

**Town Council Minutes
Morehead City, North Carolina**

Tuesday, August 14, 2012

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, August 14, 2012, at 5:30 p.m., in the Morehead City Train Depot, 1001 Arendell Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	Harvey N. Walker, Jr.
COUNCIL:	George W. Ballou Bill Taylor Demus L. Thompson [Absent, Excused] Diane C. Warrender
INTERIM CITY MANAGER:	Peter T. Connet
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III, Derek Taylor, Mike Thomas
OTHERS:	Sammie Turner; Bryan Dixon; Porter Wilson; Police Major Garland Terry; Planning Director Linda Staab; Ken Ball; Mark Hibbs, Reporter, THE CARTERET NEWS TIMES; Wes Brown; Lenzie Griffin; David Jones; Keri McCann; Jeff McCann; Joe Garner; Carolyn Braddy; Stevie Levy; Bragg Dawson, Jr.; Amanda Jones; Tom Kies; Jerry Cooper; Holly Fletcher; Anthony Sardarski; Dallas Goodwin; Recreation Director Craig Lands; and several others.

Councilman Walker MOVED seconded by Councilman Taylor, and carried unanimously, to excuse Councilman Demus Thompson.

I. Regular Meeting Call to Order

Mayor Jones opened the meeting at 5:30 p.m., called for a moment of silence and all joined in The Pledge of Allegiance.

Mayor Jones reported that City Attorney Nelson Taylor advised that Item II.E. "Adopt Ordinance 2012-32 Amending the Morehead City Code of Ordinances, Chapter 11, Parks and Recreation, by Adding Section 11-9 regarding Park Rules and Regulations Relating to Concealed Handguns and Other Weapons" be removed from the CONSENT AGENDA and be referred back to Committee.

Councilwoman Warrender MOVED, seconded by Councilman Walker, and carried unanimously, [Councilman Thompson absent, excused] to remove Item II. E. from the CONSENT AGENDA.

II. Adoption of the CONSENT AGENDA:

**II.A. Approval of Minutes: Tuesday, July 10, 2012, Regular Meeting
Wednesday, July 11, 2012, Special Meeting
Tuesday, July 17, 2012, Special Meeting**

Approved the minutes of Tuesday, July 10, 2012, Regular Meeting; Wednesday, July 11, 2012, Special Meeting; and Tuesday, July 27, 2012, Special Meeting; and dispensed with the reading.

II.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for July 2012, in the amount of \$2,244.31; Accept the Finance Director Reports for June 2012 and July 2012; and accept the Tax Collector Report for July 2012

Approved the requests for release of overpayment of ad valorem taxes for July 2012, in the amount of \$2,244.31; accepted the Finance Director Reports for June 2012 and July 2012; and accepted the Tax Collector Report for July 2012.

II.C. Approve Fire/EMS Station No. 2 Project Change Orders

At the recent Public Safety Committee Meeting information was presented concerning change orders at the new Fire/EMS Station No. 2 Project. Change orders include revising the keying plan for equipment bay doors, enclosing the bottom portion of the equipment bay walls, replacing the remaining two [2] used five [5] ton HVAC units and creating wireless capability in the building and equipment bays as well as relocating an alarm box.

It is necessary that the three [3] doors providing access to the equipment bays from the building have a locking capability since it is possible that the station may be unmanned at times. This would secure the building from the entrance to the equipment bays by unauthorized personnel. Cost for this change is \$858.00 and adds one day to the contract.

The insulation in the existing equipment bay area is worn and stained. It has been recommended to provide paneling over the insulation to protect it from future damage. Cost for this work is \$7,129.00 and adds five [5] days to the contract.

Initially the project called for reusing three [3] existing heat pumps and air handlers. The Council approved replacing the three [3] ton unit which was in corroded condition. There is now an issue with one of the two [2] remaining 5-ton units. City staff recommends not investing in modifying this used system. This change will provide the facility with all new, efficient, all natural gas and warranted heat pumps and air handlers. Pricing for this work is \$11,617.00 and adds ten [10] days to the contract.

Finally, City staff has also requested pricing to provide two [2] additional conduits into the equipment bays to install a phone centrally and to set up wireless capabilities throughout the building. This price also includes relocating the fire alarm box from its present location in an equipment closet to an adjoining hall. Price for this work is \$1,118.00, adds five [5] days to the contract.

Total cost for these changes are \$20,722 and will add 21 days to the contract. All the above changes have been recommended by the Public Safety Committee.

Approved Fire/EMS Station No. 2 Project Change Orders for a total cost of \$20,722 and an additional 21 days to the contract for project completion.

II.D. Adopt a Policy and Procedure for Requesting Legal Service from the City Attorney's Office

In an effort to control legal expenses, the City Attorney was requested to suggest a method of procedure for requesting legal service for major projects. The attached policy and procedure was offered. The basic tenants are that well-developed parameters for a project and its goals will be developed by the City Manager and the City Attorney. There will be one [1] overseer to limit or avoid hours in consultation with numerous interested parties, whether staff or Council Members, and periodic review by the City Manager and City Attorney, as the project develops, to control legal expenses. The Finance and Administration Committee of the Council reviewed the proposed policy and recommended adoption.

Adopted a Policy and Procedure for requesting legal services from the City Attorney's Office. [The Policy and Procedure is attached to and made a part of these minutes.]

II.E. Adopt Ordinance 2012-32 Amending the Morehead City Code of Ordinances, Chapter 11, Parks and Recreation, by Adding Section 11-9 regarding Park Rules and Regulations Relating to Concealed Handguns and Other Weapons

This item was removed from the CONSENT AGENDA for further review.

II.F. Adopt Ordinance 2012-33 Amending the Morehead City Code of Ordinances, Chapter 16, Water and Sewers, Sec. 16-13, Impact Fees, by Adding under the Schedule of Impact Fees, *Car Wash Uses*, Automatic [Recycled Water] and Update the Fee Schedule

At the Public Utilities of the Council Meeting, Public Utilities Director Daniel Williams demonstrated that car wash facilities using recycled water have less of an impact to the municipal water and sewer system. Due to this changing technology and to promote conservation, the Public Utilities Committee recommended amending the ordinance to reflect

a lower impact fee for automatic [recycled water] per train of 50 percent of an automatic [non-recycling] train. The regular automatic non-recycled water car washes will remain the same. The following fees reflect this information.

Sec. 16-13.		<u>Sewer</u>	<u>Water</u>	<u>Total</u>
Car Wash Uses				
Automatic (Recycled Water)				
Automatic	Per Train	\$8,400	\$4,200	\$12,600
	Per Train	\$16,800	\$8,400	\$25,200

Adopted Ordinance 2012-33 Amending the Morehead City Code of Ordinances, Chapter 16, Water and Sewers, Sec. 16-13, Impact Fees, by Adding under the Schedule of Impact Fees, Car Wash Uses, Automatic [Recycled Water] and Update the Fee Schedule. [Ordinance 2012-33 is attached to Ordinance Book #7 in the vault.]

II.G. Adopt Ordinance 2012-34 Amending the Morehead City Code of Ordinances, Chapter 10, Offenses – Miscellaneous, Section 10-32, Noise

City Attorney Nelson Taylor advised that modifications should be made to the current City Code regarding Noise for further clarification. Therefore, the ordinance has been amended as follows:

Subsection 10-32(b)(2) applies to all loud noise between the hours of 11:00 p.m. and 7:00 a.m. This should not affect the Seafood Festival as everything is over by 11:00 p.m. Other festivals could also be similarly limited. The Marlins' games sometimes go beyond 11:00 o'clock, but Recreation Director Lands believes that the loud speakers and P.A. systems should be cut off at 11:00 o'clock for the benefit of the residents around the ballpark. There are other venues around the City who have amplified sound that may very well go on after 11:00 o'clock. That would be the case with Jack's Bar and with Sammy's Restaurant on the waterfront. The ordinance would apply to them only if the noise which emanates from those two establishments bothers "the quiet, comfort or repose of any person in any dwelling, hotel, or other type or residents." There is a residence immediately East of the newsstand and there are other residents at the condominiums at the foot of Fourth Street and at the foot of Third Street. However, the proposed amendment to Section 10-32(b)(2) does not change what the ordinance has always provided about noise between 11:00 p.m. and 7:00 a.m. Formerly, there was the word "particularly" immediately before "during the hours from 11:00 p.m. to 7:00 a.m." This word has been removed as it could have been interpreted to mean that there were other hours when quiet needed to be maintained.

