



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 W Fort Macon Road and
Electronically via Zoom
Monday, June 26, 2023 – 6:00pm



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, June 26, 2023 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: John O'Daniel, Town Manager; Katrina Tyer, Town Clerk; Derek Taylor, Town Attorney; Sabrina Simpson, Admin Services Director; Sarah Currie, Finance Director; Marc Schulze, Public Works Director; Mike Simpson, Fire Chief; Police Chief Jeff Harvey; Morgan Gilbert, Parks & Rec Director. Via Zoom: Jennifer Ansell, Planning Director Jennifer Ansell and Brad Rich, Carteret News-Times

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 prepared. Seconded by Councilmember Baker. Vote 5-0.

CONSENT AGENDA

- a) Finance Report
- b) Budget Amendments
- c) Budget Transfers
- d) Tax Collection Report
- e) Tax Releases and Refunds Report
- f) Minutes: 4/24/23CS; 4/28/23SM; 5/10/23WS

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, in person or via Zoom.

RE-APPOINT PLANNING BOARD MEMBERS

At the December 19, 2022 meeting, Council re-appointed Neil Chamblee, Phil Jones and Llewellyn Ramsey for a 6-month term expiring June 30, 2023. This 6-month term was to allow for the Planning Board terms to expire June 30 and to be consistent with the Board of Adjustment terms and so Council is not forced to appoint/re-appoint members immediately after their term begins, not allowing them time to meet and interview applicants.

Councilmember Navey made a motion *to re--appoint* Neil Chamblee, Phil Jones, and Llewellyn Ramsey to the Planning Board for a 3-year term expiring on June 30, 2026. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

APPOINT/RE-APPOINT BOARD OF ADJUSTMENT MEMBERS

At the April Board of Adjustment meeting, Chairman Eddie Briley and Vice Chair Vada Palma announced they would not seek reappointment at the expiration of their terms on June 30, 2023. At that time the board appointed Michael Bosse as Chairman and Harrison Smith as Vice Chair. Alternates Anthony (Tony) Engrassia, Kathy McGehee and Bonnie Pitts have expressed interest in being appointed regular members of the Board. Alternate Curt Winbourne does not wish to be re-appointed, he will continue service on the Planning Board. Alternate Michael Mortali has not attended a meeting since his appointment.

Staff reached out to previous applicants on file and Joyce Livengood, Stephen Rea and Shannon Vance are interested in serving.

Councilmember Navey nominated Tony Engrassia to fill Eddie Briley's seat. Since no other nominations, Councilmember Baker made a motion *to appoint by acclimation* Tony Engrassia to fill the Briley seat for a term to expire June 30, 2026. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

Councilmember Dean nominated Bonnie Pitts to fill Vada Palma's seat. Mayor Pro Tem Waters nominated Kathy McGehee. By a show of hands, Bonnie Pitts was *appointed* to fill Vada Palma's seat for a term to expire June 30, 2026, Vote was 3-2. Councilmembers Dean, Starling, and Navey voting for Pitts and Mayor Pro Tem Waters, and Councilmember Baker voting for McGehee.

Councilmember Navey made a motion *to vacate* the alternate seat held by Michael Mortali due to a lack of attendance since appointment in June 2022. Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

Mayor Pro Tem Waters made a motion *to appoint* Stephen Rea as an Alternate for the seat previously held by Tony Engrassia for a term to expire June 30, 2026. Seconded by Councilmember Dean. Vote was unanimous, 5-0. Motion carried.

Councilmember Baker made a motion *to appoint* Shannon Vance as an Alternate for the seat previously held by Michael Mortali for a term to expire June 30, 2026. Seconded by Councilmember Navey. Vote was unanimous, 5-0. Motion carried.

Councilmember Starling made a motion *to appoint* Joyce Livengood as an Alternate for the seat previously held by Curt Winbourne for a term to expire June 30, 2026. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

Mayor Cooper noted Joyce's husband Norman was a long-term member of the Planning Board and Board of Adjustment. He really appreciates Eddie and Vada and all of those that serve.

Councilmember Starling made a motion *to re-appoint* Harrison Smith for a term to expire June 30, 2026. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

ORDINANCE AMENDMENT- PARK HOURS AND OVERNIGHT PARKING

Chief Harvey hopes establishing enforceable park hours will cut down on vandalism. He is requesting the park hours be from 6:00am-11:00pm. The new gate will be unlocked and locked at these times.

Mayor Pro Tem Waters made a motion *to approve* Ordinance 23-06-01: Ordinance Amending Chapter 12, Offenses and Miscellaneous Provisions; Section 11, Regulating Town Park Hours of Operation and Overnight Parking as presented. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

RECREATIONAL WATER TESTING

Mayor Cooper stated the recreational water testing program through UNC Marine Science Lab plans to test for contaminants from the town's stormwater projects. Previous tests do not show markers from septic tank contamination. Per the Town Manager's request, UNC will submit a written report including their findings and suggestions for fixing any problems.

Councilmember Dean made a motion *to approve* Amendment 1 to the Research Services Agreement with UNC-Chapel Hill for Assessing Sources and Dynamics of Fecal Contamination in Atlantic Beach (July 1, 2023 – June 30, 2024) for \$8,000. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried. A budget amendment for the FY2023-24 Budget would be presented for approval using fund balance at the July 2023 Council meeting.

TOWN PARK PLAY AREA

Manager O'Daniel reviewed phasing and budgeting options for the Town Park playground features. He advised we could pursue the NC State design, install a beach-themed pre-built playground, install a hybrid beach-themed playground and utilize the NC State design, or we can do nothing. A pre-built playground would be a quicker solution to get something done. The pre-built structure would be made of trex to last longer and incorporate features for various age ranges and abilities with rubber flooring. We can use the area for educational information on rip currents, etc. We plan to apply for the Big Rock grant to purchase the pre-built structure. NCSU expects to deliver a product design by 2024.

It was the consensus of Council to proceed with obtaining price quotes and options for the pre-built structure and to proceed with the Big Rock grant application. If we are awarded the Big Rock grant, we can proceed with the pre-built structure and then

the hybrid plan. If we do not get the Big Rock, then we can decide to hold off on the pre-built structure and only proceed with NC State design or continue with the pre-built structure or hybrid plan.

Councilmember Navey made a motion *to approve* the Scope of Work with NC State Natural Learning Initiative for Schematic Design for an Intergenerational Nature Play Area at the Town Park (July 1, 2023 – June 30, 2024) for \$29,819 with authorization for the Town Manager to execute the contract upon receipt with a budget amendment for same to be submitted at the July 2023 Council meeting Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

It was the consensus to request NCSU to submit a \$300,000 project plan in \$100,000 phases for a three-year plan.

FESTIVAL EASEMENT AND BOARDWALK PARCELS UPDATE AND DISCUSSION

Mayor Cooper, Councilmember Navey, Attorney Taylor and John O’Daniel met with Fred Bunn and his FMB team last week to discuss the terms of the proposed festival easement. It was determined FMB does not have an issue with the events that are currently happening, they want to ensure events are not competing with the businesses. Attorney Taylor is working to amend the easement to state the Town will meet with FMB every year to advise of planned events and that it will be amendable based on new applications.

Attorney Taylor reminded in the agreement to purchase the lots, we agreed to obtain prior approval for whatever we wanted to put on the lots. He is working with FMB’s attorney for the Town to be exempt from the HOA.

BEACH WHEELCHAIR TRAILER FROM THE AB KING MACKEREL TOURNAMENT UPDATE

O’Daniel stated after conversations with Fred Bunn it was decided that the enclosed trailer donated by the King Mackerel Tournament will be placed near the bathhouse at the Circle. CAMA is working with us to obtain a permit and waiving fees to install gravel to level the ground. Councilmember Starling reminded us that there is a panel box, and the trailer must maintain a 3-foot distance from the panel box.

TOWN MANAGER REPORT

NCDOT has readjusted the traffic lights at the intersection at the foot of the bridge in Morehead City and traffic appears to be moving at a regular pace again, not backing up on the island.

The survey has been sent out to employees, and so far, we have received about a 30% response rate.

MAYOR/COUNCIL COMMENTS

Mayor Cooper announced that Katrina has achieved her Master's Municipal Clerk Certification.

On behalf of the King Mackerel Tournament, Councilmember Baker thanked Marc and Chief Simpson for their hard work in ensuring the beach wheelchair trailer had a location to park and working on setup.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 7:06pm.

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

TOWN OF ATLANTIC BEACH

ATTEST:

Katrina Tyer
Katrina Tyer - Town Clerk

(seal)



A. B. Cooper, III
A. B. Cooper, III - Mayor