



Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday June 22, 2009



The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday June 22, 2009 at 6:00 p.m. in the Council Meeting Room.

Members Present: Mayor A. B. Cooper, III; Mayor Pro Tem Harry Archer; Councilmembers: Ann Batt, Eddie Briley, Vada Palma and Trish Ide

Members Absent:

Others Present: Derek Taylor, Town Attorney; Kelly Cyrus, Town Clerk; Sabrina Simpson, Admin. Services; Marc Schulze, Public Services Director; Jessica Fiester, Planning Director; Dale Holland and Landin Holland, Holland Consulting

CALL TO ORDER AND ROLL CALL

Mayor Cooper called the meeting to order at 6:00 p.m.
Kelly Cyrus, Town Clerk took roll call.

PLEDGE OF ALLEGIANCE

Mayor and Council led the assembly in the Pledge of Allegiance.

INVOCATION

Mr. Claude Andrews, Town Chaplain gave the Invocation

APPROVAL OF THE AGENDA

Mayor Pro Tem Archer made a motion *to approve* the agenda as written. Motion was seconded by Councilmember Briley. Vote was unanimous, 5-0. Motion carried.

Councilmember Batt made a motion *to approve* the Consent Agenda. Motion was seconded by Councilmember Palma. Vote was unanimous, 5-0. Motion carried.

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one introduction/motion/second/roll call vote. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. TAX COLLECTION REPORT – MAY, 2009:

The tax collection report for May, 2009 was submitted for approval, which showed that \$10,881.41 had been collected.

2. TAX RELEASES - MAY, 2009:

A cumulative amount of \$1,318.89 in tax releases were submitted for approval.

3. BUDGET TRANSFERS:

A total of four (4) budget transfers were submitted for approval.

4. BUDGET AMENDMENT #12:

5. FINANCIAL REPORTS

A copy of the monthly financial, cash and investment reports were submitted.

6. ADOPTION OF THE MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULE

7. TOWN COUNCIL MEETING MINUTES: May 27, 2009

(Clerk's Note: a copy of all Consent Agenda items are hereby attached and therefore made a part of these minutes.)

CITIZEN REQUESTS/COMMENTS

Heather Broadhurst and Michele Lamping, Local Coordinators with the North Carolina Wildlife and Natural Resources for the Sea Turtle Nesting Program, Atlantic Beach, NC

Ms. Broadhurst and Ms. Lamping gave a brief presentation on the local Sea Turtle Nesting program for the area. They began by citing the various types of sea turtles and the main species that are in the local area. Ms. Broadhurst explained the turtles nesting process and how various situations/obstacles created by humans on the beach can deter the nesting. Obstacles such as holes that have been dug in the sand, canopies and other various items left on the beach overnight. Ms. Broadhurst stated that they are working with Mr. Schulze of the town's Public Service dept. to facilitate the nesting and the recruitment of volunteers for the program. Ms. Lamping offered suggestions to the town to help with public awareness of the program by way of various types of signage in/around the beach accesses, specific public education for beach day trippers and requested direction from Council as to what can be done to help facilitate the public awareness of the program and the recruitment of volunteers. Ms. Broadhurst and Ms. Lamping provided Council with pictures of what sea turtle crawls look like on the beach strand and of signage that has been posted in other coastal communities for public education purposes.

(Clerk's note: all photographs are hereby attached and therefore made a part of these minutes.)

Tom Lenweaver, 107 Island Quay, Atlantic Beach, NC

Mr. Lenweaver advised that he would be in favor of Council creating a town ordinance for the Sea Turtle nesting season and/or give notice to the public through the beach patrol during their tours of duty on the beach strand.

C. D. Cist – 311 Nolan Drive, Atlantic Beach, NC

Mr. Cist requested that the town look into the possibly abandoned trailers that have been left on Norwood Drive. He advised that there are some trailers that have not had tags on them for years and now there is a popup trailer that has "shown up" with no tags displayed and has been there for four and a half (4 1/2) weeks now.

Jessica Fiester, Planning Director advised that there is no language in the town's current ordinances that addresses this issue or to enforce it. But she did note that the issue is addressed in the Unified Development Ordinance that is currently being drafted.

Jim Willis, III – 104 Atlantic Beach Causeway, Atlantic Beach, NC

Mr. Willis is noted his concern of waking up one day to find that the town does not have any water supply due to the phosphate mine moving to the southeast in order to drill deeper for water. Mr. Willis' suggestion to Council was to form a committee in conjunction with the Public Works dept. to devise a plan if this issue came to fruition.

Claude Andrews, Town Chaplain

Mr. Andrews notified the public of the upcoming North Carolina Police Executives Association Annual Conference that is to be held at the Sheraton, Atlantic Beach next month.

PRESENTATIONS

1. Presentation of the Government Finance Officers Association Award

Presented by: Mayor Cooper

Mayor Cooper recognized the finance staff for their continued excellence in accounting practices that has resulted in the town receiving this award consecutively since 2001.

ACTION AGENDA

1. Awarding of the 2009/2010 Phase II-Vegetative and C&D Debris Removal Contract for the Town of Atlantic Beach, North Carolina

Presented by: Marc Schulze, Public Services Director

Marc Schulze, Public Services Director briefly explained that the town recently bid out for the awarding of the 2009/2010 Debris Removal contract for the town and that through the facilitation of the bidding process and on the recommendation of Johnson Environmental Services, the contract is requesting to be awarded to Garland Construction Company as the primary contractor with Disaster Recovery Group as the secondary contractor.

Councilmember Palma made a motion *to award* the 2009/2010 Phase II-Vegetative and C&D Debris Removal Contract for the Town of Atlantic Beach to Garland Construction Company as primary contractor and Disaster Recovery Group as secondary contractor. Mayor Pro Tem Archer seconded the motion. Vote was unanimous, 5-0. Motion carried.

2. Public Hearing: Ordinance 09-06-01; Unified Development Ordinance (UDO)

Presented by: Mayor Cooper

Jessica Fiester, Planning Director gave a brief and updated status report of the proposed Unified Development Ordinance brought before Council at this night's meeting. She then turned the floor over to Landin Holland of Holland Consulting, who the town has contracted with to provide assistance in the creation of the Unified Development Ordinance. Mr. Landing proceeded to note that key changes that have been made to the draft ordinance and proposed zoning map.

At this time, Mayor Cooper called for a ten (10) minute recess. The time was 7:14 p.m.
Mayor Cooper reconvened the meeting at 7:24 p.m.

Councilmember Batt made a motion *to go into* public hearing on Ordinance 09-06-01. Motion was seconded by Councilmember Palma. Vote was unanimous, 5-0. Motion carried.

The floor was now open for public comment.

Norwood Jackson, 211 Gene Mobile Drive, Atlantic Beach, NC

Mr. Jackson stated that he is against the removal of duplexes within the "cottage district"

Jim Willis, III – 104 Atlantic Beach Causeway, Atlantic Beach, NC

Mr. Willis requested the Council to define the Causeway Overlay District and questioned the need for required canal addressing of residences.

Mayor Cooper advised Mr. Willis that the requirement for canal addressing is for public safety reasons and will facilitate the efficiency and timely response of any responding public safety agencies.

Nathan Johnson Bissett – Wilson, NC

Mr. Bissett advised that he is strongly opposed to the zoning of the "cottage district" as single family only.

John Kurek, Atlantic Beach, NC

Mr. Kurek commented that he felt the back end of Club Colony Drive should be zoned as Conservation and he is opposed to allowing Council to rule over Special Use Permits.

Llewellyn Ramsey, 118 Bowen Street, Atlantic Beach, NC

Mrs. Ramsey commented that she would like to see Council revisit the idea of staggered terms for Atlantic Beach and opposes the separation of power regarding the ruling of Special Use permits from the Board of Adjustment to Council. Mrs. Ramsey also advised that she agrees with Mr. Bissett and Mr. Jackson on the opposing of possible rezoning of the “cottage district” to single family only.

Councilmember Ide made a motion *to close* the public hearing. Councilmember Briley seconded the motion. Vote was unanimous, 5-0. Motion carried.

The floor was now closed to the public.

TOWN MANAGER’S REPORT

There was no report from the Town Manager at this time.

TOWN ATTORNEY’S REPORT

There was no report from the Town Attorney at this time.

MAYOR/COUNCIL REQUESTS/COMMENTS

Councilmember Palma thanked everyone including former councilmembers for their attendance.

Councilmember Briley emphasized that the Council, as a group, does not have any hidden agendas and that Council represents all, not anyone in particular and that the Unified Development Ordinance was drafted on what the citizens wanted. He noted that now there are other viewpoints in regards to the UDO that have been voiced that need consideration.

Councilmember Ide thanked everyone also for their attendance and the multitude of feedback on the UDO.

Councilmember Batt commented that Council’s agenda is what they people want.

Mayor Pro Tem Archer thanked all who spoke during public comment and the public hearing and announced the upcoming 4th of July celebration.

Mayor Cooper asked for direction from Council as how they would like to proceed on the reevaluation of the special issues that have been voiced regarding the UDO with a possible suggestion of a joint meeting.

After some discussions amongst Council, it was the general consensus that a UDO night worksession should be held outside of a regular meeting.

ADJOURNMENT

There being no further action or business before the Town Council, Mayor Pro Tem Archer made a motion *to adjourn* the meeting. Motion was seconded by Councilmember Ide. Vote was unanimous, 5-0. It was 8:21 p.m.

Submitted by:

Kelly L. Cyrus, Town Clerk

These minutes were approved at the July 27, 2009 meeting of the Atlantic Beach Town Council.

Harry Archer – Mayor Pro Tempore