



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Worksession
125 W Fort Macon Road and
Electronically via Zoom
Wednesday, October 11, 2023 – 2:00pm



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, October 11, 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; Sabrina Simpson, Admin Services Director; Marc Schulze, Public Works Director; Jennifer Ansell, Planner; Sarah Currie, Finance Director; Jeff Harvey, Police Chief; Morgan Gilbert, Parks and Rec Director; Mike Simpson, Fire Chief

CALL TO ORDER

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

APPROVAL OF AGENDA

Councilmember Navey made a motion *to approve* the Agenda as presented. Seconded by Councilmember Baker. 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 Baker made a motion *to enter into closed session*. Seconded by Councilmember Dean. Vote was unanimous, 5-0. Motion carried. The time was 2:01pm.

Council discussed the status of town properties and actions to take to ensure the properties remain public and safe for the public to use. Properties included Center Drive Street End (Shore Drive), 105 Smith Street, and Town Boat Ramps and Water Accesses.

No action was taken.

Councilmember Navey made a motion *to exit closed session*. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried. The time was 3:06pm.

Resumed regular session 3:07pm and department heads joined the meeting.

WATER RESOURCES GRANT

Attorney Taylor stated the closing documents have been amended to remove the covenants so there are not any issues with the HOA. Any construction or use of the land will still be subject to the architectural committee. We will be close to closing on the properties once we get the surveys from Cullipher.

Councilmember Navey made a motion *to authorize* the Town Manager to execute documents for the purchase of land at 141 and 143 Atlantic Blvd and *to execute* the Department of Water Resources Grant Contract. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

Mayor Pro Tem Waters made a motion *to approve* Budget Amendment 7. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

Attorney Taylor left the meeting at 3:17pm.

CAUSEWAY SMALL AREA PLAN/COMMERCIAL CORRIDOR (COR) TEXT AMENDMENTS

Mayor Cooper stated he talked to Worth Baker and Redbird is getting closer to Utilities Commission approval. Neither Mayor Cooper nor Worth Baker can get Redbird to call them back. Mayor Cooper feels we may not need to approve these amendments

until we have an estimated timeline for the sewer as it is hard to require development that needs sewer when we do not have verification that the sewer is proceeding.

Mayor Cooper reviewed some of the items that have been discussed:

Building height with a hard cap of four stories, front setbacks in COR-1 requiring at least 60% of the front of building at the setback line whereas COR-2 and COR-3 have none. There was concern about parking in the back for these properties when the back is waterside. Parking requirements allow more flexibility.

Small-footprint properties may need to be allowed to move the building back so parking can move forward. If we are going to allow small footprints to not be frontal buildings, then that should be the same on all of the Causeway. It was the consensus to remove the requirement to build on the front line.

Staff still needs direction on the service road, sidewalk requirements, front setbacks regarding the planting zone, and parking.

Jennifer was directed to write up these proposed changes for Council to discuss again at the November work session. It was the consensus to conduct a public hearing at the November regular meeting,

Jennifer noted the Planning Board questioned the commercial requirement and the walkable area in front of the structure but approved the proposed ordinance with concerns at their last meeting.

It was the consensus to remove the requirement for placement of the building and parking and allow flexibility on building locations. The parking requirement still has to be met but can be offsite parking.

TOWN PROPERTY DISCUSSION

Center Drive Street End (Shore Drive) – this item was discussed in closed session.

105 Smith Street – this item was discussed in closed session.

Town Boat Ramps and Water Accesses

Chief Harvey is asking for consistent hours at all of the town's water accesses and boat ramps. Complaints on the Pelican Drive ramp have caused this request. Early use of the ramp is not the issue as much as rowdy and drinking crowds at night. They hate to regulate and limit access to fishing.

It was the consensus to keep an eye on this for now and take no action, but for the police department to address complaints as they come in.

SOCIAL DISTRICTS SURVEY REVIEW AND DISCUSSION

Most of the businesses that responded to the town survey were in favor of a social district except for Fred Bunn, the largest property owner.

Councilmember Dean does not want to see it added. Councilmember Baker does not think it will be a large enough area to benefit. Councilmember Navey does not think things are congregated close enough to benefit. It was the consensus to table this item and address it later if there is a need.

Councilmember Dean stepped out at 4:24pm and returned at 4:25pm.

ENFORCEMENT OF UNATTENDED BEACH EQUIPMENT

John is asking Council if they want to strictly enforce the ordinance or be more lenient for certain clubs, etc. As an example, the Dunes Club leaves chairs, equipment, and volleyball courts on the beach strand during the summer and we have not been enforcing our ordinance that they be removed. The season is over for this year, but we need to know how to address for next year. Staff was instructed to notify the Dunes Club and other locations that are not conforming to our ordinance and try to work with them, listening to their response.

BEACH DRIVING AND USE OF UTVS ORDINANCE AMENDMENT DISCUSSION

Council agreed that we need to be careful with what we allow on the beach strand. If we start allowing more UTVs or recreational vehicles we could get into trouble. Staff was directed to draft an amendment using minimum wheelbase or other wording to prohibit UTVs.

MAYOR/COUNCIL COMMENTS

None.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 4:36pm.

These minutes were approved at the December 18, 2023 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

(seal)

Katrina Tyer - Town Clerk


A. B. Cooper, III - Mayor

