



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Work Session Meeting
125 W Fort Macon Road and
Electronically via Zoom
Wednesday, June 14, 2023 – 2:00pm



The regularly scheduled work session of the Atlantic Beach Town Council was held Wednesday, June 14, 2023 at 2:00pm 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: John O’Daniel, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Jeff Harvey, Police Chief; Jennifer Ansell, Planning Director; Elisabeth Webster, Planner; Mike Simpson, Fire Chief (present at 2:05pm); Casey Arther, Fire Marshal (present at 2:17pm)
Present after the closed session and park visit: Marc Schulze, Public Services Director; Sabrina Simpson, Admin Services Director; Jeff Harvey, Police Chief; Morgan Gilbert, Parks and Rec Director; Sarah Currie, Finance Director; Mike Simpson, Fire Chief (present at 3:58pm)

CALL TO ORDER AND APPROVAL OF AGENDA

Mayor Cooper called the meeting to order at 2:02pm. Councilmember Dean made a motion *to approve* the Agenda as presented. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

Councilmember Baker made a motion *to excuse* Councilmember Starling due to work commitments. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

CLOSED SESSION PURSUANT TO NCGS 143-318.11(A)(3) TO CONSULT WITH ATTORNEY TO PROTECT ATTORNEY-CLIENT PRIVILEGE

Councilmember Navey made a motion *to enter* closed session. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

Council requested Attorney Taylor’s legal opinion on The Cottage at the Crystal Coast, located at 302 Glenn Street operating as a music venue in the Mixed-Use Neighborhood (MUN) district. The property was zoned MUN under the new ordinance, previously zoned Resort Mixed Use allowing events. Event venues are allowed in the MUN with a Special Use Permit.

Jessica Horton purchased the property consisting of the Cottage and adjacent lot in December 2020. She submitted a business registration in 2021 for a “small music venue; ticketed events such as live music & entertainment, community events & functions, and more”. In 2016, the previous owner, David Bradley, had an approved business registration for a “full-service wedding and event venue including full-service catering”. Ms. Horton has recently submitted event applications for larger entire property concerts expecting 500 guests. The Planning Department questions if the vested rights extend to the full property concerts or if they are an expansion of the use warranting Council approval.

Council discussed the definition of an event and advised Fire Marshal Arthur to work with the County on verifying the safety of the decks. It was the consensus of Council that the Planning Department issue a letter to property owner Jessica Horton notifying her that the use of the property as an outdoor concert venue is a significant change in the kind of usage previously allowed and greatly increases the burdens on the neighborhood and public infrastructure. The outdoor concerts she has proposed are unlawful and prohibited unless and until a Special Use Permit from the Board of Adjustment is obtained.

Mayor Pro Tem Waters made a motion *to exit* closed session. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried. The time was 3:04pm.

RESUME REGULARLY SCHEDULED WORK SESSION AND IMMEDIATELY TRAVEL TO ATLANTIC BEACH TOWN PARK LOCATED AT 915 WEST FORT MACON ROAD FOR A SITE VISIT

At 3:12pm Mayor Cooper, Council, Town Manager and Town Clerk travelled to the Town Park at 915 West Fort Macon Road and met the Parks and Rec Director at 3:21pm.

Council viewed the area of the park NCSU proposes to develop a natural play area plan. Council's main concerns are preserving the live oaks and ADA accessibility.

They also discussed the location of the proposed entrance gate which can be locked when the park is closed. They want to ensure cameras are installed at the entrance.

RETURN TO TOWN BOARDROOM LOCATED AT 125 WEST FORT MACON ROAD

Council and staff returned to the boardroom at 3:41pm.

DISCUSSION OF PARK HOURS AND PROPOSED ENTRANCE GATE

Chief Harvey is proposing to establish park hours of operation from 6:00am-11:00pm and to install a gate at the entrance that will be locked when the park is closed. In the past several years we have had numerous vandalism incidents after dark and he feels this will prevent more incidents. The proposed hours allow time for people to exercise in the morning and plenty of time in the evening.

Council supports the proposed gate and Park hours and will review the Ordinance amendment at their next meeting.

FURTHER DISCUSSION OF NC STATE'S NATURAL LEARNING INITIATIVE FOR AN INTERGENERATIONAL NATURE PLAY AREA AT THE TOWN PARK

The Town will have to provide surveys and work closely with the NCSU team. Morgan feels having something unique to Atlantic Beach would be great. The NCSU team seems excited to have a local project. Council wants NCSU to provide a design plan that we can complete in phases.

Council discussed using fund balance to pay for the NCSU contract, not ARP funds. Staff will apply for the Big Rock Foundation Grant to assist with funding. The NCSU contract and budget amendment will be on the next Council agenda.

DISCUSSION ON THE COTTAGE EVENT PARKING PLAN

The Cottage has asked to use the Town Park and the Circle for parking and shuttle pick-up for the upcoming Drake White and Darius Rucker concerts at the Cottage at the Crystal Coast on Glenn Street.

It was the consensus of Council not to allow the use of the Town's public lots for private events and instructed the town manager to inform her.

PROJECTS DISCUSSION

The repair of the Moonlight Drive boat ramp was higher than expected, but we could do a few minor repairs and add some gravel. We can add gravel and picnic tables to the bridge abutment area to make the area more welcoming at a lower cost.

It was the consensus of Council to wait until the Causeway Corridor plan was completed before we invest a lot of money in the bridge abutment. There was discussion on developing a walkway under the bridge to allow a full loop on the Causeway. A scenic overlook would be the best idea, but it would be a complex project.

COUNCIL COMMENTS

Mayor Cooper announced he will not be seeking re-election this year in this month's issue of the Island Review.

ADJOURN

There being no further action taken or business before Council the meeting stood recessed. The time was 4:19pm.

These minutes were approved at the August 28, 2023 meeting of the Atlantic Beach Town Council.

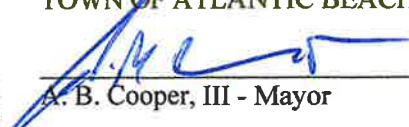
ATTEST:


Katrina Tyer - Town Clerk

(seal)



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor