



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



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, July 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; Marc Schulze, Public Services Director; Elisabeth Webster, Planner; Jeff Harvey, Police Chief; Morgan Gilbert, Recreation Director

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

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

CONSENT AGENDA

- a) Finance Report
- b) Budget Amendment
- c) Budget Transfers
- d) Tax Collection Report
- e) Tax Releases and Refunds Report
- f) Tax Collection FY21-22 Annual Report
- g) Order to Collect Taxes
- h) **Resolution 22-07-01:** Resolution Designating Bank Depositories and Authorizing Signatures for Bank Depositories
- i) GovDeals Sale Report - 10 Surplus HVAC Units
- j) Call for a public hearing at the August 10, 2022, 2:00pm Council work session on a proposed Moratorium Ordinance related to storage facilities in commercial zoning districts
- k) Minutes: 6/17/22WS; 6/27/22

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

CITIZEN REQUESTS/COMMENTS

Fred Fletcher, 301 Wilderness Lane, Washington, NC. He has been coming here since 1950 and is the former owner of the Jolly Knave. He owned a house on West Terminal, but tonight is here to talk about the Boardwalk. He represents several people that are disappointed in the design and wanted to see something like the old pavilion. Two of the most precious assets in town are the old pavilion and the Circle property. How do they know it will be accepted by the upstate market. This could become a financial benefit to Carteret County. He agrees the current Boardwalk needs to be repaired, but the bells and whistles this proposes will not be accepted. This is not their beach, its all of NC's beach. They need to give people a reason to come to the beach. The gas station cover bandstand is not acceptable and will only be used a couple times a year. He asks them to put a hold on this project. If they would like to explore his ideas, he will leave his business card.

Mayor Cooper explained the project design has not been completed, only concepts have been presented.

Richard Lee, 205 Moonlight Drive. He is a 60% resident, his dad purchased their property 60 years ago. He is not here to critique the master plan. He is a retired landscape architect, serving on the NC Board of Architects. He wants to talk about the pavilion and wants to see a newer version of it in the plan, something that screams Atlantic Beach to be used and enjoyed year-round. Bring back music and create a venue for all groups of people. He wants to see it as a multi-use facility. There are

opportunities for it to be a revenue maker, weddings, etc. People complain all the time there is nothing for families to do. That's not true, the park is a great well used park. He supports the boardwalk and knows that it is needed. Something needs to be done to the eyesore Circle.

Lisa Hill, Newport. She lived and worked on the Circle from 1983-2015. We need something people can see that they can do. She reminisced about the bands that have played there. She thinks we need to move slower and think about the design. She agrees something needs to be done and she wants to see it.

Bruce and Cheryl McFerren, 307 East Terminal. During severe rain storms East Terminal floods. The problem was fixed a couple years ago. He thinks the improvements on East Atlantic Blvd and East Boardwalk that are now fed to East Terminal and East Atlantic are causing the flooding. During the last two rain events we had over three feet of water on the street and in yards, taking days to dry out. The community is willing to see what they can do to fix this.

Charlene Stubbs, 302 Cooper Ave Ext. Historically her street has had a lot of flooding. The new construction at 302 Commerce Way and 305 Cooper Ave Ext., which were approved with three feet of fill are now causing more flooding. Water comes across the road to her property. Water from Sea Spray and Sea Dreams also filters to her street. She is hoping to work with the Town to get a professional assessment and move the water flooding their street and homes. (Her letter submitted to Council is included in the minutes).

Manager David Walker stated he has been to the site and reminded everyone that new construction is not required to put in stormwater until after the construction is completed. He confirmed we have instructed the engineer to review the problem.

Fran Hutchinson, 304 Cooper Ave Ext. (formerly owned at Sea Dreams). She has seen more water on her property since the new construction and added fill. The sand berm behind Sea Dreams was cut into for the new house. If you stand at the intersection of Cooper Ave. and look down, water is pooling at Commerce Way and in her yard. She asked Council and staff to come out and look. (Her letter submitted to Council is included in the minutes).

Public Service Director Marc Schulze, commented staff is aware. And added we have had unusually heavy rains, Saturday was just short of four inches.

Jaime Barefoot, 211 Atlantic Beach Causeway. Owner of Barefoot Chandler Real Estate and the property manager for the building containing several shops. They have done a lot of renovations to the building, cleaning it up and bringing in new women owned businesses. She has had over two dozen small businesses such as breweries, tutoring, cafes, etc. wanting to rent space that she could not accommodate due to lack of sewer. Sewer would offer a lot of new businesses on the Causeway. There is a lot of opportunity, we just cannot accommodate them.

PUBLIC INPUT (AND POTENTIAL APPROVAL) ON THE WASTEWATER UTILITY SERVICE RESERVATION AGREEMENT BETWEEN THE TOWN OF ATLANTIC BEACH AND RED BIRD UTILITY OPERATING COMPANY, LLC

Mayor Cooper reviewed the proposed agreement with Red Bird Utility Operating Company to reserve a limited amount of wastewater capacity for the Town's Commercial Corridor Zoning District. This district includes the Causeway along with the small portion of Fort Macon Road that runs from the ABC Store on Cedar Lane to The Shepard of the Sea Lutheran Church on Center Drive. If the Town does not take action to provide sewer much of the Causeway area would convert from commercial to residential use.

Red Bird Utility Operating Company is a subsidiary of Central States Water Resources, a large public utility. Red Bird is purchasing the existing Sugarloaf Utility that provides wastewater service to the Atlantic Station Shopping Center and many other properties in Town. They plan to replace the existing plant with a new state-of-the-art plant that will provide extra capacity to serve the Commercial Corridor District. The cost of the system will be borne by Red Bird and the customers who connect to the system.

The Agreement proposes the following:

- In order to reserve some capacity in Red Bird's plant, the Town will guarantee purchase of reserved capacity
- The Town reserves 85,000 gallons per day for use in COR District
- If any capacity has not been claimed after 7 years, the Town will pay a reservation fee for unused capacity and can "sell" it to users in the future

- If the Town needs more capacity, there is an option for the Town to purchase an additional 15,000 gallons

It will take approximately two years before any businesses could connect to the new system. In the meantime, the Town is working with a land planning consultant to create strict development guidelines to ensure that the future redevelopment in the district will be attractive, business-oriented, and appropriate for Atlantic Beach.

Public Comments

Bill Downey, 1305 1/2 Shackleford Street. He has been a business man since the early 80s, now he owns 508 Atlantic Beach Storage and Marina. He encourages Council to act on this so the commercial side of the Causeway can start moving. It has been a long time and he is glad Council has stayed on course and worked on this development.

Worth Baker, 116 Bayview Blvd. He owns Captain Jim's property (on the corner of the Causeway and Fort Macon Road). He wants to develop it with mixed use and cannot without sewer. We have to move forward.

Richard Lee, 205 Moonlight Drive. He has been coming across that bridge and sees some nice stuff and some stuff that should have been torn down. The re-development of the Showboat Motel should never have been allowed to happen. It should have been mixed use and businesses. The sooner the sewer can happen the better it will be, it needs to happen badly. He would love to see well planned, well thought out mixed use. In his career, he assisted in many municipal landscape ordinances.

Charles Poppe, 504 East Fort Macon Road, owner of Crystal Coast Brewing Company with his son. Intended to originally build a brewery, but could not due to sewer. They are not allowed to serve in glass and plastic is wasteful and expensive. They have tried to serve a small amount of food, again the Health Department said they could not. If we had sewer we would brew beer on the beach, it would be a good attraction. We would use glass. We could increase our business, be a tourist draw. In favor of this, the sooner the better.

Susan Griffith, owner of the Channel Marker property on the Causeway. Had this option happened a couple years ago, they probably would still be in business and renovated. She does not know anyone who does not want this. Please vote to do this tonight.

Travis Lynde, part owner and General Manager of Full Moon Restaurant, 505 Atlantic Beach Causeway. They are celebrating 5 years this year. This affects them greatly, they have spent close to 100k just on pump and haul. They would rather spend this on improvements at the restaurant. Please approve this.

Bruce McFerrin, 307 East Terminal Blvd. About 10 years ago when Eddie was the Mayor we had a federal grant to purchase this. There was a scare tactic about hookup fees so it was not approved. This should have been approved then and should be now.

Mayor Cooper read an email from Dave Manella, owner of Bella Pizza and four other businesses and two parcels on the Causeway. He asked Council to approve this so we can move forward and compete with other businesses. Bella Pizza can only seat 15 people, they could add additional seating and could rent their other properties. The current septic drain fields could be used as parking. If the town wants to be successful, they have to invest in infrastructure.

No Council comments.

Councilmember Starling made a motion *to approve* the Wastewater Utility Service Reservation Agreement between the Town of Atlantic Beach and Red Bird Utility Operating Company, LLC. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried. The audience applauded.

PRESENTATION OF FINDINGS REGARDING THE USE OF PUBLIC ACCESSIBLE TRAFFIC/BEACH CAMERA SYSTEMS IN TOWN

Jack Tyson, Police Intern, reviewed his research on the use of public accessible traffic and beach cameras. He proposes 6-8 cameras installed at various points across town: 2-4 license plate recognition cameras (main intersection and town limit at Pine Knoll Shores) and 4 dome/bullet cameras (AB bridge, Raleigh Avenue beach driving access, main intersection and Henderson Blvd beach driving access).

Each location will include the necessary wireless access equipment to ensure each camera has proper internet connection to broadcast its footage back to the police department. The size of the server storage will need to be increased. He has been working with NC Sound for a proposal. They will handle installation of the cameras, wireless equipment, server setup and integrating the system to our current system.

The cameras can be important for law enforcement by improving officer response time, facilitating detection and deterrence of crime, and apprehending criminals. They will allow the public to feel safe and secure as well as monitor traffic, weather conditions on the bridge, and beach conditions at the Tom Doe beach access.

There was discussion on including the Town Park with a better camera system and the use of solar. Solar requires more maintenance and larger cameras and equipment, therefore more expense. Attorney Taylor will look into any privacy rules. The standard timeframe is to store video for 30 days. The low-cost estimate is \$50-60k for 6-8 cameras, which includes all equipment.

UPDATE ON SMALL AREA PLAN FOR COMMERCIAL CORRIDOR DISTRICT

The Commercial Corridor Committee will meet with consultants tomorrow to begin helping craft new development rules and standards for Commercial Corridor (COR) Zoning District to ensure that we have up-to-date zoning rules, architectural guidelines, and maintenance standards by the time Red Bird completes the installation of wastewater infrastructure.

The committee will meet several times as well as a multi-day charette in which the Yard & Co consultants will come to Atlantic Beach to develop the Small Area Plan in real time with direct feedback from our citizens.

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 7:12 pm.

These minutes were approved at the August 22, 2022 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

Katrina E Tyer (seal)
Katrina Tyer - Town Clerk

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

