



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Worksession
125 W Fort Macon Road and
Electronically via Zoom
Tuesday, January 9, 2024 – 9:00am



The regularly scheduled meeting of the Atlantic Beach Town Council was held Tuesday, January 9, 2024 at 9:00am in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present: Mayor Danny Navey; Mayor Pro Tem Austin Waters; Councilmembers: Harry Archer, Renea Baker, Joey Dean

Members Absent: Joseph Starling (via Zoom)

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; Dave Clifton, Police Chief; Jason Hutchinson, Major; Morgan Gilbert, Parks and Rec Director; Mike Simpson, Fire Chief

New Police Chief Dave Clifton was introduced to everyone prior to the meeting.

CALL TO ORDER

Mayor Navey called the meeting to order at 9:00 a.m.

APPROVAL OF AGENDA

Councilmember Baker made a motion *to approve* the agenda. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 4-0. Motion carried.

NEW BERN AVENUE RETENTION WALL

Chase Cullipher, Engineer, explained he was approached by the town to look at the slope from Mrs. Bodie's property to the Town's New Bern Avenue beach access lot. The town has discussed a retaining wall separating these lots since the March 2023 retreat. At that time, it was thought that public works staff could install the wall, but then realized that the wall would have to be engineered, making the project more than what could be done in-house. Bids were obtained and ProGreen came in the lowest. A CAMA V-Zone certificate will be required, costing approximately \$500.

It was the consensus to proceed with the installation of the retaining wall using ProGreen as designed by Cullipher Engineers.

REVIEW OF NC RESILIENT COASTAL COMMUNITIES PROGRAM (RCCP) AND APPOINTMENT OF COMMUNITY ACTION TEAM

Beth Smyre, Senior Planner with Dewberry, reminded Council that the Town was awarded \$70,000 in February to complete Phases I and II of the Resilient Coastal Communities Program which will aid in developing a risk and vulnerability assessment and prioritize projects in a project portfolio that will increase the Town's resilience to natural hazards.

As part of the process, we need to establish a Community Action Team (CAT) to serve as liaisons on the project. The Resilient Coastal Communities Program Handbook requires the CAT to have at least five members who are representative of the community and its diverse perspectives. It is recommended that at least one member of the CAT be from (or can speak for) parts of the community that may be traditionally underrepresented in decision-making.

One of the CAT members will be appointed as a "CAT Champion" to lead the team; that person should have the knowledge, expertise, and passion to act as a point person with Dewberry, with whom we have been paired for Phases I and II, and the NC Division of Coastal Management.

The schedule Beth proposed is as follows:

January - CAT Meeting #1; February - Public Engagement #1; March - CAT Meeting #2; April - Public Engagement #2; May - CAT Meeting #3; June - Final Deliverable

It was the consensus to speak with Denise Clark and Jimmie Whitford to confirm their willingness to serve on the committee and to add the approval of committee members to the January consent agenda. Clark and Whitford previously submitted citizen volunteer applications to the Clerk for various boards.

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

Councilmember Baker made a motion *to enter* Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with attorney to protect the attorney-client privilege. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 4-0. Motion carried. The time was 9:42am.

Attorney Taylor briefed Council on litigation items the town could potentially be a party to in the future. No action was taken.

Councilmember Archer made a motion *to exit* Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with attorney to protect the attorney-client privilege. Seconded by Councilmember Baker. Vote was unanimous, 4-0. Motion carried. The time was 10:37am.

Break 10:37am
Resume 10:48am

CONSIDERATION OF CONTRACT WITH PREMIUM PARKING SERVICE, LLC OR PIVOT PARKING LLC FOR MANAGEMENT OF THE 2024 PAID PARKING SEASON AND AUTHORIZE TOWN MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS

Councilmember Archer has spoken with mayors from three towns and Carolina Beach recommends Pivot as the best they have ever had, they emphasized making sure whoever we choose gets the signage correct. Councilmember Archer provided his summary of comments for the minutes.

Council feels both companies are similar, Premium offered a higher projected revenue and better software. Premium was online via Zoom and spoke clarifying the convenience fee.

Councilmember Baker made a motion *to approve* the Contract with Premium Parking Service, LLC. Seconded by Councilmember Dean. Vote was unanimous, 4-0. Motion carried.

REVIEW OF ORDINANCE AMENDMENT TO CHAPTER 12 OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE 1, IN GENERAL; SECTION 12-9 CARRYING A CONCEALED HANDGUN IN TOWN GOVERNMENTAL BUILDINGS PROHIBITED

John stated we are seeking to amend the ordinance to make the ban on carrying a concealed handgun in town buildings clear.

It was the consensus to add the ordinance amendment to the January consent agenda.

REVIEW AND DISCUSSION OF ORDINANCE AMENDMENT TO CHAPTER 16 STREETS AND SIDEWALKS REGARDING SIDEWALK CONSTRUCTION AND PAYMENT IN LIEU OPTION AND AMENDMENT TO FEE SCHEDULE

Following conversations at the January retreat, in July as part of the Budget Fee Schedule, we adopted a Sidewalk Payment-in-Lieu of Construction Fee. Now staff is proposing an amendment to Chapter 16 of the Town Ordinances which would establish sidewalk construction standards and further clarify when the payment-in-lieu option would be applicable. We are also proposing to modify the Fee Schedule so that the payment-in-lieu more accurately represents true construction costs. If a developer opts out of payment-in-lieu, it would be Council's decision to approve the project.

It was the consensus to add approval to the January agenda.

TOWN MANAGER REPORT

Councilmember Starling had to leave Zoom due to work at 11:44 am.

John requested Council approval to remove the snowflake lights from the Causeway now that Christmas is over, the winter weather is just too harsh on them to leave up until Valentine's Day. They agreed it was appropriate.

John met with Ryan Davenport of the Beach Commission, and he feels the sea oats damaged from the recent dune fire will replenish themselves and we do not need to re-plant.

MAYOR/COUNCIL COMMENTS

Mayor Pro Tem Waters wants to see the issue with the main intersection stop lights not cycling timely addressed and a timeline for completion of the project announced.

Councilmember Baker would like an update on the Redbird sewer project and a timeline on when to expect information from NC State for the Town Park design. John stated he is meeting with Redbird on Thursday and hopes to have a draft Park design for the retreat.

Councilmember Dean wanted to confirm staff has not seen any plans regarding re-development of the Atlantic Station Shopping Center. They confirmed they have not.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 11:53am.

These minutes were approved at the March 25, 2024 meeting of the Atlantic Beach Town Council.

TOWN OF ATLANTIC BEACH

ATTEST:

(seal)


Katrina Tyer - Town Clerk




Danny Navés - Mayor