



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Work Session Meeting
125 W Fort Macon Road and
Electronically via Zoom
Wednesday, September 14, 2022



The regularly scheduled meeting of the Atlantic Beach Town Council was held Wednesday, September 14, 2022 at 2:00 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; Jeff Harvey, Police Chief; Marc Schultz, Public Works Director; Jennifer Ansell, Planning Director; Elisabeth Webster, Planner

CALL TO ORDER

Mayor Cooper called the meeting to order at 2:00 p.m.

APPROVAL OF AGENDA

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

RESOLUTION 22-09-01: RESOLUTION APPROVING THE LOAN WITH FIRST BANK AND AMORTIZATION SCHEDULE FOR THE PURCHASE OF A 2024 E-ONE HP78' LADDER TRUCK

Mr. Walker explained the bank is preparing for closing of the ladder truck purchase within the next few days and is requiring this resolution approving the loan with First Bank in the amount of \$1,200,000 for 15 years with a 3.35% interest rate. The attached Amortization Schedule provides monthly interest-only payments beginning in FY2022-23 for fifteen (15) months, and then thirteen (13) annual payments for the remainder of the loan terms. The original loan proposal was similar at 15 years, 3.35% interest, but with the first annual payment in arrears. By amending the proposal to move up the payments, the Town will be saving taxpayers approximately \$30,000 in interest over the life of the loan. Mayor Cooper reminded it will still be approximately one year before construction of the truck is completed.

Councilmember Navey made a motion *to approve* Resolution 22-09-01: Resolution Approving the Loan with First Bank and Amortization Schedule for the Purchase of a 2024 E-One Hp78' Ladder Truck. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

REVIEW OF PROPOSED AMENDMENTS TO CHAPTER 4, ANIMALS

Jeff Harvey, Police Chief, explained amendment of the ordinance was prompted from a dog bite in July injuring another dog. It was then we realized the ordinance did not cover dangerous animals or impose fines. The County Animal Control does not assist with enforcement if the municipality has a police force, but they have been helpful in facilitation and providing information. There was discussion regarding the fine amount, with Chief Harvey stating it is comparable with adjacent municipalities and State guidelines of criminal penalties.

This item will be added to the September 26 agenda for approval.

REVIEW OF PROPOSED UDO TEXT AMENDMENTS

Planner Elisabeth Webster is discussing the proposed amendments with Council before presenting to the Planning Board hoping to get some consistency and avoid back and forth between the boards. The Planning Board will conduct a public hearing on November 1 and Council will conduct a public hearing on November 21 to review and receive comments on amendments.

ZTA 22-2: RESIDENTIAL USE UPDATE

Staff proposes to update the UDO to be more consistent with the fire code and the building code. Townhouses, detached single family homes, and duplexes all fall under the residential building code. Units of three or more such as triplex, quadraplex and other multi-family units fall under the commercial code. Staff proposes to change the Use Standards Principal Use Table 18.4.1 to include; single family detached, duplex, townhomes, and multi-family being units of three or more – deleting triplex and quadraplex from the table and to allow multi-family in the RMF zone. This will also change the multi-family definition to include units of three or more in the definition Section 18.10.5. Proposed changes to Use Standards, Residential Use Classification Chart (18.4.3) include: deleting triplex and quadraplex, amending the definition of townhouse and duplex to be

comparative with NC Building Code. Triplexes and quadraplexes should not be deleted as a matter of right without adding them in the MUN district. It was the consensus to continue to allow townhouses in the MHI district.

Councilmember Starling recalled when he worked for the Town's inspection department, townhouses were not allowed. If someone wanted to build anything over two units, it was considered a condo. He understands condos do not sell as well because they do not include ownership of the land underneath. Council noted townhouses were allowed because they are less dense than condos. It was the consensus of Council to still encourage less dense development, suggestions were limiting the number of allowable structures to three, increasing building setbacks and increasing lot setbacks.

Councilmember Starling noted for clarity, the reference should be NC State Building Code, not NC Building Code.

ZTA 22-3: SELF STORAGE UNITS

Council confirmed they still have the same intention, to not allow new storage facilities to be constructed in any district in town. Of course the existing facilities will be non-conforming, but allowed to remain.

DISCUSSION AND ACTION ON EXECUTIVE SEARCH FIRMS FOR TOWN MANAGER SEARCH

Council reviewed and discussed each firm and the resources they bring, ultimately deciding on Developmental Associates. They liked that one of the Developmental Associates team members had working knowledge as a former town manager for Wrightsville Beach and the firm has coastal experience. Council wants the firm to actively recruit applicants, not just post ads.

Councilmember Navey made a motion *to approve* the Proposal dated August 7, 2022 and to Contract with Developmental Associates, LLC after confirmation the firm will be proactive in recruiting candidates. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried. Mayor Cooper will make contact to confirm their recruiting process.

APPROVAL OF LETTER OF INTENT FOR PURCHASE OF BOARDWALK PROPERTY

Mayor Cooper reminded Council we are working to submit a CAMA grant application requesting assistance with land acquisition for the Boardwalk Renovation project. We have to submit a Letter of Intent with the CAMA Application confirming the property owner, Fred Bunn, agrees to sell the property. In the last meeting we discussed purchase of the western lots, now we have agreed with Mr. Bunn to purchase the oceanward sixty feet of the two lots east of the festival area, they are more beneficial to the boardwalk plan. The approximate value is \$650,000.

Councilmember Baker made a motion *to approve* the Letter of Intent between Town of Atlantic Beach and FMB at the Grove, LLC for the purchase of the southernmost portions of lots 119 and 121 Atlantic Boulevard. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

UPDATE ON BOARDWALK PROJECT DESIGN (VIA ZOOM)

Via Zoom, Matthew, Jill, Leena and David of Kutonotuk Architects reviewed the most recent updates on the Boardwalk design. Changes include: adding scuppers based on input from Marc Schultz; changing the benches from wooden to a special concrete so they will not be hot to touch; adding misting stations near the bathrooms instead of the splash pad. They are requesting priorities for the Pavilion design: will it be permanently enclosed, completely open or open with slats to prevent any view obstructions? If they desire a two-story design, they need to consider increased cost to meet ADA requirements. Council feels the Pavilion should be open so not to obstruct views or limit air flow. The Pavilion needs to be multi-use and attractive when not in use. More discussions need to be had with Mr. Bunn regarding use of the public area before final decisions can be made.

COUNCIL COMMENTS

None.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 4:11 pm.


These minutes were approved at the October 24, 2022 meeting of the Atlantic Beach Town Council.

ATTEST:


Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor