



**MINUTES**  
**Town of Atlantic Beach, North Carolina**  
**Town Council Meeting**  
**125 W Fort Macon Road and**  
**Electronically via Zoom**  
**Monday, November 21, 2022 – 6:00pm**



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, November 21, 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; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Marc Schulze, Public Services Director; Jennifer Ansell, Planning Director; Morgan Kerns, Parks and Rec Director; Sarah Currie, Finance Director; Jeff Harvey, Police Chief; Michael Simpson, Fire Chief; Elisabeth Webster, Planner

**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.

**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) Tax Releases and Refunds Report
- e) Approval of Amended Internal Control Policy
- f) **Resolution 22-11-01:** Records Retention Policy: Documents Created or Maintained Pursuant to the ARP Award
- g) **Resolution 22-11-02:** Nondiscrimination Policy
- h) **Resolution 22-11-03:** Policy for Allowable Costs and Cost Principles for Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds by the Town of Atlantic Beach
- i) **Resolution 22-11-04:** Eligible Use Policy for the Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds by the Town of Atlantic Beach
- j) **Resolution 22-11-06:** Resolution of Sympathy to the family of Retired Town of Indian Beach Mayor Stewart Pickett
- k) **Resolution 22-11-07:** Resolution of Sympathy to the family of Retired Police Major Shawn Reaume
- l) Minutes: 9/26/22CS (3); 10/12/22WS; 10/24/22

Mayor Cooper expressed his sympathy to the family of Retired Indian Beach Mayor Stewart Pickett and Retired Police Major Shawn Reaume. Councilmember Navey made a motion *to approve* the Consent Agenda as presented. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

**CITIZEN REQUESTS/COMMENTS**

None.

**FY2021-22 FINANCIAL AUDIT – PRESENTATION AND APPROVAL**

Via Zoom, Byron Scott, CPA of Thompson, Price, Scott, Adams and Company reviewed the requirements staff must meet during the audit and complimented Sabrina and Sarah on their cooperation and organization. He reviewed the town's available funds and noted the town is in a good position and meets financial requirements.

Councilmember Baker made a motion *to approve* the FY2021-22 Financial Audit as presented. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

## PLANNING – UDO AMENDMENTS

### **ZTA-22-2 RESIDENTIAL USE UPDATE PROPOSING TO REMOVE TRIPLEX AND QUADPLEX AS SEPARATE USES, CHANGE “MULTI-FAMILY” TO INCLUDE UNITS OF THREE OR MORE, AND TO ALLOW MULTI-FAMILY DWELLING UNITS IN THE RESIDENTIAL MULTI-FAMILY (RMF) DISTRICT.**

Jennifer Ansell, Planning Director, reviewed the proposed changes to the UDO, which better align the ordinance to the NC Building Code. At their November 1, 2022 meeting, the Planning Board recommended approval of the proposed changes. The proposed changes consist of the following:

- Reclassifying triplex and quadraplex as multi-family
- Modify the definition and description of multi-family to include units of three or more
- Modify the definition of “townhome” to reflect the North Carolina Residential Building Code
- Allow multi-family in the Residential Multi-family District (RMF) to remain consistent with current development
- Multi-family has not been proposed as an allowed use in the Mixed-Use Neighborhood District (MUN) to remain consistent with existing single-family patterns
- Removed the parking requirements for triplex and quadraplex, multi-family will remain at 1.5 space per unit

Mayor Cooper opened the public hearing at 6:19pm. No comments. Mayor Cooper closed the public hearing at 6:19pm.

Mayor Pro Tem Waters made a motion *to approve* Ordinance 22-11-01: Ordinance Amending Chapter 18 Unified Development Ordinance 18.4.1.G Principal Use Table, 18.4.3 Residential Use Classification, 18.5.3 Off-Street Parking and Loading, and 18-10.5 Definitions and Measurement. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

### **ZTA-22-3 SELF-STORAGE FACILITIES PROPOSING TO ELIMINATE SELF-STORAGE FACILITIES AS AN ALLOWABLE USE BUT CONTINUE TO ALLOW EXISTING FACILITIES AS “LEGAL NON-CONFORMING”**

A public hearing was held at the August 10, 2022 work session and Ordinance 22-08-01 was adopted to impose a moratorium on development applications and approvals for storage facilities. Jennifer reviewed the proposed changes that were presented to and recommended by the Planning Board. The changes classify self-storage facilities as a prohibited use type and modify the description of the Light Industrial use category. She stated the Planning Board asked staff to review the ordinance for dry stack storage and make sure it is written as the town would like it to read.

Mayor Cooper opened the public hearing at 6:22pm. No comments. Mayor Cooper closed the public hearing at 6:23pm.

Councilmember Starling made a motion *to approve* Ordinance 22-11-02: Ordinance Amending Chapter 18 Unified Development Ordinance 18.4.1 Principal Use Table, 18.4.6 Industrial Use Classification and 18.4.7 Use-Specific Standards. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

Councilmember Navey made a motion *to repeal* Ordinance 22-08-01: Ordinance Imposing a Temporary Moratorium on Development Applications and Approvals for Storage Facilities, thereby terminating the Moratorium. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

### **2022 SUMMER PARK RECAP**

Morgan Gilbert, Parks and Recreation Director, recapped the town park’s performance during its opening months of April through October. We had 16,768 paid mini-golfers and 2,935 ages 6 and under free golfers. The park expenses were more this year due to increased staffing costs and some of the golf holes had to be resurfaced, but overall there was still a profit. She expects additional maintenance work to be needed at the mini-golf course next year.

### **PRESENTATION ON SPEED TABLES (procedure and costs)**

Due to recent citizen concerns over speeding (especially on Bayview Blvd, Old Causeway Road, and Ocean Ridge Road), Marc Schulze, Public Works Director, was asked to provide information again on speed tables. About ten years ago Council approved a policy and forms for citizens to complete requesting speed tables. The current estimated cost for speed table installation would include: asphalt \$2,500; mobilization/labor/equipment \$5,000; marketing and signage \$500-1000. He inquired and drove over the speed tables Beaufort installed, they are low to the ground and barely noticeable when driven over.

Councilmember Navey requested more information from the fire department. Fire Chief Simpson noted, the fire department does not typically like speed tables because it slows emergency responses and other traffic.

Police Chief Harvey has placed digital speed signs to record speeding and he will be glad to collect more data. In three years they have had 22 calls on Ocean Ridge and the majority of them were regarding landscapers parked in the roadway, not speeding related. Council asked him to set a speed data sign at Pond Drive and Old Causeway. Council will include questions regarding the desire and need for speed tables on the next survey.

#### TOWN MANAGER REPORT

#### REVIEW AND APPROVAL TO PROCEED AND CONTRACT WITH THOMAS SIMPSON CONSTRUCTION IN THE AMOUNT OF \$348,260 FOR THE ASBURY AVENUE/DAVIS BLVD AND COOPER AVE DRAINAGE IMPROVEMENT PROJECT

We have received bids for the drainage project at Asbury Avenue, Davis Blvd and Cooper Ave. and would like to proceed with Thomas Simpson Construction. The project would begin in the Spring.

Councilmember Starling made a motion *to approve* the Contract with Thomas Simpson Construction in the amount of \$348,260. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

#### APPROVAL OF RESOLUTION 22-11-05: RESOLUTION AUTHORIZING LOCAL GOVERNMENT EXECUTION OF PUBLIC BEACH AND ESTUARINE ACCESS GRANT (Land Acquisition-Circle Boardwalk Project)

Councilmember Navey made a motion *to approve* Resolution 22-11-05: Resolution Authorizing Local Government Execution of Public Beach and Estuarine Access Grant. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

#### REVIEW OF USE OF ARP FUNDS

Mr. Walker reviewed the items planned to be purchased with the ARP funds, as listed and approved in the Budget Amendment in tonight's Consent Agenda.

There was discussion on the status of the proposed cameras and receipt of proposals. Chief Harvey stated the preliminary cost to replace the cameras at the Town Park is approximately \$50,000. The street cameras are estimated at \$200,000. Staff prefers to work with NC Sound because the equipment they provide is compatible with what the Police Department currently uses. He discussed the planned location of the cameras, the need for additional poles and the fact that NCDOT will not allow license plate readers on their right-of-way.

#### USE OF CONSTRUCTION MANAGER @RISK – STATE ALLOWED METHOD FOR BOARDWALK PROJECT

Mr. Walker discussed the Construction Manager at Risk method and the desire to utilize it for the boardwalk project. It worked well for the town hall project.

Mayor Pro Tem Waters made a motion *to approve* the Construction Manager at Risk method for the Boardwalk Project. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

#### MAYOR/COUNCIL COMMENTS


None.

#### ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:12pm.


These minutes were approved at the December 19, 2022 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)  
  
Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH

  
A. B. Cooper, III - Mayor