



MINUTES
Town of Atlantic Beach, North Carolina
Town Council Meeting
125 W Fort Macon Road and
Electronically via Zoom
Monday, January 22, 2024 – 6:00pm



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, January 22, 2024 at 6:00pm 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, 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; Leghe Gerald, Water Supervisor; Mike Simpson, Fire Chief; Jennifer Ansell, Planning Director; Sarah Currie, Finance Director; David Clifton, Police Chief; and Jason Starnes, Police Sgt (left at 6:18pm). Trace Cooper, to receive the award. Phil Jones, PB member. Brad Rich, Carteret News-Times available via Zoom

CALL TO ORDER and PLEDGE OF ALLEGIANCE

Mayor Navey called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Pro Tem Waters made a motion *to approve* the agenda as presented. Seconded by Councilmember Dean. Vote was unanimous, 5-0. Motion carried.

CONSENT AGENDA

- a. Finance Report
- b. Budget Amendment #14 and #13 (Fee Schedule for Payment in Lieu of Sidewalk Construction)
- c. Budget Transfers
- d. Tax Collection Report
- e. Tax Releases and Refunds Report
- f. Authorization to Write-off \$3,770.08 in Delinquent Utility Accounts
- g. Appointment of Harry Archer, III to the Dredging Committee
- h. Approval of NC Resilient Coastal Communities Program – Community Action Team
- i. Approval to Proceed with Contract with ProGreen Turf & Landscape in the amount of \$11,205.30 for construction of New Bern Avenue Beach Access Retaining Wall (funding approved 11/27/23 Budget Amendment #11)
- j. Acceptance of Proposal for Contract Preparation and Selection Assistance for Disaster Debris Removal and Emergency Pumping Services with Johnson Environmental
- k. Approval of **Ordinance 24-01-01**: Ordinance Amending Chapter 16, Streets and Sidewalks; Article I, In General; Section 8, Sidewalk Construction
- l. Approval of Termination of Encroachment License Rights for the street end on Shore Drive (Glennon-McRae, LLC: 107 Shore Drive)
- m. Approval of Termination of Encroachment License Rights for the street end on Shore Drive (Cummings: 201 Shore Drive)
- n. Minutes: 11/8/23WS; 11/27/23; 12/13/23WS; 12/18/23

Mayor Navey reviewed the purpose of the dredging committee, and that Councilmember Archer is appointed to take his place.

Councilmember Baker made a motion *to approve* the consent agenda as presented. Seconded by Councilmember Dean. Vote was unanimous, 5-0. Motion carried.

CITIZEN REQUESTS/COMMENTS

None, in person or online via Zoom.

PRESENTATION OF GOVERNOR'S CERTIFICATE TO FORMER MAYOR A. B. "TRACE" COOPER, III

Mayor Navey thanked former Mayor Cooper for his sixteen years of service and presented him with a Certificate of Service from Governor Cooper.

PROCLAMATION ART FOR THE HEART MONTH

Mayor Navey presented Carteret County Art Council President Beverly Glover-Wood and Executive Director Bevely Snowden with a Proclamation honoring Art from the Heart Month. The Arts Council will be holding the February Art Show this year at Atlantic Station. Four members of the board were present, took photos, and presented Council with handmade ceramic hearts.

REVIEW AND APPROVAL OF RESOLUTION 24-01-02: RESOLUTION OPPOSING THE PROPOSED INCREASE ON HOMEOWNERS' INSURANCE RATES BY THE NC RATE BUREAU

Council briefly discussed the proposed resolution, acknowledging the importance of opposing this rate increase as they did a couple of years ago.

Mayor Pro Tem Waters made a motion *to approve* **Resolution 24-01-02: Resolution Opposing the Proposed Increase on Homeowners' Insurance Rates by the NC Rate Bureau.** Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried.

APPROVAL OF RESOLUTION 24-01-01: RESOLUTION RATIFYING, APPROVING, AND AUTHORIZING EXECUTION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF CARTERET AND THE TOWN OF ATLANTIC BEACH FOR THE PROVISION OF GIS SERVICES AND APPROVAL OF THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF CARTERET AND THE TOWN OF ATLANTIC BEACH FOR THE PROVISION OF GIS SERVICES

John explained this contract simply allows us to work with the county for GIS services. If we have a large project, such as identifying water lines, we can work with them and pay by the hour for their service.

Councilmember Baker made a motion *to approve* **Resolution 24-01-01: Resolution Ratifying, Approving, and Authorizing Execution of Interlocal Cooperation Agreement Between the County of Carteret and the Town of Atlantic Beach for the Provision of GIS Services and approval of the Interlocal Cooperation Agreement Between the County of Carteret and the Town of Atlantic Beach for the Provision of GIS Services.** Seconded by Councilmember Starling. Vote was unanimous, 5-0. Motion carried.

REVIEW AND ACCEPTANCE FOR SIGNATURE OF FINANCIAL PERFORMANCE INDICATORS OF CONCERN (FPIC) REPORT FOR FY22-23 AUDIT

John explained part of the Audit requirements this year is to acknowledge areas of financial concern, ours being our water system. The following has been drafted for Council approval and submittal to the Local Government Commission.

Cash Flow Indicators: Water and Sewer Capital Assets Condition Ratio result .16. This capital assets condition ratio formula calculates the remaining useful life. A remaining useful asset value less than 0.50 may signal the need to replace the assets in the near future.

Response: The Town of Atlantic Beach acknowledges the lack of remaining useful life of the assets in the water department. Due to this, in August 2021 the Town contracted with Municipal Engineering Services, Inc. to complete an assessment of the Town's water treatment plant to include estimated costs and priority levels in order to begin planning for repairs. The Town received the final draft of the assessment in December 2021. At that time, we were waiting for the delayed National Pollutant Discharge Elimination System (NPDES) permit before committing to an action plan. The NPDES permit each year could potentially come with changes in the compliance schedule which could necessitate different treatment processes in order to remain compliant with the permit. In the meantime, water rates have been increased each year to aid in building our reserves in preparation for a large upcoming water plant project. The reserves at the close of the fiscal year ended June 30, 2023 were just short of 1.9 million.

Mayor Pro Tem Waters made a motion *to approve and sign* the Financial Performance Indicators of Concern (FPIC) Report for FY22-23 Audit as presented. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

REVIEW AND APPROVAL OF ORDINANCE 24-01-02: ORDINANCE AMENDING CHAPTER 5, BEACH AND SHORE REGULATIONS; ARTICLE I, IN GENERAL, SECTION 5-1 DEFINITIONS; SECTION 5.1-1 PROTECTIVE OF DUNES; SECTION 5-1 GLASS CONTAINERS PROHIBITED; ARTICLE II, VEHICULAR TRAFFIC; SECTION

5-4 CAMPING; AND CHAPTER 12 OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 12-6 POSSESSION OF CONTAINERS FOR FOOD AND DRINK ON THE BEACH STRAND

John explained staff initiated this amendment to make sure the dunes were properly protected, which became more evident we needed to ensure the proper ordinance was in place after the recent fire on the dunes started by someone setting off fireworks. Attorney Taylor has reviewed the amendment.

Councilmember Dean made a motion *to approve* **Ordinance 24-01-02**: Ordinance Amending Chapter 5, Beach and Shore Regulations; Article I, In General, Section 5-1 Definitions; Section 5.1-1 Protective of Dunes; Section 5-1 Glass Containers Prohibited; Article II, Vehicular Traffic; Section 5-4 Camping; and Chapter 12 Offenses and Miscellaneous Provisions, Section 12-6 Possession of Containers for Food and Drink on the Beach Strand. Seconded by Councilmember Baker. Vote was unanimous, 5-0. Motion carried.

RE-ENTRY PASS POLICY

John reviewed the proposed re-entry pass program, explaining over 16,100 passes have been sold/given out since the program's inception in 2009, with less than 6,000 properties. To maintain public safety following a disaster, a new program with all new passes, not tied to free or reduced parking, needs to be implemented. The proposed plan is to still give property owners two free passes and business owners one free pass, they can still purchase additional passes for \$25 each. Staff will begin the new program with a new pass color as soon as approved.

Councilmember Starling made a motion *to approve and adopt* the re-entry pass program and plan as presented. Seconded by Mayor Pro Tem Waters. Vote was unanimous, 5-0. Motion carried.

COUNCIL 2024 MEETING SCHEDULE AMENDMENT

Mayor Navey is asking Council to amend the 2024 Meeting Schedule to return work sessions to Thursdays at 9:00am instead of the previously approved Tuesdays at 9:00am due to a scheduling conflict since his appointment to the County tourism development board, which meets on Tuesdays.

Councilmember Baker made a motion *to approve* the revised 2024 Meeting Schedule as presented. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried.

TOWN MANAGER REPORT

John reminded Council he is in the process of putting together the retreat agenda for February and asked that if anyone has any topics to discuss to please bring those items to him.

The Beach Music Festival sponsorship platform for this 10th Annual event has changed some and hopes to be more promising in both revenue and benefits to the sponsors. Staff have begun advertising. Mayor Navey wants this year to be special.

MAYOR/COUNCIL COMMENTS

The Board thanked John and staff for the work they did during the power outage over the weekend and for keeping Council informed, with special thanks to the Police Dept for directing traffic at the main intersection with the lights out the entire day in the freezing weather.


Mayor Pro Tem Waters asked how the dredging/renourishment project was progressing. John and Marc were both unsure of the status, but John would inquire and get the information back to them. The contractors are continuing to work.

ADJOURN

There being no further action taken or business before Council the meeting stood adjourned. The time was 6:30 pm.

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

ATTEST:


Katrina Tyer - Town Clerk

(seal)



TOWN OF ATLANTIC BEACH



Danny Navey - Mayor