



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 W Fort Macon Road and
Electronically via Zoom
Monday, April 25, 2022



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, April 25, 2022 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 Austin Waters; Councilmembers: Renea Baker, Joey Dean, Danny Navey, Joseph Starling

Members Absent: None

Others Present: David Walker, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Michael Simpson, Fire Chief; Sabrina Simpson, Admin Services Director; Morgan Gilbert, Recreation Director; Michelle Eitner, Planning Director; Marc Schulze, Public Services Director; Channel 12

CALL TO ORDER and PLEDGE OF ALLEGIANCE

Mayor Cooper called the meeting to order at 6:00 p.m. Councilman Navey led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- a) Finance Report
- b) Budget Transfers
- c) Tax Collection Report
- d) Tax Releases and Refunds Report
- e) Approval of Revised Budget Calendar
- f) **Resolution 22-04-02:** Resolution of Intent to Lease Space on a Water Tower within the Town of Atlantic Beach to Cellco Partnership (d/b/a Verizon Wireless)
- g) Minutes: 3/9/2022 Retreat; 3/28/2022

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

CITIZEN REQUESTS/COMMENTS

Greg Bischoff, 171 Atlantic Blvd. The skatepark on the proposed beach boardwalk is a bad idea due to sand. It will cause accidents to skateboarders and is unsafe.

Mayor Cooper explained one of the proposed plans provided for a skatepark, but he did not feel that was an item the board was considering.

REVIEW AND APPROVAL OF MAJOR SITE PLAN—SHOWBOAT REDEVELOPMENT (614,702 AND 710 AB CAUSEWAY)

The site at 614, 702 and 710 AB Causeway (the former Showboat Motel location) is proposed for redevelopment to include eight duplexes, sixteen total units, with septic systems, a playground, boardwalk and docks. This project was originally proposed in 2021 and has been working on permits and approval since. The buildings are being built closer to the water than other buildings in the area due to urban waterfront and buffer requirements. This is the same development group that built Windfare condos. She has assured that the property addressing will be acceptable using existing address numbers with A&B for duplex sides: 614, 700, 702, 704, 706, 708, 710 and 712.

The CAMA Major Permit does not cover the marina, but covers the upland development. The length of the docks is not in the town's hands. Council requested to be notified when the permit is received so they can provide comment.

Councilmember Navey made a motion *to approve* the major site plan for the Showboat Re-development at 614, 702 and 710 Atlantic Beach Causeway. Seconded by Councilmember Dean. Vote was unanimous, 5-0. Motion carried.

CALL FOR A PUBLIC HEARING FOR MAY 23, 2022 AT 6:00PM ON ZTA-22-02: RESIDENTIAL USES UPDATES

Michelle briefly reviewed the proposed text amendment to update residential use types to reflect the number of dwelling units in a project, rather than construction type (townhouses versus condominium). This topic is a result of the last Council meeting when it was brought to Council's attention that some of the definitions in the UDO conflict. This proposed amendment is intended to simplify the use types listed in the UDO.

Councilmember Starling made a motion *to call for a Public Hearing for May 23, 2022 at 6:00pm* on ZTA-22-02: Residential Use Updates. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

REPEAL OF SEASONAL SPEED LIMIT ON EAST FORT MACON ROAD

Mayor Cooper reminded the current council a couple years ago the speed limit on the west end was permanently reduced to 35 miles per hour year-round. That has been working well and now Council is considering reducing the speed limit on the east end of town. A reduced speed limit is safer for bicycle and pedestrian safety.

Councilmember Starling made a motion *to approve* Resolution 22-04-01: Resolution to Repeal Seasonal Speed Zone on East Fort Macon Road between the Causeway Intersection and the Eastern Municipal Limit of Atlantic Beach (Fort Macon State Park). Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

Mayor Pro Tem Waters made a motion *to approve* Ordinance 22-04-01: Ordinance Amending Chapter 16, Streets and Sidewalks, Article 1, Section 16-15, Season Speed Zones. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

TOWN MANAGER REPORT

Review and Approval of HSA and FSA Dependent Care Employee Benefits, effective July 1, 2022

Staff has been investigating the cost to add Health Spending Account (HSA) and Flexible Spending Account (FSA) Dependent Care plans to the panel of employee benefits. Both of these programs would benefit our employees. Both allow for pretax dollars to be used for eligible expenses. Due to our current employee medical coverage being considered to be a "high deductible health plan", all employees covered on Town health insurance plan are eligible to utilize HSA benefits. The FSA Dependent Care plan allows employees to fund daycare costs using pre-tax dollars. Staff received information on five companies and reached out to them. Of these, only two of them were willing to write proposals on just HSA and FSA. The others would only quote if we also used their company for other medical or supplemental insurance plans. Employer Fees HealthEquity Ameriflex HSA Implementation (one-time fee) \$250 \$0 HSA Monthly \$0 per participant per month \$4 per participant per month (no minimum) FSA DC Monthly \$3.85 per participant per month \$4 per participant per month (\$70 minimum) Annual Renewal \$0 \$175 Participant Fees HealthEquity Ameriflex HSA Annual 0.36% per year on balance, capped at \$10 (only on invested funds) HealthEquity will cost the Town and employees less while offering a flex debit card, mobile app, direct deposit reimbursements, user-friendly member portal website, and 24-hour customer service available to participants.

Councilmember Dean made a motion to approve the HSA and FSA Dependent Care proposal by HealthEquity, effective July 1, 2022. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

PLANNING RETREAT SUMMARY AND DIRECTION TO STAFF

Commercial Corridor Zone Small Area Plan: Council has authorized contracting with two firm, Yard & Co and Stewart, to develop the Small Area Plan and a corresponding Wastewater Allocation Plan. This initiative will ensure that redevelopment which occurs due to the proposed extension of wastewater service to the COR zone will be carefully managed.

Boardwalk Improvements: The Town is planning a multi-phase project to completely rebuild the boardwalk and surrounding areas. Phase one of the project should start construction in late 2022. Later phases will be built in the winters of 2023 and 2024. An international design competition is being used to select the design firm for the project. The winner of this competition should be selected in May 2022. A negotiated design agreement with the winner will be presented to the Council in May or June 2022. The Town is in negotiations with Fred Bunn regarding buying additional land along the boardwalk. Significant grant funding

will be needed for this land purchase and construction of the project. Staff will be charged with securing grant funding. It is expected that a grant-writing consultant will be hired to assist with this process.

Planning Board and Board of Adjustment Updates: To expand citizen participation to bring in the perspective of property owners who are not full-time residents, we are considering text amendments to the UDO that would allow (but not require) one seat on the Planning Board and the Board of Adjustment to be held by a property owner who does not reside in Atlantic Beach on a year-round basis. A large majority of our taxpayers do not live in Atlantic Beach full-time, and this change would give them a larger role in town planning activities. Other amendments to be considered are changing the starting date of Planning Board terms to July 1st to be consistent with Board of Adjustment terms. Also, changing the review procedure for special use permits so that the review and decision is made by the Planning Board and/or Town Council as is the case with most planning and zoning issues

Upgrade of Town Computer and Software Systems: Making better use of technology was an action item carried over from the 2021 retreat. A major piece of this initiative is to migrate most of the town's software to modern, cloud-based, systems. This will provide better functionality than current versions and greatly increases security by insulating us from the ransomware attacks suffered by many municipalities. Additional benefits include increasing the ability of our staff to work remotely and "Hurricane Proofing" systems by moving to the cloud from existing on-site servers

Installation of Public Safety Cameras: During the discussion of problems caused by allowing driving on the beach strand, the Council chose to improve enforcement of existing rules before considering new restrictions on beach driving. An important element of this enforcement will be the installation of cameras at the vehicle accesses to the beach. With other public safety concerns in mind, we will also explore the deployment of camera technology at the intersection of Hwy 58 and the Causeway as well as at the Boardwalk (facing towards the beach).

New Town Website: Another major piece of the technology initiative is to upgrade our Town's website. The current site is now several years old, but lacks the functionality of newer municipal sites. We will survey the landscape of website services for municipalities to find a provider that integrates well with our other software services with the goals of providing better online interface for our citizens. We want our citizens to be able to do anything they need to do without coming into Town Hall. This includes paying bills, applying for permits, getting re-entry passes and much more. Automating some functions currently handled by staff. By automating certain simple functions (data entry, collecting payments) our staff will be freed up to handle more significant tasks for the town. Easy to use internal sites for Human Resources and similar needs.

Aquaculture Leasing Planning: Ongoing concerns about conflicts between the use of public trust waters for aquaculture leases have resulted in the Town advocating for a moratorium on the issuance of such leases in Bogue Sound. We should use this moratorium period as a time to work with the Division of Marine Fisheries and the aquaculture industry to develop a plan for the development of aquaculture in appropriate areas around Atlantic Beach. The intergovernmental portion of this initiative should be headed by one or two members of the Council and some staff support.

Property Maintenance Ordinance Updates: This initiative is held over from the 2021 retreat and endorsed by Council at the 2022 retreat. The Town's property maintenance ordinances are out-of-date and do not address many of the issues that arise in town. A complete rewrite of this section of the Town's ordinance is needed. This will be a staff and consultant driven project in which the staff will select a consultant and work with them to develop a draft ordinance. Input from the Planning Board and Council will be solicited prior to finalizing the ordinance for the Council's approval.

Golf Cart Parking at Beach Accesses: Council authorized a pilot program to locate parking for town-registered golf carts and other low speed vehicles at a few of our beach access points. The intended benefit of this is to allow residents to get their families and their gear to the neighborhood accesses more easily. There are, however, concerns about the impact on adjacent homes. We do not want our neighborhood accesses to become busy accesses. This pilot program should allow us to experiment with this idea at 2 or 3 existing access points that are well suited for adding a couple small parking spaces for the golf carts.

Formalization of Community Appearance/Design Commission: In 2021 the Town updated the UDO to conform with new State requirements. As part of this process, our UDO can now be updated to provide for a formal role for our Community Design Commission. To date, this group has been serving in ad-hoc advisory role. The current ad-hoc commission consists of residents, second homeowners, business owners and representatives from the Council. The changes to the UDO that are needed are relatively minor and may be handled in house. If staff research determines that an outside consultant would be beneficial, a proposal for such will be presented to the Council.

Right-of-way Encroachments: Council discussed how to manage existing encroachments in the Town's right of ways. These are typically minor encroachments such as posts to prevent on-street parking and landscaping. The Council did not want to force removal of any such encroachments that are not causing significant issues. Instead, staff will be contacting the property owners who are encroaching to remind/notify them that they are encroaching on the Town's property and give them permission to leave the encroachments in place until the Town requests that they be removed.

New Branding Initiative – Waterway Signs: As a fun extension of our branded street sign program, the Town will install "Street" signs at the intersections of our canals and bays. The signs will be modeled after existing street signs but may need to be a bit larger for visibility and sturdy mounting. They should be mounted on attractive but durable posts.

New Branding Initiative – Branded Merchandise: To better establish our brand and to give our citizens and visitors more ways to show off their favorite beach, we will start selling a few more branded items at Town Hall and the park. Again, the intention of the program is to better establish our brand. Thus, the merchandise should be designed with strict adherence to our brand style guide. In general, they should consist of little more than our logo. Items to consider include: "trucker" hat, Tervis Tumbler, Sun Shirts and Boat Flags

MAYOR/COUNCIL COMMENTS

Councilmember Baker gave a review of the ABKMT Casino Night from this past weekend, earning over \$5,000 for the Fire Department. These events are a great way to get the community involved that do not participating in fishing.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:42pm.

These minutes were approved at the June 27, 2022 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

Katrina Tyer (seal)
Katrina Tyer - Town Clerk



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