



**MINUTES**  
**Town of Atlantic Beach, North Carolina**  
**Town Council Special Meeting**  
**125 W Fort Macon Road and**  
**Electronically via Zoom**  
**Friday, April 28, 2023 – 10:00am**



The special meeting of the Atlantic Beach Town Council was held Friday, April 28, 2023 at 10:00am 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: Joey Dean, Danny Navey, Joseph Starling

**Members Absent:** Councilmember Renea Baker (via Zoom – so unable to vote)

**Others Present:** John O’Daniel, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Sabrina Simpson, Admin Services Director; Sarah Currie, Finance Director; Jennifer Ansell, Planning Director; Elisabeth Webster, Planner; Morgan Gilbert, Parks and Rec Director; Marc Schulze, Public Works Director; Lindsay Allen, PW Admin Asst; Mike Simpson, Fire Chief; Police Major Jason Hutchinson

**CALL TO ORDER**

Mayor Cooper called the meeting to order at 10:00 a.m.

Mayor Pro Tem Waters made a motion *to excuse* Councilmember Baker due to vacation. Seconded by Councilmember Navey. Vote was unanimous, 4-0. Motion carried.

**APPROVAL OF AGENDA**

Councilmember Starling made a motion to approve the agenda as prepared. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried.

**PROJECTS DISCUSSION**

**Boardwalk - Project Status, Discussion, Direction, and Possible Approval**

Planner Elisabeth Webster provided a timeline of the boardwalk project and grant applications:

- May 2022, the Boardwalk Competition Jury selected KUTONOTUK as the design firm
- August 2022, Council Approved a Resolution of Commitment of Funds for the CAMA Public Beach and Coastal Waterfront Access Grant to acquire the eastern lots - Grant \$300,000; Match \$200,000
- September 2022 (work session), Council approved Letter of Intent for Purchase of the oceanward 60’ of 119 and 121 Atlantic Blvd for the Boardwalk Project; sale price \$500,000, valued at \$650,000
- October 2022 (work session), KUTONOTUK presented 100% Schematic Design
- November 2022 CAMA Public Beach and Coastal Waterfront Access Grant awarded; November 21, 2022, Council approved a Resolution for the Public Beach and Coastal Waterfront Access Grant Contract with DEQ
- December 2022 Council approved Resolution of Commitment of Funds for Water Resource Development Grant - Grant Funds \$200,000; Match \$300,000
- March 15, 2023, Staff submitted a pre-application for PARTF for Phase I (with the help of Smart Moves Consulting) - Phasing based on advertised Construction Manager at Risk RFQ (Dec/Feb)
- April 6, 2023, Planning Board adopted a Resolution of Support for PARTF Grant Application
- April 13, 2023, Staff held a public meeting at the Circle for public input on the PARTF grant
- April 18, 2023, Staff presented to the Tourism Development Authority and received a letter of support for the 2023 PARTF Grant Application
- April 21, 2023, Staff presented to the Carteret Chamber of Commerce and received a letter of support for the 2023 PARTF Grant Application

Staff is preparing the PARTF application in conjunction with Adrienne Harrington of SmartMoves to fund Phase I of the Boardwalk project. Phase I consists of replacing the existing lower boardwalk with a new concrete boardwalk and the construction of a new wooden upper boardwalk, seating, lighting, shower/rinse stations, and connections to parking and restrooms.

PARTF awards up to \$500,000 for qualifying projects, and requires a dollar-for-dollar match, 50 percent of the total cost of the project. In conjunction with the project engineer and architects, Staff has estimated the total cost for Phase I to be \$1,074,618. The Town would be required to provide \$574,618 in matching funds reflecting a 53.5% cost share, less any donated value.

The preliminary grant application was submitted on March 15th and is under review; the final application is due May 1, 2023. If we go through with the purchase of the eastern lots and keep the project costs under \$1,000,000 will get a \$134,000 credit from PARTF. Councilmember Starling wants us to do everything we can to make sure we get the credit and wants confirmation purchasing the lots will not affect the PARTF grant.

Council discussed the purchase of the east and west parcels and their concerns over how the HOA covenants and potential festival easement amendment will impact the future use of the easement area.

Phase 1 of the boardwalk was more urgent at the time of planning due to the condition of the current boardwalk. Once the wooden boards were removed, we realized what was underneath was not in as bad shape.

Councilmember Dean asked about the status of the closing on the eastern lots and the Crab's Claw quit claim deed across part of our boardwalk. Attorney Taylor is still working on that issue.

Councilmember Navey wants to confirm Attorney Taylor's review of the covenants and how they affect us after we purchase the lots. He is concerned about a future HOA when Fred Bunn is no longer the owner. He also asked if the lots we purchase can be separated from the HOA to avoid HOA and sewer assessments.

Mayor Cooper reminded the board, the Town obtaining this property for public use while it is available is better than losing it and allowing the possibility of four additional houses being built. The boardwalk and walkways are not part of the HOA so the Town should also ask that the purchase of new lots be exempt.

The CAMA line is measured from the first line of stable vegetation, but in this area, there are no dunes or vegetation lines, so the setback is measured from the seawall. Without asking for a variance, we cannot build the boardwalk 15 feet toward the water as designed. The fact that it is for public use usually has a greater chance of approval. This needs to be settled before any construction begins. If the variance request is denied, we would not be able to construct what we designed so we would have to go back to PARTF and propose our new design and prove to them we have been diligent in trying to construct. The bathhouse as designed is too close to the water so we must push it back 60 feet or ask CAMA for permission.

Councilmember Starling wants to ensure if we build something top quality it stays top quality. He wanted to make sure they are not set on a design and that things can change, especially the materials used to extend the life of the boardwalk.

Council discussed other funding options such as benches, bricks, and a memory wall/section letting people tell their stories. Mayor Cooper suggested we pay for the boardwalk using the fund balance. Councilmember Dean reminded us we have a resolution to try to maintain a 35% fund balance. Once we pay off the fire truck, we will have more fund balance.

Staff is asking for approval of the resolution for a commitment of funds of \$574,000. If Council approves the resolution to continue with the PARTF grant the funds will come from the fund balance.

Mayor Pro Tem Waters made a motion to approve **Resolution 23-04-01: Resolution Supporting Grant Application to the Parks and Recreation Trust Fund for Phase 1 of the Boardwalk Renovation Project and Commitment of Matching Funds.** Seconded by Councilmember Navey. Vote was unanimous, 4-0. Motion carried.

### **Corridor Project**

Mayor Cooper provided a status of the Causeway Corridor project and an update on the sewer project with RedBird, they are still awaiting state permits. Yard & Co. has drafted proposed amendments to the UDO based on the feedback they got from citizens during the engagement meetings. It was the consensus to schedule a joint Council and Planning Board meeting on June 6 to discuss the proposed changes, such as height restrictions, mixed-use, setbacks, and public space appearances.

Councilmember Starling stepped out at 10:54am and returned at 10:57am.

### **Project Prioritization**

John discussed current projects asking Council to prioritize and approve funding.

- Bridge Abutment – would like to proceed but do not know what they want to see in this area. Staff has requested a Lease Extension with DOT and will discuss in more detail what types of uses DOT will allow. We have a \$66,000 quote for a floating dock/kayak launch.
- Playground - NCSU School of Design has submitted a \$30,000 proposal to design the new playground area at the Town Park. This item will be on the May work session agenda for presentation by their staff. We still have \$100,000 remaining of ARP funds set aside for this project.
- Moonlight Bay Boat Ramp - the boat ramp is still in good useable shape. The cost of the full rehab is \$182,000. Council would like to see upgrades to this area, starting with small items first such as a new fence, additional gravel, and parking bumpers for about \$20,000.
- West Bogue Sound Drive Pier and Boat Ramp - this is a safety hazard that needs some work. The quote we have for repair is \$20,566.
- Stormwater Project on Bayview Avenue - the engineers are still working on a solution for this area. It should be paid for with stormwater funds.
- Golf Cart Parking at Beach Accesses - the plan to add golf cart parking at some of the beach accesses has been reviewed with Marc and is a low financial commitment. Public Works will start by installing a couple at Club Colony.
- Street Paving - Mobile Drive has already been identified as needing to be paved. We will review other streets and see what we can patch before doing a major re-paving project. Powell Bill funds will be utilized.
- Charlotte Ave. Crosswalk across Ft. Macon Road - We have worked with DOT for a crosswalk, but we must provide a landing or sidewalk on each side of the road for pedestrians. To construct the landing area, we would lose the left turning lane on the south side of the road. We would fund the landing area and DOT would fund the crosswalk. DOT rejected a crosswalk at Kinston Avenue stating it would be too close to the main intersection light.
- Water extensions on Causeway to the bridge (for fire hydrant service) - We hope we can address the lack of fire hydrants on both sides of the Causeway during Redbird's septic line installation so we can save money.

It was the consensus is to spend funds on items that get more use, such as the park play equipment, boardwalk, and bridge abutment. Safety is a top priority; unsafe items should be handled first.

## PAID PARKING PROGRAM

John explained the current paid parking program runs from May 13 – August 31, 10am-6pm daily. Re-entry Passes are \$25 each and allow residents free parking. Parking Passes are \$75 each. Penalties are \$20, \$30, and \$50.

Fire alarm test at 11:20am so the meeting paused and resumed at 11:22am.

From the audience, Becky Elkin commented the re-entry passes are hard to get back from tenants when they move. Mayor Cooper explained they were not going to discuss re-entry passes today, they are focusing on paid parking.

There was discussion on how an earlier start time will affect morning beach walkers and a later end time will affect businesses. A later end time should be discussed with Circle business owners before changing.

It was the consensus to extend the parking program months from April 1 to September 30, keep the hours the same, increase the parking sticker cost to \$100 (previously \$75), increase the rate to \$4 per hour (previously \$3), and increase the penalty scale to \$50, \$60 and \$75 (previously \$20, \$30, and \$50). Council can discuss the re-entry pass program in the fall.

Break at 11:38am  
Resume at 12:19pm

Councilmember Navey made a motion *to approve* Budget Amendment #18 to FY22-23 Fee Schedule for hourly parking rate change from \$3 to \$4. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried.

Councilmember Starling made a motion *to approve* Ordinance 23-04-01: Ordinance Amending Chapter 10, Motor Vehicles and Traffic, Section 10-105 Fees for Parking on Certain Off-Street Parking Lots. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 4-0. Motion carried.

Mayor Pro Tem Waters made a motion *to approve the* Revised Paid Parking Program Outline. Seconded by Councilmember Starling. Vote was unanimous, 4-0. Motion carried.

**FURTHER FY23-24 BUDGET DISCUSSION**

John highlighted the budget points:

- \$0 Fund Balance Allocated
- \$3,100 per employee COLA (July 2023). A flat increase would benefit lower-paid staff more than higher-paid staff.
- 1.5 cent tax increase to cover the cost of the new Fire truck and PD capital
- Water base rate (\$3 increase) and \$1 increase per 1,000 gallon
- \$2 White goods increase
- Parking increase from \$3 per hour to \$4

Mayor Cooper would like information on what other local towns are proposing for a COLA this year.

Councilmember Dean brought up several solutions for increasing revenue to offset some of the costs of projects. Raising mini golf rates from \$5 could help fund some of the new play equipment. The last increase was over 5 years ago, increasing from \$3 to \$5. Last year there were over 19,000 golfers. It was the consensus of Council to increase the mini golf rate to \$6 effective May 25. Staff is to prepare a budget amendment for approval at the May 22 Council meeting. They can discuss beach driving rates in the future, possibly increasing fees by \$25. Golf cart registration fees are currently \$100 annually, we had 45 carts registered last year so the revenue would not be enough to warrant an increase.

It was the consensus for the public hearing and approval of the budget to be on May 22 rather than waiting for the June meeting. Council will review the proposed budget again and discuss larger funded items at the May work session.

Councilmember Dean thanked the staff for their hard work on the budget. Mayor Cooper feels the budget process this year has been very helpful and informative to see the specific details and impacts.

**ADJOURN**

There being no further action taken or business before Council the meeting stood adjourned. The time was 12:52 pm.


These minutes were approved at the June 26, 2023 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

(seal)  
  
Katrina Tyer - Town Clerk



  
A. B. Cooper, III - Mayor