Subsection 10-32(b)(13) was modified to clear up the language. It is now plain that the amplified sound, et cetera, for the purpose of drumming up business to a performance or a show or for the purpose of hawking the sale or display of goods, merchandise, tickets or any other thing is not permitted at any time. The exception is that during festivals or other special events authorized by the City Council, this section of the ordinance would not apply. In addition, it does not apply during charitable, religious or not-for-profit fundraisers nor to events at schools, parks, ball fields, city recreation sites, and such other venues as shall be authorized by the City Council. Even though this subsection allows this type of amplification under the provisions of that subsection, the provisions of the other section 10-32(b)(2) would still apply. The changes that have been added to Section 10-32(b)(13) have loosened the restrictions during festivals and special events as well as at the other venues named. Nevertheless, the restrictions of 10-32(b)(2) would still apply to special events and noise from the venues named in 10-32(b)(13).

The Public Works Committee of the Council reviewed the proposed ordinance and recommended adoption.

Adopted Ordinance 2012-34 Amending the Morehead City Code of Ordinances, Chapter 10, Offenses – Miscellaneous, Section 10-32, Noise. [Ordinance 2012-34 is

attached to Ordinance Book #7 in the vault.]

II.H. Approve Volkert, Inc., of Raleigh, N.C., for Debris Monitoring Services for Major Storm Events

At the recent Public Works Committee of the Council meeting, proposals for debris monitoring services for major storm events during this hurricane and winter storm seasons were reviewed and discussed. These monitoring services track the activities of the debris removal contractor and his subcontractors as cleanup activities progress. Data and reports are necessary for reimbursement from FEMA

Six [6] proposals were received. [Attached and made a part of these minutes is the tabulation of the proposals received.] Services are provided based on an hourly rate for the various functions provided. Evaluations of the proposals were conducted based on actual times and activities experienced during Hurricane Irene and for projected times and activities for a theoretical Category III hurricane at the stated hourly rates provided by the respondents. Volkert, Inc. of Raleigh, N.C., priced most competitively in both storm scenarios. References for Volkert, Inc. were also favorable. It was recommended that Morehead City proceed with securing this service and develop a contract which may be activated in the event of an actual storm. The contract will be reviewed and approved by the City Attorney and City Manager before activation. The Public Works Committee concurred.

Approved Volkert, Inc., of Raleigh, N.C., for Debris Monitoring Services for Major Storm Events and develop a contract which may be activated in the event of an actual storm event.

II.I. Amend and Extend the Term of the Agreement with Peter T. Connet for Interim City Manager Services

On February 2, 2012, the City Council and Peter T. Connet entered into an agreement for Interim City Manager services until a new City Manager was selected and present for duty. The process was taking longer than initially anticipated and the contract was extended until August 15, 2012, at the June 12, 2012 Council Meeting. With the advent of the new City Manager David Whitlow coming on board on September 4, 2012, the City Council needs to amend and extend the term of the original agreement for Interim Manager services, under Section #2 "Term" until no later than August 30, 2012, under the same conditions as the original agreement.

Amended and extended the term of agreement with Peter T. Connet for Interim City Manager services until no later than August 30, 2012, with the same conditions as the original agreement.

II.J. Approve an Amendment to the Port Security Grant Program for a Tactical Vehicle and Ballistic Protection for the Morehead City Police Department

The North Carolina Department of Public Safety has advised that Morehead City Police Department has been selected to receive additional funding for the purchase of a tactical vehicle and additional ballistic protection for the Tactical Response Unit. If approved, this entails an amendment to the FY2009 Port Security Grant Program. The additional grant amount is \$36,765.75 with a local match of \$12,255.25 for a total project cost of \$49,021.00. The Public Safety Committee and the Finance/Administration Committee reviewed the proposed grant and recommended approval of the grant amendment and related budget amendment.

Approved an Amendment to the Port Security Grant Program for a Tactical Vehicle and Ballistic Protection for the Morehead City Police Department.

II.K. Adopt Ordinance 2012-35 Amending the Morehead City Code of Ordinances, Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Sec. 9- 168, Schedule III, Two Hour Parking

At the last Public Works Committee of the Council meeting, a concern about parking along the western shoulder of the South 15th Street right-of-way was discussed. This area is adjacent to the Shevans Park tennis courts which have gates on the South 15th Street side. This portion of the shoulder is normally used for parking related to tennis court use.

Recently vehicles from adjacent residential properties have begun parking on the shoulder and occupying a large portion of the shoulder area. These vehicles are usually a full size pickup truck with boat and boat trailer and a full size semi-truck. It was recommended by Committee that a two [2] hour parking limit be posted for the western portion of the right of way to minimize impacts on tennis court related parking.

Adopted Ordinance 2012-35 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Sec. 9-168, Schedule III, Two Hour Parking for 200 South 15th Street, west side, beginning at the southern margin of the Evans Street right-of-way south to the northern right-of-way margin of Shepard Street. [Ordinance 2012-35 is attached to and made a part of these minutes.]

II.L. Adopt Budget Ordinance Amendment 2012-36 for the General Fund and Fire/EMS Fund; Budget Ordinance Amendment 2012-37 for the Jib Property Waterfront Access Grant Project Fund; and Budget Ordinance Amendment 2012-38 for the Newport River Water Access Capital Project Fund

Three [3] Budget Ordinance Amendments are offered for adoption.

The purpose of Budget Ordinance Amendment 2012-36 is to adjust the budget as follows:

- Adjust revenue and expenditures related to Police Department related grants. Restricted Intergovernmental Revenue increased by a net of \$43,950. Two additional Port Grants for the tactical response unit and dive team increases revenue by a total of \$74,250 while grant revenue from the COPS grant is reduced \$30,300 due to one instead of two positions being funded by that grant. Police Dept. expenditures were increased \$99,000 related to the two Port Grants with the Town's share of the funding of \$24,750 coming from a reduction in Contingency. Unassigned fund balance of \$38,100 is being appropriated to offset the COPS Grant revenue reduction plus the additional Town funded costs of \$7,800.
- Increase the Central Services budget by \$2,350 related to new software/equipment costs for employee ID badges and amounts due to the consultant assisting with the search for a new manager. Contingency is reduced to fund these two items.
- Increase the Central Services budget by \$85,000 related to the renovation of the Municipal Building. It was anticipated in the original budget that this project would be completed by June 30, 2012. Unassigned fund balance (from unspent amounts in Central Services in the fye 6/30/2012 year) is appropriated in to fund the fye 6/30/2013 expenditures.
- Increase the Street Department budget by \$25,000 for grant required potential costs related to the Barbour Road sidewalk(s) project. Contingency is reduced to fund this item.
- Increase the Transfer to the Jib Waterfront Access Capital Project Fund \$3,120 for additional project to date costs related to the design of the project. Contingency is reduced to fund this item.

In the Fire/EMS Fund the amendment is to adjust the budget to:

- Reduce the amount of ad valorem from Carteret County by \$98,745 related to a tax rate reduction for property owners in the Fire and EMS Districts
- Increase appropriation of fund balance to offset the revenue loss noted above. These items above do not change the total amount of the Fire/EMS Fund budget.

The purpose of Budget Ordinance Amendment 2012-37 is to adjust the budget as follows:

- Recognize transfer in the amount of \$106,350 included in the fye 6/30/2013 budget ordinance to provide funding for the estimated cost for design of the Jib Waterfront Access project.
- Recognize transfer in the amount of \$3,120 included in the 8/14/2012 General Fund budget amendment to fund the additional amount of the contract(s) awarded project to date for the design of the Jib Waterfront Access project.

The purpose of Budget Ordinance Amendment 2012-38 is to adjust the budget as follows:

- Increase revenue and expenditures to recognize additional funding from NC Marine Fisheries Resources Fund Grant to extend pier at Newport River Beach Access.

Adopted Budget Ordinance Amendment 2012-36 for the General Fund and Fire/EMS Fund; Budget Ordinance Amendment 2012-37 for the Jib Property Waterfront Access Grant Project Fund; and Budget Ordinance Amendment 2012-38 for the Newport River Water Access Capital Project Fund. [Ordinances 2012-36, 2012-37 and 2012-38 are attached to Ordinance Book #7 in the vault.]

Councilman Taylor MOVED, seconded by Councilman Walker, and carried unanimously [Councilman Thompson absent, excused] to adopt the CONSENT AGENDA in one [1] motion.

III.A. Public Hearing: Request submitted by Amanda Jones to Amend Article 11 of the Unified Development Ordinance [UDO] to Allow Accessory Outdoor Display as a Permitted Use in the CN [Commercial Neighborhood] District – Adopt Ordinance 2012-30

Planning Director Staab reported that a request was submitted by Ms. Jones to amend Article 11 to permit accessory outdoor display in the CN District. At the Planning Board Meeting on July 17, 2012, Tom Outlaw made the MOTION, seconded by Jackie Maucher, and approved unanimously, to recommend that “Accessory outdoor display” be added to Article 11 as a Special Use in the CN District. The Planning Committee of the Council reviewed the amendment and recommended Permitted Use with the reasoning that other commercial districts allow for this as a Permitted Use.

Two [2] proposed ordinances were presented; one [1] was labeled Ordinance 2012-30S for allowing the application as a Special Use; the other Ordinance was labeled Ordinance 2012-30P for allowing the application as a Permitted Use. For a special use an application would require a public hearing before the Board of Adjustment.

Mayor Jones opened the public hearing. No one spoke for or against the proposed amendment.

Mayor Jones closed the public hearing.

Upon a question from Councilman Taylor regarding why the Planning Board emphasized Special Use, Planning Director Staab explained that the Planning Board considered the map of the commercial districts. There was concern that some commercial districts bordered residential areas. She further explained that generally, if there are no issues with the specifics of a Special Use, it does get granted; however, there is the additional burden of costs and time on the applicant. She also reported that the Planning Board will soon begin a general review of the commercial jurisdiction districts not unlike what was done for the Industrial/Port District. The Planning Committee of the Council was of the opinion that it should be designated as a Permitted Use because other small businesses in other commercial districts did not have the burden of seeking a Special Use permit.

Councilwoman Warrender MOVED, seconded Councilman Walker, and carried unanimously, [Councilman Thompson absent, excused] to adopt Ordinance 2012-30 granting the request submitted by Amanda Jones to amend Article 11 of the Unified Development Ordinance [UDO] to allow Accessory Outdoor Display as a Permitted Use in the CN [Commercial Neighborhood] District. [Ordinance 2012-30 is attached to Ordinance Book #7 in the vault.]

III.B. Public Hearing: City Initiated Request to Amend Articles 2-2 and 14-31 of the Unified Development Ordinance [UDO] to Allow Accessory Structures on Adjacent Lots in the R5 [Residential] and R5S [Single-Family Residential] Districts Subject to Conditions – Adopt Ordinance 2012-31

Planning Director Staab reported that during the April Planning Committee, an individual submitted an inquiry concerning options for construction of an accessory structure on an adjacent lot located in the 2200 block of Evans Street. The Planning Committee discussed the issue in May, and directed staff to draft an ordinance amendment which would permit the location of accessory structures on neighboring parcels, including when lots are separated by alleys. Draft language was presented to the Planning Committee for review in June. At that time, Planning Committee members recommended that the draft amendment be adjusted so that the exception would be applicable in only the R5 and R5S districts, where lot dimensions are generally only 50' X 100'. The proposed ordinance contains the suggested amendments as proposed by the Planning Committee.

At the Planning Board Meeting on July 17, 2012, John Creech made the MOTION, seconded by Tom Outlaw, and carried unanimously, to recommend approval of the requested ordinance amendment. The Planning Committee of the Council also reviewed the ordinance amendment. The proposed Ordinance 2012-31 contains the suggested amendments as proposed by the Planning Committee.

It was ascertained that bathroom facilities are allowed in accessory structures, however, no kitchen facilities are allowed.

Mayor Jones explained that this request stemmed from the fact that parcels in the R5 District are sometimes too small to accommodate parking.

Mayor Jones opened the public hearing. No one spoke for or against the proposed amendment.

Mayor Jones closed the public hearing.

Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously, [Councilman Thompson absent, excused], to adopt Ordinance 2012-31 granting the City Initiated Request to Amend Articles 2-2 and 14-31 of the Unified Development Ordinance [UDO] to Allow Accessory Structures on Adjacent Lots in the R5 [Residential] and R5S [Single-Family Residential] Districts Subject to Conditions. [Ordinance 2012-31 is attached to Ordinance Book #7 in the vault.]

IV.A. New Business: Appointments and Reappointments to the Morehead City Planning Board and Board of Adjustment

Planning Board:

Planning Director Staab reported that there are currently four [4] appointments to the Planning Board which are expiring; Chairwoman Corinne Geer, Gordon Thayer, Gordon Patrick and Tom Outlaw. Gordon Thayer, Gordon Patrick and Tom Outlaw have expressed interest in continuing to serve and are eligible to serve. Corinne Geer is not seeking reappointment. Gordon Patrick serves as an ETJ [extraterritorial jurisdiction] Member so his reappointment would be a recommendation to Carteret County Board of Commissioners. The Council received a map showing where the current representatives on the Planning Board live and a list of Morehead City residents who have expressed a desire to serve with their current applications. An objective of the Council in the past is to try to obtain good representation of members from different areas of the City.

Mayor Jones requested nominations from the Council.

Councilwoman Warrender nominated Claude Fournier to be considered.

Councilman Walker MOVED, seconded by Councilman Ballou, and carried unanimously, [Councilman Thompson absent, excused], to close the In-City nominations.

Councilman Ballou nominated Gordon Patrick as the ETJ Member.

Councilman Ballou MOVED, seconded by Walker, and carried unanimously, [Councilman Thompson absent, excused], to close the ETJ nominations.

The Council concurred to consider the Planning Board nominations at the September 11, 2012, Council Meeting.

Board of Adjustment:

Planning Board Director Staab reported that there is presently one [1] ETJ position, currently held by Beth Taylor, which expires August 15, 2012. Beth Taylor has expressed interest in continuing to serve and is eligible to serve. There is also an application on file from Dianne Gagnon who has expressed an interest in serving on the Board of Adjustment. This ETJ position would also be a recommendation to the Carteret County Board of Commissioners.

Councilman Ballou MOVED, seconded by Councilwoman Warrender, and carried unanimously, [Councilman Thompson absent, excused], that Beth Taylor continue to serve as an ETJ member of the Board of Adjustment and that this recommendation be sent to the Carteret County Commissioners.

IV.B. New Business: Adopt Ordinance 2012-39 Amending the Code of Ordinances of the Town of Morehead City Chapter 8, Licenses, Permits and Business Regulations, Art. VI., Taxicabs

Ordinance 2012-39 is a revision of the Taxi Ordinance 2012-28 which was adopted July 10, 2012. Ordinance 2012-39 further defines the definition of “independent driver”. This class of service will now be covered under the definition of “limited taxi service” and will be regulated under Division 3.

City Attorney Taylor reviewed the changes which were made to the current proposed ordinance.

Councilman Walker commented that the main objective of the proposed ordinance was to secure the safety of the public and that all individual transportation businesses are treated equally and fairly.

Councilwoman Warrender commented that all drivers must get a permit from the Police Department and will have to adhere to specific regulations regarding the business. The objective was to make taxi operations legal and safe for residents.

Councilman Ballou commented that he was under the impression that the ordinance proposed at the last meeting allowed for taxi and “for hire” businesses. He felt that Ordinance 2012-39 created another facet of business. He had concern about putting anyone out of business and was of the opinion that the proposed ordinance was creating a grey area. He continued that the general statutes allow “for hire” and taxi services.

Councilman Walker commented that the ultimate purpose was an ordinance that was right for the City and all residents.

Councilman Taylor commented that the plaque for limited taxi service should read, “Limited taxi services are allowed to accept tips or donations depending on services.”

Councilwoman Warrender MOVED, seconded by Councilman Walker, to adopt the amended version presented this evening of Ordinance 2012-39 Amending the Code of Ordinances of the Town of Morehead City Chapter 8, Licenses, Permits and Business Regulations, Art. VI., Taxicabs. Councilman Ballou voted opposed and Councilman Thompson was absent.

The ordinance will require a second hearing and will be presented at the September 11, 2012 Council Meeting because an ordinance must be adopted by a supermajority vote of the Council.

Approve Taxi Fares [Maximum Rates] which can be Charged by Taxi Businesses Operating in Morehead City and “Limited Taxi Service” Regulation

Interim City Manager Connet reported that in an effort to provide consistent fares for taxi cab riders throughout Morehead City the following fare chart was offered for the Council’s review and approval. The proposed fares are shown in addition to those currently charged by the four [4] taxi services authorized to do business in Morehead City:

Proposed Taxi Fares (Maximum Rates) that can be charged by Taxi Companies
Operating in Morehead City --Effective August 14, 2012

Per Mile Charge	\$	2.00	Max
Wait Time/minute	\$	1.00	Max
Extra Passengers over 4	\$	1.25	Max
Minimum Fare	\$	6.00	Max

**Current
Charge by
Cab
Companies**

**Cab
Company**

Per Mile Charge						
Wait Time/minute						
Extra Passengers over 4						
		A1	TriCity	Carteret	Atl.Beach	
	\$					
Minimum Fare	1.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 1.75	
		\$ 0.50	\$ 0.50	\$ 0.50	\$ 1.00	
			\$ 1.00	\$ 1.00	\$ 1.25	per person
		\$ 5.00	\$ 6.00	\$ 6.00	\$ 6.00	

As provided in the Taxi Ordinance, the Council is to set by ordinance the fares which may be charged. The Public Safety Committee of the Council reviewed the current and proposed fares and recommended the adoption of the proposed fares in addition to a regulation stipulating that those businesses listed as Limited Taxi Service shall post a placard in their vehicle, fully visible to the passenger[s], stating that in accordance with the Ordinance of the Town of Morehead City they are not allowed to solicit fares or demand fees for service.

Councilman Walker MOVED, seconded by Councilwoman Warrender, and carried unanimously, [Councilman Thompson absent, excused] to approve Taxi Fares [Maximum Rates] which can be charged by Taxi Businesses Operating in Morehead City as per the above listing and the regulation for those businesses listed as Limited Taxi Service, effective August 14, 2012.

V. Citizen Requests/Comments:

Kenneth Ball of 815 South Yaupon Terrace, Morehead City spoke about the ability to carry concealed weapons in the parks. He commented that the section of walkway along Bridges Street and the walkway along the parameter of Rotary Park was included as a recreational area on the proposed Ordinance 2012-32. He was of the opinion that the walkway is no different than a sidewalk and should not be included in the ordinance.

Porter Wilson, owner of Arts & Things at 704 Evans Street, Morehead City commented that approximately three [3] years ago the City bought the jib property which is approximately

35 feet from his business. He requested that he and others in close proximity be allowed to have input on the project and to be made aware of the facets of the proposal.

Mayor Jones reported that the Council hired local architect, Maggie Chalk. Her designs will be made public as soon as they are available.

Keri McCann of 104 North 21st Street, Morehead City, commented that she wanted to address the e-mail from Chris Milner of Concepts Jewelry regarding the parking situation during the Super Boat Grand Prix. She stated that the boating organization was willing to work with all the downtown businesses in every way possible. She promised that during the event, the organization will not place something in front of any business which will hinder that business. She continued that the temporary closing of the streets is an inconvenience and nuisance to some, but the organization tweaks the procedure every year. She also spoke about the taxi situation in front of her business, Jack's Waterfront Bar, and said that she and her staff are willing to help at any time to get people in cabs and home safely.

VI. City Manager's Report:

Speed Limit on Highway #70:

Interim City Manager Connet updated the Council on the incidents of accidents resulting from the reduction of the speed limit along Highway 70 between Lockhart Street and Rochelle Avenue. The statistics show that there was slight decrease, however, it is too early to determine if the speed limit of 35 mph instead of 45 mph is the intended cause.

Town of Beaufort Request for Building Inspector Services:

Interim City Manager Connet advised the Council that the Town of Beaufort has requested help with building inspections from August 24 to September 28, 2012. Whenever possible, the Morehead City Building Inspectors will try to help Beaufort during that period.

Farewell:

Interim City Manager Connet stated that this was his last Council meeting as Interim City Manager for Morehead City. He stated it was a pleasure working with the Council and staff. He hoped that he was able to keep City business moving smoothly. He stated that the new City Manager Dave Whitlow will do well here.

VII. Council Requests/Comments

Councilman Ballou congratulated and thanked the Interim City Manager Connet on doing a great job.

Councilwoman Warrender echoed the same comments and said it had been a delight working with him.

Councilman Taylor expressed his personal appreciation for the support the Council and City received from the Interim City Manager.

Councilman Walker expressed his thanks.

Mayor Jones thanked Interim City Manager Connet and invited him to visit the City and staff at any time. He further announced that there will be an invitation to the public to a "Meet and Greet" for the new City Manager on September 4th.

VIII. CLOSED SESSION AS PER G.S. 143.318.11 [a] [3] TO APPROVE THE CLOSED SESSION MINUTES OF TUESDAY, JUNE 19, 2012; FRIDAY, JUNE 22, 2012; TUESDAY, JULY 10, 2012; WEDNESDAY, JULY 11, 2012; AND TUESDAY, JULY 17, 2012

There was no Closed Session.

Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously, [Councilman Thompson absent, excused], to approve and remain sealed

the Closed Session Minutes of Tuesday, July 10, 2012; the Closed Session Minutes of Tuesday, June 19, 2012; Friday, June 22, 2012; Wednesday, July 11, 2012; and Tuesday, July 17, 2012, were approved and released.

There being no further business, the meeting was adjourned at 7:15 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk