



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 W Fort Macon Road and
Electronically via Zoom
Monday, August 22, 2022 – 6:00pm



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, August 22, 2022 at 6:00pm 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; Betty Odham, Secretary; Derek Taylor, Town Attorney; Sarah Currie, Finance Director; Marc Schulze, Public Services Director; Jennifer Ansell, Planning Director; Elisabeth Webster, Planner; Jeff Harvey, Police Chief; Michael Simpson, Fire Chief; Sabrina Simpson, Administrative Services Director

CALL TO ORDER and PLEDGE OF ALLEGIANCE

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

Mayor Cooper introduced Jennifer Ansell as the new planning director, today is her first day.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- a) Finance Report
- b) Budget Amendments
- c) Tax Collection Report
- d) Surplus Sales
- e) Minutes: 7/13/22WS; 7/25/22

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

CITIZEN REQUESTS/COMMENTS

Chris Fuller, 103 Oak Forrest Road. He has not heard much about the boardwalk and is inquiring about the status and changes.

Mayor Cooper stated we received a new set of drawings last week. The design has evolved based on public comments, mostly about the building structure and from oceanfront homeowners. Council should review at the September worksession.

Tony Engrasia, 108 Sound Drive. He introduced himself to Council as a recent member appointed to the Board of Adjustment.

ACTION AGENDA

Public Beach and Coastal Waterfront Access Grant Application – Circle Boardwalk Phase 1

Planner Elisabeth Webster explained this grant application is toward a land purchase opportunity with a \$300,000 grant reimbursement and \$200,000 local cash match for property at Atlantic Blvd, the location of the main beach access and beach boardwalk. She stated that Town staff previously submitted a pre-application to the State and the Town has been invited to submit a final application, which would be due by September 19th. This public hearing and approval of the resolution stating that we agree to commit the funds if we are awarded the grant is required as part of the application process.

Mayor Cooper opened the public hearing for comments to the in-person audience and the audience present online via Zoom.

No public comments.

Mayor Cooper closed the public hearing.

Mayor Pro Tem Waters made a motion *to approve* Resolution 22-08-01: Resolution of Commitment of Funds for Public Beach and Coastal Waterfront Access Program Grant. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

RESOLUTION 22-08-02: Resolution in Support of Legislation Concerning Digging Dangerous Holes on the Beach

Mayor Cooper explained the intent of the resolution and read it aloud to the audience. Digging holes is dangerous to beach users, sea turtles, staff and public beach driving. We are reviewing this resolution to determine support of legislation concerning digging dangerous holes on the beach, an effort being led by the Town of Nags Head.

The Town passed Ordinance 17-05-01, making it unlawful for any person to dig a hole, trench, or depression on the public trust beach areas deeper than twelve (12) inches and then depart the beach strand without having first completely filled such hole, trench, or depression. The Police Department should enforce this, but according to Attorney Taylor, recent changes in legislation make it harder for local ordinances to impose a penalty.

Councilmember Baker made a motion *to approve* Resolution 22-08-02: Resolution in Support of Legislation Concerning Digging Dangerous Holes on the Beach. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

MSP-22-2: 108 West Terminal Boulevard Quadraplex – Review and Approval

Planner Webster reminded Council the initial issue with the Major Site Plan for 108 West Terminal Blvd was if it was being built as a quadraplex or a townhouse. After the Joint Council and Planning Board meeting, staff advised applicant if they wanted to proceed as submitted they would have to construct as a true quadraplex with fire suppression. The side setbacks have been increased from 2.89 to 3 feet and the garage size has been increased to accommodate vehicles larger than compact size. Architect Lee Dixon has been retained as required. The project received unanimous approval at the August 9, 2022 Planning Board meeting. Engineer Chase Cullipher and the applicant are present for questions.

The concern over the appearance and storage of eight garbage and recycling carts was discussed. She stated the applicant committed to storing the carts in the garages and this can be made a requirement in the covenants, but there is potential for eight carts out on collection day.

Councilmember Dean made a motion *to approve* the proposed major site plan, MSP-22-2: 108 West Terminal Blvd. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

TOWN MANAGER REPORT

Mr. Walker clarified that in addition to the Budget Amendment in the Consent items, Council needs to approve the proposal and contract with SF Ballou for the drainage project on East Glenn Street in the amount of \$56,100. The temporary construction easement has been obtained.

Councilmember Navey made a motion *to approve* the SF Ballou proposal and contract for the drainage project on East Glenn Street in the amount of \$56,100. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried

MAYOR/COUNCIL COMMENTS


ADJOURN

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

These minutes were approved at the September 26, 2022 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)


Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor