution Approving Watershed Restoration and Stormwater Resiliency Plan. Seconded by Councilman Navey. Approved unanimously by roll call vote, 5-0. Motion carried.

PROPOSED AMENDMENTS TO UDO ZTA-21-1 – FREEBOARD

This text amendment proposes the addition of two feet of freeboard as recommended by Planning Board. The Planning Board held a public hearing on January 5, no public comments were received. Following the Planning Board meeting staff sent an email to contractors, surveyors, engineers, and builders requesting feedback on the proposed amendment. There were no public comments received during the February 2 Planning Board meeting. No other feedback has been received since Planning Board's recommendation.

Mayor Pro Tem Johnson made a motion *to enter* Public Hearing. Seconded by Councilman Navey. Approved unanimously by roll call vote, 5-0. Motion carried. The time was 7:12pm.

No comments.

Councilmember Navey made a motion *to continue* the Public Hearing until the March 22, 2021 Council meeting pursuant to virtual meeting laws due to COVID-19 allowing written comment period after the public hearing. Seconded by Councilman Waters. Approved unanimously by roll call vote, 5-0. Motion carried. Council will also discuss this item at their March 11 work session.

ZTA-21-2 – OCEAN RIDGE PRESERVATION ASSOCIATION

Michelle reviewed the petition and proposed amendments to the UDO. The Town has received a great amount of input from the Ocean Ridge neighborhood the past couple months. This is largely as a response to a perceived impending development at 504 Ocean Ridge Drive and the adjacent wastewater treatment plant, Sugarloaf Utilities. Mayor Cooper recommended that they apply for a zoning text amendment to propose requirements that would prevent such development from occurring. The Ocean Ridge Preservation Association, often represented by their attorney Clint Rouston, presented several amendments for review. Staff recommended that they be integrated into the Access & Circulation and Landscaping requirements sections of the Unified Development Ordinance. The Planning Board unanimously recommended the revised amendments during their February 2 meeting.

Councilman Archer made a motion *to enter* Public Hearing. Seconded by Mayor Pro Tem Johnson. Approved unanimously by roll call vote, 5-0. Motion carried. The time was 7:20pm.

Clint Rouston, attorney with Ward and Smith, stated the Association wants to protect the Ocean Ridge community. They desire to maintain the livability and history of the Ocean Ridge society. He further explained the details of the amendment presented.

George Barnes, 602 Ocean Ridge Drive, the community is in agreement with this amendment as supported by the 152 petitions (copied below) submitted to the board.

We are property owners in Atlantic Beach.

We hereby express our position that the property at 504 Ocean Ridge Drive should only be allowed to be a single family home, which is consistent with the other homes along Ocean Ridge Drive. We further express our objection to any use of the property at 504 Ocean Ridge Drive that would allow for vehicular or pedestrian access or any inter-connectivity to adjacent properties. The property at 504 Ocean Ridge Drive is zoned for single-family residential use. We request that any future development be limited expressly to that of a single family home – just like the homes beside and across the street from it and the other homes on Ocean Ridge Drive.

Ocean Ridge Drive already is overburdened with traffic. Any additional traffic on Ocean Ridge Drive will adversely impact the life and safety of the people in the Ocean Ridge community and the many children and adults that cross the road daily. Additional vehicular traffic and additional pedestrian traffic on Ocean Ridge Drive also will negatively affect the value and the desirability of the homes on Ocean Ridge Drive. Any reduction in those property values will negatively impact all property owners in the Town of Atlantic Beach since a property tax rate increase would likely be necessary to cover any reduction in the Ocean Ridge property values.

As one of the oldest and most well established neighborhoods in the Town of Atlantic Beach, the Town needs to protect the Ocean Ridge neighborhood.

We respectfully petition the Mayor and the Town Council to take action to prevent the property at 504 Ocean Ridge Drive from being used for anything other than a single family home.

Sylar and Joan Ritter. 314 Ocean Ridge. Thanks Council for this consideration.

Councilmember Archer made a motion *to continue* the Public Hearing until the March 22, 2021 Council meeting pursuant to virtual meeting laws due to COVID-19 allowing written comment period after the public hearing. Seconded by Councilman Navey. Approved unanimously by roll call vote, 5-0. Motion carried.

PLANNING RETREAT RECAP AND STRATEGIC PLAN UPDATE

Mayor Cooper reviewed the highest priorities for the Strategic Plan Update (5 Key Focus Areas) coming out of the Council's January retreat:

Great Government

- Increase Citizen Involvement
- Streamline Meeting Procedure
- Increase Citizen Participation on Town Committees
- Leverage Technology, such as new website, to make communication from citizens even easier
- Think Regionally
- Work with other towns and Carteret County to plan for I-42

Smart Growth/Redevelopment

- Causeway/COR Zone Improvements
- Continue Recreational Water Quality Monitoring and Planning
- Continue Stormwater Management Improvements

Recreation & Entertainment

- Increase number of events—small and large—when we are able
- Provide Additional Shade at Town Park

Placemaking

- Boardwalk Revival & Redevelopment
- Strengthen Ordinances regarding Town Appearance and Property Maintenance
- Sidewalk Improvements
- Lighting survey
- Making appearance a priority for all town departments

Environmental Stewardship & Resiliency

TOWN MANAGER REPORT

None.

MAYOR/COUNCIL COMMENTS

None.


ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:34pm.

These minutes were approved at the April 26, 2021 meeting of the Atlantic Beach Town Council.


ATTEST:

(seal)


Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor