

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

George W. Ballou, Mayor Pro Tem  
Demus L. Thompson  
William F. Taylor  
Diane C. Warrender  
Harvey N. Walker, Jr.

202 South 8th Street  
Morehead City, North Carolina 28557-4234  
TEL (252) 726-6848  
FAX (252) 222-3082  
www.moreheadcity.nc.gov

David S. Whitlow  
City Manager

**AGENDA**  
**MOREHEAD CITY TOWN COUNCIL**  
**Tuesday, February 10, 2015 at 5:30 p.m.**  
**Municipal Chambers**  
**202 South 8<sup>th</sup> Street**

- I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance
- II. Adoption of the CONSENT AGENDA:
  - A. Approval of Minutes: Tuesday, January 13, 2015, Regular Meeting  
Tuesday, January 20, 2015, Special Meeting
  - B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for January 2015, in the amount of \$977.35; and Accept the Tax Collector and Finance Director Reports for January 2015
  - C. Submittal of 2014 Delinquent Real Estate and Personal Property Tax Lists as per G.S. 105-369[a] including Interest Due and Authorize Tax Collector to Post and Advertise the 2014 Delinquent Tax List
  - D. Adopt Resolution 2015-08 Endorsing the Annual Crystal Coast Boat Show and Authorizing Action Necessary for the Event to be Held May 15, 16 & 17, 2015 on the Morehead City Waterfront
  - E. Adopt Resolution 2015-09 Endorsing the Alive at Five Events and Authorizing Action Necessary for the Event to be held May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21 and September 4, 2015 on the Morehead City Waterfront
  - F. Adopt Ordinance 2015-05 Amending the Code of Ordinances of the Town Of Morehead City, Chapter 16 "Water and Sewers", Article IV, *Waste Discharge Standards*, Section 16-66 *Pretreatment*, by Adding a Section on Commercial Grease Trap Requirements
  - G. Adopt the FY2015/2016 Budget Calendar
  - H. Release and Spread Upon the Record CLOSED SESSION Minutes
  - I. Adopt Resolution 2015-10 to Adopt the Carteret County Multi-Jurisdictional Hazard Mitigation Plan

- J. **Adopt Budget Ordinance Amendment 2015-07 in the General Fund to Account for Insurance Reimbursement and a Declined Sidewalk Grant**

**III. Unfinished Business:**

- A. **Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 And 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District [Continued from Council Meeting on January 13, 2015 for a Simple Majority Vote]**
- B. **Adopt Ordinance 2015-06 Amending Article III, *Mayor and Council*, Section 3.3[a] Terms, Qualifications, Vacancies, of the Charter of the Town of Morehead City to Provide for Electing the Mayor for a four [4] Year Term of Office**

**IV. Citizen Requests/Comments: [2 minute time limit]**

- V. **City Manager's Report: Update on the Upset Bid Process for 304 North 25<sup>th</sup> Street [Former Morehead City EMS Building]**

**VI. Council Requests/Comments**

**VII. Adjournment**

TOWN OF MOREHEAD CITY

AGENDA ITEM: II.  
DATE: February 10, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Adoption of the CONSENT AGENDA:

Background Information Attached: Yes X No

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II.A. Approval of Minutes: Tuesday, January 13, 2015, Regular Meeting  
Tuesday, January 20, 2015, Special Meeting

*Approve the Minutes of Tuesday, January 13, 2015, Regular Meeting and Tuesday, January 20, 2015, Special Meeting and dispense with the reading.*

II.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for January 2015, in the amount of \$977.35; and Accept the Tax Collector and Finance Director Reports for January 2015

*Approve the requests for release of overpayment of ad valorem taxes for January 2015 in the amount of \$977.35; and accept the Tax Collector and Finance Director Reports for January 2015.*

II.C. Submittal of 2014 Delinquent Real Estate and Personal Property Tax Lists as per G.S. 105-369[a] including Interest Due and Authorize Tax Collector to Post and Advertise the 2014 Delinquent Tax List

These reports will be distributed at the meeting.

*Approved the submittal of 2014 Delinquent Real Estate and Personal Property Tax lists as per G.S. 105-369[a] including interest due and authorized the Tax Collector to post and advertise the 2014 Delinquent Tax List.*

II.D. Adopt Resolution 2015-08 Endorsing the Annual Crystal Coast Boat Show and Authorizing Action Necessary for the Event to be Held May 15, 16 & 17, 2015 on the Morehead City Waterfront

The Downtown Morehead City Revitalization Association [DMCRA] requests the use of Jaycee Park and the adjacent riparian area and docks, Katherine Davis Park, the 6<sup>th</sup> Street riparian area day docks, the Train Depot, the Municipal Building parking lot at 202 South 8<sup>th</sup> Street and other ancillary areas and services to hold the Seventh Annual Crystal Coast Boat Show on May 15, 16 and 17, 2015. The event includes an in-water and land boat and yacht show, family oriented educational programs, an antique car show, an art show and associated gala events. The show promotes Morehead City and raises money in support of downtown revitalization efforts and worthwhile community projects within the township. The Public Works Committee of the Council reviewed the request and recommended adoption.

*Adopt Resolution 2015-08 Endorsing the Seventh Annual Crystal Coast Boat Show and Authorizing action necessary for the event to be held May 15, 16 and 17, 2015, on the Morehead City Waterfront.*

**II.E. Adopt Resolution 2015-09 Endorsing the Alive at Five Events and Authorizing Action Necessary for the Event to be held May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21 and September 4, 2015 on the Morehead City Waterfront**

The Downtown Morehead City Revitalization Association [DMCRA], with the support of several downtown businesses, in an effort to attract more people to downtown Morehead City, proposed the continuation of the "Alive at Five" concert series in Jaycee Park. The concerts are to be held on May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21 and September 4, 2015, from 5:00 p.m. to 8:30 p.m. The event is to provide family entertainment and to sell beverages in a defined area in accordance with all state, county and municipal laws with the proceeds used to fund the event. The DMCRA will be solely responsible for any state permits required. This is the seventh year for the concert series which has been very successful. The DMCRA is requesting the use of Jaycee Park, the closure of Shepard Street from 8<sup>th</sup> to 9<sup>th</sup> Streets during the concerts and ancillary services. The Public Works Committee of the Council reviewed the request and recommended adoption.

*Adopted Resolution 2015-09 Endorsing the "Alive at Five" Events and Authorizing action necessary for the events to be held May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21 and September 4, 2015, on the Morehead City Waterfront.*

**II.F. Adopt Ordinance 2015-05 Amending the Code of Ordinances of the Town of Morehead City, Chapter 16, "Water and Sewers", Article IV, Waste Discharge Standards, Section 16-66 Pretreatment, by Adding a Section on Commercial Grease Trap Requirements**

City staff has requested that the requirements for commercial grease traps be a part of the Morehead City's Code of Ordinance in order to insure the enforcement of the practices. These requirements have been in force for years and apply only to commercial establishments such as restaurants, vehicle maintenance facilities, etc. The Public Utilities Committee of the Council reviewed the proposed ordinance and recommended adoption.

*Adopt Ordinance 2015-05 Amending the Code of Ordinances of the Town of Morehead City, Chapter 16, "Water and Sewers", Article IV, Waste Discharge Standards, Section 16-66 Pretreatment, by adding a section on Commercial Grease Trap Requirements.*

**II.G. Adopt the FY2015/2016 Budget Calendar**

*Adopt the FY2015/2016 Budget Calendar as presented.*

**II.H. Release and Spread Upon the Record CLOSED SESSION Minutes**

The adoption of Resolution 2004-48 on October 12, 2004, implemented a policy whereby the approved and sealed minutes of closed sessions were to be periodically reviewed by the City Manager and City Clerk as to their content and the ability to be released and spread upon the record. The open meetings law permits a public body to

withhold the minutes or general account of a closed session from public inspection for “so long as the public inspection would frustrate the purpose of a closed session”. Consistent with Council policy, the following closed session minutes have been deemed to be appropriate for release at this time:

May 8, 2012	Acquisition of 1208 Mizzell Drive [Womble Property]
May 16, 2012	Acquisition of 1208 Mizzell Drive
April 9, 2013	Vincent and Mary Ellen Martin Lawsuit
May 14, 2013	Vincent and Mary Ellen Martin Lawsuit
June 11, 2013	Vincent and Mary Ellen Martin Lawsuit
July 9, 2013	Vincent and Mary Ellen Martin Lawsuit
August 13, 2013	Vincent and Mary Ellen Martin Lawsuit
September 10, 2013	Vincent and Mary Ellen Martin Lawsuit
	Annual Review of City Manager
October 8, 2013	Vincent and Mary Ellen Martin Lawsuit
November 12, 2013	Vincent and Mary Ellen Martin Lawsuit
January 14, 2014	Vincent and Mary Ellen Martin Lawsuit
February 27, 2014	Big Rock [Crystal Coast Tournament, Inc.]
March 11, 2014	Vincent and Mary Ellen Martin Lawsuit
April 8, 2014	Vincent and Mary Ellen Martin Lawsuit
	Contractual Matters with Coastal Academy for Technology & Science
	Potential Economic Development
May 13, 2014	Vincent and Mary Ellen Martin Lawsuit
June 10, 2014	Vincent and Mary Ellen Martin Lawsuit
June 24, 2014	Vincent and Mary Ellen Martin Lawsuit
	Morehead City Merger with Wildwood Fire Department

*Release and spread upon the record the CLOSED SESSION Minutes of May 8, 2012; May 16, 2012; April 9, 2013; May 14, 2013; June 11, 2013; July 9, 2013; August 13, 2013; September 10, 2013; October 8, 2013; November 12, 2013; January 14, 2014; February 27, 2014; March 11, 2014; April 8, 2014; May 13, 2014; June 10, 2014 and June 24, 2014.*

### **II.I. Adopt Resolution 2015-10 to Adopt the Carteret County Multi- Jurisdictional Hazard Mitigation Plan**

In order to fulfill its obligation under NCGS, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation of the Robert T Stafford Disaster Relief and Emergency Assistance Act and to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town, Morehead City adopted a Hazard Mitigation Plan.

Understanding FEMA and the State’s desire to promote regional hazard mitigation planning, Morehead City, in 2013, began participation in the Pamlico Sound Regional Hazard Mitigation Plan (PSRHMP), which will replace the Morehead City Hazard Mitigation Plan. Unfortunately, the Morehead City Hazard Mitigation Plan has expired and the PSRHMP planning process is not complete.

Until the PSRHMP is officially adopted and to allow Morehead City to remain eligible to receive state and federal assistance in the event of a declared disaster, it is necessary for Morehead City to join the Carteret County Multi-Jurisdictional Hazard Mitigation Plan by adopting the attached resolution.

*Adopt Resolution 2015-10 to Adopt the Carteret County Multi-Jurisdictional Hazard Mitigation Plan.*

**II.J. Adopt Budget Ordinance Amendment 2015-07 in the General Fund to Account for Insurance Reimbursement and a Declined Sidewalk Grant**

The purpose of this amendment is to adjust the budget as follows:

- To increase Miscellaneous revenue and the Police Department by \$13,600 related to insurance reimbursement for expenditures for vehicle repairs for various accidents.
- To decrease Restricted Intergovernmental Revenue by \$250,000 and the Transportation (Streets) Department \$275,000 related to a grant for a sidewalk on Arendell Street from 25<sup>th</sup> to 35<sup>th</sup> Streets that will not be constructed at this time. The \$25,000 difference between revenue and expenditures will increase Contingency.

*Adopt Budget Ordinance Amendment 2015-07 in the General Fund to account for insurance reimbursement and a declined sidewalk grant.*

***Recommended Action: Adopt the CONSENT AGENDA in one [1] motion. Any item[s] may be removed and discussed separately.***

Board Action:      Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Naves \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_

**A.**

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

**Tuesday, January 13, 2015**

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, January 13, 2015, at 5:30 p.m., in the Municipal Chambers located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Demus L. Thompson [Absent]
	Harvey N. Walker, Jr.
	Diane C. Warrender [Absent]
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Roger Mays; Barbara Caffin; Holly Fletcher; Mark Hibbs, Reporter, THE CARTERET NEWS TIMES, Brad Teer; Xavier Basuto; Planning Director Linda Staab; Mindy Fitzpatrick; Ted Odell; David Shoe; Recreation Director Craig Lands; Sarah Speigler; Emily Pickering; Avery Paxtar, Holly Fletcher; Sam Scudder; Pauas Teer; Lou Teer; Scott Ensign; Librarian Sandy Bell; Deputy Clerk Janet Hill; Carolyn Dennis; Public Services Director Daniel Williams; Acting Police Chief Bernette Morris; David McCabe; Rose McCabe; Bryan Dixon; Haywood Wilder; Roldan Munoz; Jeremy Aycock; Jimmy Pope, Tom Wadworth and several others

**I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance**

Mayor Jones called the meeting to order at 5:30 p.m. Councilman Ballou gave the invocation and all joined in The Pledge of Allegiance.

**II.A. Resolution of Sympathy for Police Chaplain Bobby Ray Caffin**

Bobby Ray Caffin was the chaplain for the Morehead City Police Department for many years and known by the officers and staff as "Chaplain Bob". He passed on November 4, 2014, after a life that was devoted to his community. Mayor Jones presented his wife Barbara with Resolution of Sympathy 2015-05 in his memory.

**II.B. Resolution of Retirement for Police Chief Wrenn Johnson**

Morehead City Chief of Police Wrenn Johnson will retire from the Morehead City Police Department on February 1, 2015. She began her career as a Police Officer in 1986 and over the years progressed through the ranks. She became the Chief of Police on March 8, 2005. Mayor Jones presented Resolution 2015-06 to members of the Morehead City Police Department. He then introduced Interim Police Chief Bernette Morris who addressed the audience saying her office was always open and that she would do her best for the citizens.

**II.C. Resolution of Retirement 2015-07 for Public Works Director David McCabe**

Public Works Director David McCabe retired on December 31, 2014, after serving the Town of Morehead City for over 36 years. He began working for the City in 1978 as Water/Sewer Serviceman and retired as Public Works Director. Mayor Jones presented Resolution 2015-07 to David McCabe and his wife, Rose.

### **Adoption of the CONSENT AGENDA**

#### **III.A. Approval of Minutes: Tuesday, December 9, 2014, Regular Meeting**

*Approved the minutes of Tuesday, December 9, 2014, Regular Meeting and dispensed with the reading.*

#### **III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for December 2014, in the amount of \$11,256.96; and Accept the Tax Collector and Finance Director Reports for December 2014**

*Approved the requests for release of overpayment of ad valorem taxes for December 2014, in the amount of \$11,256.96; and accepted the Tax Collector and Finance Director Reports for December 2014. [The Financial Reports are attached to these minutes and incorporated herein by reference.]*

#### **III.C. Adopt Resolution 2015-04 In Support of the North Carolina Department of Transportation [NCDOT] Funding the Proposed Havelock Bypass [US #70 Highway]**

Morehead City has been asked to join with other Craven County and Carteret County towns to support the NCDOT funding of the proposed Highway #70 Havelock Bypass. The current route has 14 signaled interchanges on the route through Havelock that decrease the flow of traffic for both residents of Havelock and those wishing to travel to the coast. The adoption of Resolution 2015-04 calls upon the North Carolina Department of Transportation to fund and build the project without further delay.

*Adopted Resolution 2015-04 In Support of the North Carolina Department of Transportation Funding the Proposed Havelock Bypass [US #70 Highway]. [Resolution 2015-04 is attached to these minutes and incorporated herein by reference.]*

#### **III.D. Adopt Resolution of Sympathy 2015-05 for Former Police Chaplain Bob Caffin, Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson and Resolution of Retirement 2015-07 for Public Works Director David McCabe**

*Adopted Resolution of Sympathy 2015-05 for former Police Chaplain Bob Caffin; Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson; and Resolution of Retirement 2015-07 for Public Works Director David McCabe. [Resolutions 2015-05, 2015-06 and 2015-07 are attached to these minutes and incorporated herein by reference.]*

#### **III.E. Adopt Three [3] Budget Ordinance Amendments:**

### **Budget Ordinance Amendment 2015-02 for Various Adjustments to the General Fund and Fire/EMS Fund**

The purpose of this amendment is to adjust the budget as follows:

- To increase Miscellaneous Revenue and Cemetery/Building & Grounds Expenditures by \$3,500 related to reimbursement for expenditures related to vehicle repair in an accident in which the Town was not at fault.
- To increase Cemetery/Building & Grounds Expenditures and decrease Contingency \$7,900 for dredging at South 8<sup>th</sup> Street/Olympus Dive.
- To increase Miscellaneous Revenue and Expenditures in the Police Department in the amount of \$3,440 to recognize a donation from The Neal Foundation to be utilized for Police Department K9 equipment.
- To increase Community Projects and reduce Contingency by \$1,000 for expenditures related to the More for Morehead Program.
- To appropriate Unassigned Fund Balance and increase Transfers to other funds in the amount of \$307,500 to provide funding for the estimated cost of repairs at the Police Station.

In the Fire/EMS Fund the purpose of this amendment is to adjust the budget as follows:

- To increase the Workers' Compensation insurance budget and reduce Contingency in the amount of \$23,000 related to the updated projected cost of Workers' Comp insurance. There is no change in the total budget related to this amendment.

### **Budget Ordinance Amendment 2015-03 for Morehead City Municipal Campus Capital Project Fund to Increase Expenditures for Cost of Repairs to Police Station/E911 Center**

The purpose of this amendment is to update the budget to increase transfers from the General Fund and Police Station/E911 Center Expenditures by \$307,500 for the estimated cost of the repairs to the Police Station/E911 Center.

### **Budget Ordinance Amendment 2015-04 to Recognize an Increase in Contributed Capital for Sewer Line Relocation**

The purpose of this amendment is to adjust the budget to increase contributed capital and expenditures related to a sewer line relocation at 26<sup>th</sup> & Evans Streets at an estimated cost of \$27,665 to be paid for by the property owners.

The Finance and Administration Committee of the Council reviewed these budget ordinance amendments and recommended adoption.

*Adopted Budget Ordinance Amendment 2015-02 for various adjustments to the General Fund and Fire/EMS Fund; Budget Ordinance Amendment 2015-03 for Morehead City Municipal Campus Capital Project Fund to increase expenditures for cost of repairs to the Police Station/E911 Center; and Budget Ordinance Amendment 2015-04 to recognize an increase in contributed capital for a sewer line relocation. [Budget Ordinance*

Amendments 2015-02, 2015-03 and 2015-04 are attached to Ordinance Book #7 in the vault.]

**III.F. Adopt Resolution 2015-01 to Request a Section of Business Drive for Addition to the State Maintained Secondary Road System**

The City has made sufficient repairs to the specifications and standards of the North Carolina Department of Transportation [NCDOT] to the section of Business Drive located between Arthur Farm Road and Facility Drive. Other segments of Business Drive are already a part of the State's Secondary Road System and it makes sense to include this latest section. The Public Works Committee of the Council has reviewed the request and recommended adoption.

*Adopted Resolution 2015-01 to Request a section of Business Drive located between Arthur Farm Road and Facility Drive for addition to the State Maintained Secondary Road System. [Resolution 2015-01 is attached to these minutes and incorporated herein by reference.]*

**III.G. Award of Contract No. 90 – 26<sup>th</sup> and Evans Streets Sewer Extension to the Low Bidder, Thomas Simpson Construction, in the amount of \$21,842.00**

The following bids were received on December 2, 2014, for Contract No. 90 – Sanitary Sewer Improvements:

Thomas Simpson Company	\$	21,842.00
KBS Construction Company	\$	25,125.00
Keen Plumbing Company	\$	30,160.00
James L. Cayton Utilities, Inc.	\$	38,780.00
Herring-Rivenbark, Inc.	\$	43,335.00
T.A. Loving Company	\$	99,955.00

The project budget is \$27,664.35 for the entire project related to the sewer line relocation at 26<sup>th</sup> & Evans Streets the costs of which to be paid by the property owners. The Public Utilities Committee of the Council reviewed the bid and recommended approval.

*Awarded Contract No. 90 – 26<sup>th</sup> and Evans Streets Sewer Extension to the low bidder, Thomas Simpson Construction, in the amount of \$21,842.00.*

***Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt the CONSENT AGENDA with one [1] motion.***

**IV.A. Public Hearing: Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District**

Planning Director Linda Staab reported that Morehead City received a request submitted by Matt and Mindy Fitzpatrick to amend Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to add “Business residence” as a special use in the Highway Commercial [CH] District. The definition of a business residence is a building which contains both a business and a residence and which is subject to conditions of section 14-20 of the UDO.

At the Planning Board Meeting on December 16, 2014, Tom Saunders made the motion, seconded by Tom Outlaw, to recommend approval of the amendment. The motion carried unanimously. The Planning Committee of the Council reviewed the proposed Resolution and Ordinance.

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

Mayor Jones closed the public hearing.

***Councilman Walker MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District. [NOTE: Because in order for the proposed amendment to pass a supermajority vote is necessary, this item will again be presented on the Tuesday, February 10, 2015 Council Meeting when only a majority vote will be necessary for passage.***

**IV.B. Public Hearing: Consider the Adoption of an Ordinance Amending the Charter of the Town of Morehead City, Article 3, Section 3.3[a] Terms, Qualifications, Vacancies, to Provide for Election of the Office of Mayor for a Term of Four [4] Years**

North Carolina General Statutes 160A-101 and 160A-102 allow a city to modify their charter to change the terms of office of members of the council by ordinance. Members of council can serve terms of office of either two [2] years or four [4] years. All the terms need not be the same length, and all the terms need not expire in the same year.

Under NCGS. 160A-102, the Morehead City Council can amend the current City Charter regarding the term of office of Mayor from two [2] years to four [4] years. The Council adopted a Resolution of Intent to consider such an action at the December 9, 2014 Council Meeting setting the date of the public hearing for January 13, 2015. Following the public hearing, but not earlier than the next regular meeting of the Council and not later than 60 days from the date of the hearing, the Council may adopt an ordinance amending the charter to implement the amendment proposed in the resolution of intent if no referendum petition has been filed.

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

Mayor Jones closed the public hearing.

***City staff will continue with the procedure for adoption of an Ordinance amending the Charter of the Town of Morehead City, Article 3, Section 3.3[a] Terms, Qualifications, Vacancies, to provide for election of the Office of Mayor for a term of four [4] years.***

**V.A. New Business: Select a Member from Among the Council to Serve as Morehead City's Representative to the Eastern Carolina Council**

The Eastern Carolina Council is one of 16 multi-county planning and development regions in North Carolina. Regional Councils are governed by local public and private sector appointments. These Councils are forums where local officials determine priorities for the area in which their communities are an integral part. Appointments are for a one [1] year term with no limit on the number of terms. Currently, Councilman William Taylor serves as the Morehead City Representative to the Council and he indicated his willingness to continue in this capacity for another term of one [1] year.

***Councilman Ballou MOVED, seconded by Councilman walker, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to reappoint Councilman Bill Taylor of the Morehead City Council to serve as Representative to the Eastern Carolina Council for the term of one [1] year.***

**V.B. Adopt Morehead City Parks & Recreation Policies and Procedures**

Manager David Whitlow reported that City staff has been working for some time on creating policies and procedures for usage of the Morehead City Parks & Recreation facilities. The documents and the accompanying information and applications have been reviewed by the Public Works Committee of the Council with the recommendation that it be presented to the entire Council.

Recreation Manager Craig Lands explained the procedure and policies stating that that this was an attempt to control the use of City parks and recreational facilities in a fair manner. As presented, the policy closely mirrors the format adopted by Carteret County for their facilities.

Councilman Ballou commented that the Public Works Committee had been reviewing various policies and that the presented document was a working document which could be updated as events progress.

***Councilman Taylor MOVED, seconded by Councilman Ballou, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt Morehead City Parks & Recreation Policies and Procedures as presented.***

**VI. Citizen Requests/Comments:**

**South 11<sup>th</sup> Street Public Water Access Site:**

Mr. Roldan Munoz of 1610 Ivory Gull Drive, Morehead City, read a statement requesting the Council to reverse the ban on overnight storage of boats at the public water

access site on 11<sup>th</sup> Street. He presented the Council with a petition and asked for reconsideration of this matter at the next Council meeting.

Alice Seliter of Bogue Drive, Morehead City, stated she has owned a home in Morehead City since 2005, that she pays taxes for the 11<sup>th</sup> Street access site and used to keep her boat there. Now, because of the ban on storage she cannot use her boat because she is too tiny to always have to bring it to the launch site and then home again. She commented that the boat racks were installed to be used.

Brad Teer of 200 Bogue Drive, Morehead City, stated that the site was used by a self-managing group and it used to bring people together for sailing. He continued that he met many people at the water access. The ban has shut down the usage of the area. He requested the Council to reverse the storage ban at the site and place the item on the Council Agenda for reconsideration.

Xavior Basurto of Beaufort, stated he works for Duke Marine Labs and is also a sailor. The use of the water access site is a quality of life issue. He used the site to show his pupils at the Marine Lab the joys of sailing and the rich history of sailing.

Ted Odell of 703 Fisher Street, Morehead City, thanked the Council for all it has done for boating, however, in his estimation the small sailboating population has been left out. It is important for Morehead City to support all parts of the sailing and boating community.

Ron Fletcher of 210 Florida Avenue, Morehead City, stated he had a lot of good experiences at the 11<sup>th</sup> Street access. Small boats are difficult to set up and launch in a time frame to get out and enjoy the water for a short period of time. He requested that the Council consider reversing the position on the boat storage ban.

Jimmy Pope stated he lives in Beaufort and when he moved to this area he did not know a thing about sailing, however, since then he has sailed regularly at the 11<sup>th</sup> Street water access. Being able to be a part of the sailing community is what he loves about this area and not having the access makes enjoying a sailboat more difficult. He asked the Council to reverse the ban.

Sarah Spiegler stated that although she lives in Beaufort, one of the best resources is the water accesses in this area. She graduated from Duke University, but loves living in this area and wants to continue to use the water access and maintain the positive aspects of the community.

Mayor Jones thanked the audience, stated that the Council appreciated the comments and that there will be further discussion about this matter.

## **VII. City Manager's Report:**

City Manager Whitlow reported that the Council and Planning Board Members will hold a meeting on Tuesday, January 20, 2015, at 5:30 p.m., in the Council Chambers located at 202 South 8<sup>th</sup> Street, Morehead City to review the recently completed Morehead

City Municipal Initiative Plan as developed by the Carteret County Economic Development Council.

City Manager Whitlow also announced a Morehead City Council Retreat which will be held on Friday, February 6, 2015, at 10 a.m., in the Council Chambers located at 202 South 8<sup>th</sup> Street.

**VIII. Council Requests/Comments:**

Fire/EMS Chief Jamie Fulk reported that he attended the Carteret County Board of Commissioners Meeting in which \$208,000 from the county was approved for Morehead City to purchase a new tanker.

Mayor Jones recognized the many volunteers who participated in the success of the Crystal Coast Countdown activities, events and programs.

**IX. Adjournment:**

Being there was no further business the meeting was adjourned at 6:15 p.m.

\_\_\_\_\_  
Gerald A. Jones, Jr., Mayor

Attest:

\_\_\_\_\_  
Jeanne M. Giblin, City Clerk

**Special Meeting – Council/Planning Board  
Morehead City, North Carolina**

**Tuesday, January 20, 2015**

The Honorable Council of the Town of Morehead City and the Planning Board met in a Special Meeting on Tuesday, January 20th, 2015, at 5:30 p.m., in the Municipal Chambers located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Demus L. Thompson [Absent]
	Harvey N. Walker, Jr.
	Diane C. Warrender [Absent]
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne Giblin [Absent]
DEPUTY CLERK:	Janet Hill

OTHERS: Linda Staab, Planning Director, Ronetta Gaskill, Jackie Maucher, John Maucher, Tom Saunders, Gordon Thayer, Tom Outlaw, Mark Hibbs, Reporter, *Carteret County News Times*

**Review the Municipal Initiative Plan developed by the Carteret County Economic Development Council**

Mayor Jones opened the meeting at 5:30 p.m.

He reported that beginning in December 2013, Morehead City along with other towns in Carteret County had participated in the Municipal Initiative Program through the Carteret County Economic Development and the County. A Steering Committee was appointed consisting of citizen with various development of the local economy. The main focus of the plan included the following:

- Creation of jobs;
- Expansion of existing business;
- Encouraging new business investment
- Development of small business opportunities;
- Enhancing the quality of life
- Reducing the loss of business to other communities;
- Increasing retail sales
- Identifying new business site, buildings and spaces.

The Study showed there were six [6] major economic development issues which included; (1) seasonal economic activities; (2) Marine Science community; (3) transportation (4) three [3] separate business areas; (5) communication, and (6) inventory and infrastructure.

At this Special Joint Meeting, the Morehead City Town Council met with the Morehead City Planning Board to discuss the implementation direction, ongoing communication, and support of the Municipal Initiative Strategic Economic Plan.

Linda Staab, Planning and Inspections Director, reported to members of the Council and the Planning Board the main issues which were determined by the group which were the (1) seasonal year-round activity with the objective of promoting arts, music, literature and heritage and measure success through attendance; (2) increase the economic impact of the Marine Sciences with Duke Marine Lab, UNC Institute of Marine Science, the University of North Carolina State University Center for Marine Science and Technology and NOAA; (3) provide more public transportation by promoting CCATS; (4) encourage more communication with the public such as City website along with utilizing the Tourism Development Authority and EDC's website and distribution of printed materials; and (5) promote availability of utilities, such as tools for redevelopment.

Linda Staab, Planning Director outlined the goals, objectives and actions to Council Members and the Planning Board. The Planning Board will meet quarterly to receive updates. The Planning Board will report information to the City. Annually, the Council will review issues and action recommendations and determine the budgetary requirements.

Mayor Jones stated the Planning Board would be monitoring and making recommendations to the Morehead City Council. He stated he was very excited at observing who are we, where are we at and where will the City will go in the coming years.

Councilman Bill Taylor stated he would like to see good things happen in the area and see more retailers and businesses. He wanted to know how the Council could help support the City Economic Strategic Plan.

Linda Staab, Planning Director stated the Council's support would be used in different ways such as a Marine Science Day, marketing, getting the word out, and supporting public transportation and the State Port. The county-wide economic plan project, based on the various municipal plans will be compiled into one project.

Mayor Jerry Jones questioned who would monitor the Planning Board to advise the Council of certain information, and wanted to know who would keep them on track and monitor the plan.

Linda Staab, Planning and Inspections Director stated that the EDC would come into play and this is a larger strategy and a larger county wide project, and each municipality has their own economic development strategy. The City and Planning Department will work on the economic plan locally and interface with the EDC Board. She stated that the plan is voluntary and not a required plan.

Mayor Jones stated the purpose of the meeting was for the Council and Planning Board to come together to discuss and ask questions and to vote to move forward with the economic strategic plan.

***Councilman Harvey Walker, MOVED, seconded by Councilman Bill Taylor and carried unanimously, to adopt the Municipal Initiative Plan developed by the Carteret County Economic Development Council, (Councilwoman Diane Warrender absent, Councilman Demus Thompson, absent).***

There being no further business, the meeting was adjourned at 6:06 p.m.

Town of Morehead City

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Gerald A. Jones, Jr., Mayor

ATTEST:

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Janet L. Hill, Deputy Clerk

DRAFT

**B.**

TOWN OF MOREHEAD CITY  
 REQUESTED REFUNDS  
 AS OF 1/31/2015  
 PREPARED BY SHIRL MEADOWS, TAX COLLECTOR

Tax Year	Payee/Taxpayer	Parcel No. and/or Account No.	Requested by/ Refund to	Amount of Tax & interest Paid	Amount of Interest Due	Total Refund	Reason
2014	JOHNATHAN LEFEBVRE ETAL ALICE PO BOX 2643 MALIBU, CA 90265	225877	MANAGEMENT SERVICES FBO LEFEBVRE PROPERTY PO BOX 12553 NEW BERN, NC 28561 ATTN: SHARON PERETIK	521.44		521.44	DOUBLE PAYMENT
2013	DEBORAH T ROACH	345072	DEBORAH T ROACH 1200 N 20TH ST-51 MOREHEAD CITY, NC 28557	1.33		1.33	DISCOUNT
2013	BAC TAX SERVICES REF: THOMAS WILLIAMSON	442249	CORELOGIC 2380 PERFORMANCE DR, BLDG C, FLOOR 4 RICHARDSON, TX 75082	36.16		36.16	DISCOUNT
2014	JAY CHERRY	434963	JAY CHERRY PO BOX 1424 KINSTON, NC 28503	49.79		49.79	OVERPAYMENT; REC'D REF REQ 1/13/15 NEED TO ADD TO JAN BOARD RPT
2013	HARDING & CARBONE INC REF: CARDTRONICS USA INC	397918	HARDING & CARBONE INC 3903 BELLAIRE BLVD HOUSTON, TX 77025	14.24		14.24	DISCOUNT
2013	GEODYNAMICS	7025	GEODYNAMICS 152 HAWTHORNE DR PINE KNOLL SHORES, NC 28512	2.50		2.50	<b>PRIVILEGE LICENSE OVERPAYMENT- SARAH PLEASE USE G/L #10-2132-007</b>
2013	MAYFLOWER CONSULTING ENT CO	55134	MAYFLOWER CONSULTING ENT CO 1820 MORRIS RD MOREHEAD CITY, NC 28557	2.19		2.19	DISCOUNT
2013	MARTHA BELL	339862	MARTHA BELL 300 MANSFIELD PKWY MOREHEAD CITY, NC 28557	1.79		1.79	DISCOUNT
2013	MABEL WARD	27565	MABEL WARD 3148 WHITES MEMORIAL RD FRANKLINVILLE, NC 27248-8419	1.15		1.15	DISCOUNT
2013	PAUL PRUITT	27149	PAUL PRUITT 4910 HOLLY LN MOREHEAD CITY, NC 28557	21.78		21.78	DISCOUNT
2013	KAREN O BOYD	358582	KAREN O BOYD 2007 RIVERVIEW LN MOREHEAD CITY, NC 28557	4.29		4.29	DISCOUNT
2013	ELIZABETH JONES-DERN	429159	M. ELIZABETH JONES-DERN 1911 WIDGEON DR MOREHEAD CITY, NC 28557	3.09		3.09	DISCOUNT
2013	JO DEE BEASLEY JOFFIFF	481846	JO DEE JOFFIFF	26.29		26.29	DISCOUNT

			109 N MILLER ST GREER, SC 29650		
2013	TIDE LINES LLC	425339	TIDE LINES LLC 1450 E ARLINGTON BLVD STE A GREENVILLE, NC 27858	197.49	197.49 OVERPAYMENT
2013	CONSTANCE SMITH	486835	CONSTANCE SMITH 101 MCKNIGHT RD MOREHEAD CITY, NC 28557	15.05	15.05 DISCOUNT
2013	MARIE G STAFFORD	480077	MARIE G STAFFORD 313 VIRGINIA AVE MOREHEAD CITY, NC 28557	2.00	2.00 DISCOUNT
2013	JOHN WHITEHURST	29927	JOHN WHITEHURST 2336 SHORE DR MOREHEAD CITY, NC 28557	9.69	9.69 DISCOUNT
2013	RAYMOND GILBERT	262956	NEAL GILBERT 2103 ARENDELL ST MOREHEAD CITY, NC 28557	1.19	1.19 DISCOUNT
2013	GAYLE HOLDER	399930	GAYLE HOLDER 8201 GRAYWINDS DR RALEIGH, NC 27615	2.36	2.36 DISCOUNT
2013	CARLISLE VANC LLC	26287	CARLISLE VANC LLC 263 WAGNER PL MEMPHIS, TN 38103	40.16	40.16 OVERPAYMENT
2013	WELLS FARGO HOME MORTGAGE REF: TUAN ANH NGUYEN ETUX	430290	WELLS FARGO REAL ESTATE TAX SERVICES MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	6.79	6.79 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: TUAN ANH NGUYEN ETUX	430290	WELLS FARGO REAL ESTATE TAX SERVICES MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	10.71	10.71 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: TUAN ANH NGUYEN ETUX	430290	WELLS FARGO REAL ESTATE TAX SERVICES MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	5.87	5.87 DISCOUNT
					977.35

DATE \_\_\_\_\_

BOARD APPROVED

REMARKS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY CLERK \_\_\_\_\_

# MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL  
George W. Ballou, *Mayor Pro Tem*  
Demus L. Thompson  
William F. Taylor  
Diane C. Warrender  
Harvey N. Walker, Jr.

202 South 8th Street  
Morehead City, North Carolina 28557-4234  
TEL (252) 726-6848  
FAX (252) 222-3082  
www.moreheadcity.nc.gov

David S. Whitlow  
*City Manager*

TO: Honorable Mayor and Town Council

FROM: Shirl Meadows, Tax Collector

SUBJECT: Tax Collection Report

DATE: February 4, 2015

**TOWN LEVIED TAXES:**

The following taxes were collected for the month of January 2015:

2014	\$ 632,418.75	2009	\$ 0.00	2004	\$ 0.00
2013	\$ 2,333.68	2008	\$ 0.00	2003	\$ 0.00
2012	\$ 364.17	2007	\$ 0.00		
2011	\$ 0.00	2006	\$ 0.00	OTHER	
2010	\$ 0.00	2005	\$ 0.00	PENALTIES	\$ 173.78

The following is fiscal year to date tax information through January 31<sup>st</sup>, 2015 with comparatives to 2014:

	<u>2015</u>	<u>2014</u>
Tax Scroll (Net Levy)	6,131,444.37	5,866,368.98
Taxes collected (incl. discounts, net of refunds)	5,897,802.50	5,566,094.22
Balance due on taxes	233,641.87	300,274.76
Percentage of tax collected to date	96.19%	94.88%
Prior year taxes collected to date (net of refunds)	39,396.66	38,240.42
Prior year taxes outstanding	45,319.06	43,144.44
Interest and penalties collected to date (net of refunds)	10,731.43	9,269.01

**Notes:**

1. Overpayments for January 2015 totaled \$6,722.93. Refunds requested totaled \$977.35.
2. Attachments and garnishments are used as a means of collection on delinquent taxes.

MOTOR VEHICLE TAXES:

Carteret County collected the following taxes for the fiscal year through December 31<sup>st</sup>, 2014 with comparative information for 2013. The County collects and remits these taxes to the Town, net of a collection fee.

	<u>12/31/14</u>	<u>12/31/13</u>	
Fiscal year to date tax levy	122,455.75	131,539.27	A
Interest billed on taxes	189.08	309.54	B
Total billed	122,644.83	131,848.81	C
Current year taxes collected	123,360.73	139,515.86	D
Prior year taxes collected	5,644.01	16,651.57	E
Interest collected	1,690.16	2,186.28	F
Collection fee charged (Both sys)	7,216.94	4,784.37	G
Percentage of tax collected to date	101.23%	N/A%	H

**The above figures for 2014 are a combination of the old County motor vehicle billing/collecting system and the new Tax & Tag system run by the Department of Revenue. The method of calculating the collection percentage for motor vehicles changed with the new Tax & Tag system. The expected collection percentage is at or near 100%.**

# MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow  
City Manager

TO: Honorable Mayor and Town Council

FROM: Ellen Sewell, Finance Director

SUBJECT: Finance Report

DATE: February 4, 2015

Reported below are cash and investment balances and interest rates for the Town of Morehead City for January, 2015. Also, reported are prior year comparative balances for the same period:

<b>Central Depository Funds</b>	<u>Jan. 2015</u>	<u>Jan. 2014</u>
<u>Unrestricted Funds</u>		
Branch Bank & Trust-General disb. acct. (A)	\$ 2,582,100.08	\$ 352,604.36
Branch Bank & Trust-Money Rate acct. (.10%)	7,467,509.08	7,452,581.30
Branch Bank & Trust Cert. Of Deposit	-0-	900,000.00
Branch Bank & Trust Cert. Of Deposit (various rates)	-0-	1,000,000.00
North Carolina Capital Mgmt. Trust-		
Cash Account (.01%)	308,114.34	255,807.38
Term Account (.07%)	6,377,969.83	3,903,345.65
Finistar (.17%)	<u>2,160,712.02</u>	<u>2,156,938.87</u>
Total-unrestricted cash and investments	18,896,405.35	16,021,277.56
<u>Restricted Funds</u>		
Branch Bank & Trust-Employee reimb. acct.	19,293.47	20,395.24
Branch Bank & Trust-USDA required restricted accts.	140,887.13	-0-
Branch Bank & Trust-USDA required restricted CD	<u>22,139.00</u>	<u>117,587.00</u>
Total-restricted cash and investments	182,319.60	137,982.24
Total cash and investments-Jan. 31	19,078,724.95	16,159,259.80
Total cash and investments-Dec. 31	18,971,012.88	16,348,684.20
Increase (decrease)	107,712.07	(189,424.40)
Interest received Jan.	1,818.15	1,626.09
Interest received fiscal year to date	\$ 9,309.55	\$ 11,569.54
<u>Loan Escrow Funds</u>		
Branch Bank & Trust-Water Treatment		
Capital Project Fund interim loan proceeds (B)	\$ -0-	\$ 956,978.95

(A) Town began maintaining a \$2,500,000 minimum balance in the general disbursement account to reduce bank service charges in April, 2014. The interest rate equivalent on the service charge reduction is ~.25%.

(B) The Water Treatment Plant Project loan escrow funds were fully expended at 4/30/2014.

**D.**

**ENDORISING THE ANNUAL CRYSTAL COAST BOAT SHOW AND AUTHORIZING  
ACTION NECESSARY FOR THE EVENT TO BE HELD  
MAY 15, 16 & 17, 2015**

**WHEREAS, Downtown Morehead City Revitalization Association, Inc (DMCRA)** (hereinafter called "**DMCRA**"), a private, non-profit corporation in Morehead City, North Carolina, shall be responsible for conducting a Crystal Coast Boat Show (hereinafter called "**Boat Show**") in Morehead City during the dates of **May 15-17, 2015** to promote family boating; boating safety, resource and environment conservation, the downtown Morehead City waters as a boating and sport fishing destination, and downtown businesses, and to raise money in support of downtown revitalization and worthwhile community projects with the Town of Morehead City providing solely ancillary services as requested by DMCRA; and

**WHEREAS, DMCRA** shall engage the participation of Boat Show sponsors and exhibitors to display boats and outdoor gear and to conduct appropriate family oriented educational programs for the Boat Show and associated events at Jaycee Park, Katherine Davis Park, the Morehead City waterfront, and the Morehead City Train Depot beginning Friday, May 15, 2015 from 7:00 a.m. to 10:00 p.m. through Saturday, May 16, 2015 from 7:00 a.m. to 10:00 p.m. and ending on Sunday, May 17, 2015 from 10:00 a.m. to 4:00 p.m.; and

**WHEREAS, in conjunction with the Boat Show, The Arts Council of Carteret County** will hold an Art Show "ARTrageous!", to explore, entertain, engage and share the experience of art; and

**WHEREAS, in conjunction with the Boat Show, the Morehead City Chapter of the Antique Automobile Club of America** will hold an "Antique Car Show" to entertain car enthusiasts in the area; and

**WHEREAS, in conjunction with the Boat Show, the After Hours Rotary Club** will hold a fundraiser; and

**WHEREAS, DMCRA** requests the closing of portions of Evans Street, Shepard Street and 8<sup>th</sup> Street and 9<sup>th</sup> Street on the specified dates in order to establish location and boundary necessary for the events, the use of certain sidewalks within the boundaries of the closed street for the locations of exhibits, booths, displays, cars, artists and vendors, and the use of other City open property for the Boat Show activities; and

**WHEREAS, DMCRA** requests the use of the South 6<sup>th</sup> Street Day Docks and the Morehead City docks located at Jaycee Park for Boat Show exhibitors beginning Thursday May 14, 2015 at 7:00 a.m. and ending Monday, May 18, 2015 at 4:00 p.m.; and

**WHEREAS, DMCRA** requests the use of the former Police Building Station parking lot beginning Thursday, May 14, 2015 at 7:00 a.m. and ending Monday, May 18, 2015 at 4:00 p.m.; and

**WHEREAS**, DMCRA requests that floating docks be temporarily affixed to the Morehead City Docks and other appropriate downtown waterfront locations for Boat Show exhibitors; and,

**WHEREAS**, DMCRA requests the use of the South 9<sup>th</sup> and South 10<sup>th</sup> Street piers and parking lots as well as the street end of South 11<sup>th</sup> Street from Shepard Street to Bogue Sound beginning Friday, May 15, 2015 at 7:00 a.m. and ending Sunday, May 17, 2015 at 7:00 p.m.; and,

**WHEREAS**, DMCRA requests the use of the new Ottis Landing dock adjacent to the Jib Plaza beginning Friday, May 15, 2015 at 7:00 a.m. and ending Sunday, May 17, 2015 at 7:00 p.m.; and,

**WHEREAS**, DMCRA requests to levy such fees and sell beverages as may be necessary to cover those costs associated with planning, organizing, and conducting the Boat Show and these fees (e.g. registration) shall be in addition to any other City Fees or license normally required to cover business activities; and,

**NOW THEREFORE, LET IT BE RESOLVED** by the Town Council of Morehead City, North Carolina in regular session that it wholeheartedly endorses the organization of the Boat Show; and

**BE IT FURTHER RESOLVED**, that the Town Council of Morehead City, North Carolina, authorizes the following:

1. The temporary closing of Evans Street from 6<sup>th</sup> to 8<sup>th</sup> Street, the temporary closing of 8<sup>th</sup> Street from Shepard to Evans Street and the temporary closing of Shepard Street from South 7<sup>th</sup> Street to South 11<sup>th</sup> Street beginning at 7:00 a.m. May 16, 2015 ending at May 18, 2015 at 7:00 p.m.
2. The temporary closing of 9<sup>th</sup> Street from Shepard Street to Evans Street.
3. Police presence beginning May 16, 2015 at 10:00 a.m. and ending at May 18, 2015 at 4:00 p.m. as security for the boats and exhibitors; crowd control, and traffic control.
4. DMCRA shall have the use of Jaycee Park, Katherine Davis Park, Sugarloaf Island, the former Police Building Parking Lot, and the Morehead City Train Depot and other approved designated open public spaces within the City for the Boat Show.
5. DMCRA shall have the use of the town owned docks at South 6<sup>th</sup> Street and at Jaycee Park for the duration of the Boat Show.
6. DMCRA shall be authorized to affix ten [10] temporary floating docks to an appropriate location on the Morehead City waterfront for the duration of the Boat Show subject to the approval of and according to all federal, state, and local regulatory agencies and regulations.
7. DMCRA shall have the use of the town owned Ottis Landing dock for the duration of

the Boat Show.

8. DMCRA is declared an independent contractor and is not an employee or agent of the Town of Morehead City and is solely responsible for the planning, organizing, implementing and monitoring of the activities.
9. DMCRA is solely responsible in its capacity as an independent contractor to see such activities are carried out in compliance with all federal, state and local laws and regulations, and is carried out in a manner protecting the property rights of citizens and ensuring the safety and well-being of citizens attending the activities.
10. DMCRA shall have the authority to assign exhibition and vending space and have final approval on activities of vendors allowed to be registered for the Boat Show.
11. DMCRA shall indemnify, reimburse, keep and hold harmless, the Town from any liability on account of any kind of injury, damage, or liability whatsoever to persons, firms, corporations, property arising out of the occupation or use of the Town streets, sidewalks, parks, parking areas, buildings, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the Town within the areas occupied, used or controlled by the Boat Show or any exhibitor or vendor or out of the sale of all foods, goods and products during the Boat Show; and also, for any claim or damage which may result directly or indirectly from the Boat Show's failure to carry out this agreement, except that the Town shall remain liable for any actions due to the negligence of the Town or its employees or due to the intentional wrongdoing of the Town or its employees. In the event that any suit or proceeding is brought against the Town at law or in equity, either independently or jointly with the Boat Show, or either of them, on account of any use or occupation of the Town streets, sidewalks, parks, parking areas, buildings, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the Town within the areas occupied, used or controlled by the Boat Show or any exhibitor or vendor and all goods, products and food by any of them, the Boat Show will defend the Town with total cost accruing to the Boat Show including all reasonable attorney fees for The Boat Show and Town. The Town of Morehead City may select Counsel of its own choosing to consult with the Boat Show's attorney and/or participate in the defense of such suit or proceeding. In the event of final judgment or decree being obtained against the Town, either independently or jointly with the Boat Show, or either of them, the Boat Show to the extent provided herein shall pay such judgment and all costs or comply with such decree and pay all costs and expense of whatsoever nature, including interest and fines, and hold the Town completely harmless therefrom. The indemnification and hold harmless obligations of the Boat Show will not be limited in anyway by the limits of insurance provided for in this agreement.
12. The Boat Show shall secure liability insurance effective during the course of the Boat Show activities. The limits of the policy shall be determined by the City Attorney. The kind of insurance required shall include, but not limited to, comprehensive general liability, including personal injury, blanket contracting and non-owned auto.
13. The Boat Show shall be held responsible for any damage/loss to Town property within

the designated Boat Show boundaries and shall leave the areas used broom cleaned.

14. The City Manager shall be the liaison person to the Boat Show and shall determine the scope of ancillary Town services to be provided to the Boat Show.
15. The DMCRA will notify all owners within the confines of the street closings two [2] weeks before the event of those City streets which will be closed to traffic for the event.

TOWN OF MOREHEAD CITY

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Gerald A. Jones, Jr., Mayor

ATTEST:

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Jeanne M. Giblin, City Clerk

**E.**

**TOWN OF MOREHEAD CITY  
RESOLUTION  
ENDORISING THE 'ALIVE AT FIVE' EVENTS AND AUTHORIZING ACTION  
NECESSARY FOR THE EVENT TO BE HELD  
MAY 1, MAY 22, JUNE 5, JUNE 19, JULY 3, JULY 17, AUGUST 7, AUGUST 21, AND  
SEPTEMBER 4, 2015**

**WHEREAS**, the **Downtown Morehead City Revitalization Association, Inc (DMCRA)** (hereinafter called "**DMCRA**"), a private, non-profit corporation in Morehead City, North Carolina shall be responsible for conducting a series of free concerts (hereinafter called "**Alive at Five**"), in Morehead City on May 1<sup>st</sup>, May 22<sup>nd</sup>, June 5<sup>th</sup>, June 19<sup>th</sup>, July 3<sup>rd</sup>, July 17<sup>th</sup>, August 7<sup>th</sup>, August 22<sup>nd</sup>, and September 4<sup>th</sup>, 2015, to attract people to downtown Morehead City restaurants and businesses and to raise money in support of downtown revitalization and worthwhile community projects with the Town of Morehead City providing solely ancillary services as requested by DMCRA; and

**WHEREAS**, the DMCRA shall engage local bands to conduct appropriate family musical entertainment at Jaycee Park beginning at 5:00 p.m. and ending at 8:30 p.m. on the evenings of May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21, and September 4, 2015; and

**WHEREAS**, the DMCRA requests use of Jaycee Park and Shepard Street from 8<sup>th</sup> to 9<sup>th</sup> Streets; and

**WHEREAS**, the DMCRA requests to levy fees to sponsors and to sell beverages, in accordance with all state, county and municipal laws, at the "Alive at Five" concerts to cover costs associated with planning, organizing and conducting the "Alive at Five" concerts;

**NOW THEREFORE, LET IT BE RESOLVED**, by the Council of the Town of Morehead City, North Carolina in regular session that it wholeheartedly endorses the organization of "Alive at Five" concert series; and

**BE IT FURTHER RESOLVED**, that the Council of the Town of Morehead City, North Carolina authorizes the following:

1. The use of Jaycee Park and Shepard Street from 8<sup>th</sup> to 9<sup>th</sup> Streets on May 1, May 22, June 5, June 19, July 3, July 17, August 7, August 21, September 4, 2015, from 5:00 p.m. to 8:30 p.m.
2. The DMCRA is declared an independent contractor and is not an employee or agent of the Town of Morehead City and is solely responsible for the planning, organizing, implementing and monitoring of the "Alive at Five" concert events.
3. The DMCRA is solely responsible in its capacity as an independent contractor to see such activities are carried out in compliance with all federal, state and local laws and regulations, and is carried out in a manner protecting the property rights of citizens and ensuring the safety and well-being of citizens attending the activities.
4. The DMCRA shall indemnify, reimburse, keep and hold harmless, the Town from any liability on account of any kind of injury, damage, or liability whatsoever to persons, firms, corporations, property arising out of the occupation or use of the Town streets, sidewalks, parks, parking areas, building, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the Town within the areas occupied, used or controlled by "Alive at Five" or any exhibitor or vendor or out of the sale of all foods, goods, products and beverages during "Alive at Five"; and also, for any claim or damage which may result directly or indirectly from "Alive at Five's" failure to carry out this agreement, except the Town shall remain liable for any actions due to the negligence of the Town or its employees or due to the intentional wrongdoing of the Town or its employees. In the event that any suit or proceeding is brought against the Town at law or in equity, either independently or jointly with "Alive at Five", or either of them, on account of any use or occupation of the Town streets, sidewalks, parks, parking areas, buildings, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the Town within the areas occupied, used or controlled by "Alive at Five" or any vendor and all foods, goods, products and beverages by any of them, "Alive at Five" will defend the Town with total cost accruing to "Alive at Five" including all reasonable attorney fees for "Alive at Five" and Town.

The Town of Morehead City may select Counsel of its own choosing to consult with "Alive at Five's" attorney and/or participate in the defense of such suit or proceeding. In the event of final judgment or decree being obtained against the Town, either independently or jointly with "Alive at Five", or either of them, "Alive at Five" to the extent provided herein shall pay such judgment and all costs or comply with such decree and pay all costs and expense of whatsoever nature, including interest and fines, and hold the Town completely harmless therefrom. The indemnification and hold harmless obligations of "Alive at Five" will not be limited in anyway by the limits of insurance provided for in the agreement.

5. "Alive at Five" shall secure liability insurance effective during the course of the "Alive at Five" concerts. The limits of the policy shall be determined by the City Attorney. The kind of insurance required shall include, but not limited to, comprehensive general liability, including personal injury, blanket contracting and non-owned auto.
6. "Alive at Five" shall be held responsible for any damage/loss to Town property within the designated "Alive at Five" boundaries and shall leave the areas used broom cleaned.
7. The City Manager shall be the liaison person to "Alive at Five" and shall determine the scope of ancillary Town services to be provided to "Alive at Five".

TOWN OF MOREHEAD CITY

---

Gerald A. Jones, Jr., Mayor

ATTEST:

---

Jeanne M. Giblin, City Clerk

**F.**

# MOREHEAD CITY

## NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



### COUNCIL

George W. Ballou, *Mayor Pro Tem*  
Demus L. Thompson  
William F. Taylor  
Diane C. Warrender  
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David S. Whitlow  
*City Manager*

### ORDINANCE 2015 - 05

#### **AMENDING THE CODE OF ORDINANCES OF THE TOWN OF MOREHEAD CITY, CHAPTER 16, "WATER AND SEWERS", ARTICLE IV, WASTE DISCHARGE STANDARDS, SECTION 16-66, PRETREATMENT, BY ADDING A SECTION ON COMMERCIAL GREASE TRAP REQUIREMENTS**

**BE IT ORDAINED**, by the Council of the Town of Morehead City, that the Code of Ordinances of the Town of Morehead City, Chapter 16, "Water and Sewers", Article IV, *Waste Discharge Standards*, Section 16-66, *Pretreatment*, be amended to include the following:

- (d) Commercial Grease Trap Requirements:
- (1) Grease and oil traps or other interceptors shall be provided at the user's expense, when such user operates an establishment preparing, processing or serving food and/or food products; except that such traps shall not be required for private living quarters or dwelling units. At a minimum, all food preparatory sinks, dishwashers, etc., shall be connected to the trap. Any plumbing fixture not associated with food preparation should not be connected to the trap.
  - (2) All vehicle maintenance facilities are required to have a properly sized grease, oil and sand trap.
  - (3) All traps shall be of a type and capacity accessible for cleaning and inspection. All such traps shall be serviced and emptied of the waste content as required in order to maintain their minimum design capability to intercept oils and greases from the wastewater discharged to the public sewer, or to achieve compliance with the oil and grease limit of 250 mg/l. For grease traps, the service shall be completed and documented at an interval not to exceed thirty [30] days. For under-the-sink interceptors, the service shall be completed and documented daily or a frequency recommended by the manufacturer. If an under-the-sink interceptor is not serviced daily, it shall be the responsibility of the user to demonstrate compliance with the oil and grease limit.
  - (4) All traps or interceptors shall be maintained by the user at his expense in a continuously efficient operation at all times.
  - (5) During trap maintenance, all inorganic and organic solids shall be removed from the trap. In addition, all floating material shall be skimmed from the trap to avoid accumulation of scum covering the surface of the liquid. There shall be no reintroduction of the water removed from the trap either to the trap itself or to the sanitary sewer system without prior written approval from the City. The user shall be responsible for the removal and disposal by appropriate means of the captured materials in accordance with state and local regulations.

(6) The user shall maintain a written record on site of trap or interceptor maintenance for three [3] years. A copy of each service record shall be sent to the City no later than fifteen [15] days after the end of the month during which the maintenance occurred.

(7) If, an obstruction of any city sewer main[s] occurs that causes a sewer overflow and such overflow can be attributed in part or in whole to an accumulation of grease in the City's sewer main[s] the City will take appropriate enforcement actions, as stipulated in the City's Sewer Ordinance [Sec.17-74 Enforcement], against the generator or contributor of such grease. These actions may include fines, civil penalties or a discontinuance of water and sewer service.

This ordinance shall be effective upon adoption.

**ADOPTED**, this the 10<sup>th</sup> day of February, 2015.

---

Gerald A. Jones, Jr., Mayor

Attest:

---

Jeanne M. Giblin, City Clerk

**G.**

**Town of Morehead City**  
**FY 2015-2016 Budget Calendar**

January	Manager/Finance Officer – Meet [as necessary] with Department Heads to review FY 2014/2015 revenues and expenditures to date through December 31, 2014, and projected through June 30, 2015.
January 23	Finance Officer – Distribute budget work papers to Department Heads.
January 26- March 10	Department Heads – Meet with Manager/Finance Officer to review FY2015-2016 budget requests as necessary and update FY 2014/2015 amounts and projections, if needed. [Department Heads are responsible for scheduling meetings.]
February 26-27	Council/Department Heads Goal Discussions/Projections Review.
March 10	Budget request work papers due from Department Heads/Outside Agencies-Due date for submission of Agency budget requests to budget officer.
March 16-20	Finance Committee – Meet as necessary to review financial projections, amendments, etc.
March	Council/Committees – Work Sessions, Municipal Goal/Budget Sessions as needed. [Dates TBA].
April 1-22	Finance Committee – Review proposed budget recommendations [as necessary].
April 1-May 1	Budget Officer – Completes proposed budget.
May 1-12	Staff – Proposed budget finalized and printed.
May 12	Manager – Deliver proposed budget message to Council [at Regular Council Meeting].
May 12	Council – Call Public Hearing for Special Council Meeting/Budget Work Session [TBA].
TBA Meeting/Work	Clerk – Advertise Public Hearing to be held at May/June Special Council Session[s].
May 12-June 9	Council/Manager/Department Heads, as necessary – Council Work Session[s] on proposed budget [date, time & location TBA].
TBA	Council – Public Hearing on proposed budget at Special Council Meeting/Budget Work Session [publish notice at least ten days prior].
June 9	Council – Adopt FY2015-2016 Budget Ordinance [effective July 1, 2015].

1.



## MEMORANDUM

TO: The Honorable Mayor and Town Council  
Dave Whitlow, City Manager

FROM: Linda V. Staab, Planning Director

RE: Resolution of Adoption of the  
Carteret County Hazard Mitigation Plan

DATE: February 2, 2015

In order to fulfill its obligation under NCGS, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation of the Robert T Stafford Disaster Relief and Emergency Assistance Act and to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town, Morehead City adopted a Hazard Mitigation Plan.

Understanding FEMA and the State's desire to promote regional hazard mitigation planning, Morehead City, in 2013, began participation in the Pamlico Sound Regional Hazard Mitigation Plan (PSRHMP), which will replace the Morehead City Hazard Mitigation Plan. Unfortunately, the Morehead City Hazard Mitigation Plan has expired and the PSRHMP planning process is not complete.

Until the PSRHMP is officially adopted and to allow Morehead City to remain eligible to receive state and federal assistance in the event of a declared disaster, it is necessary for Morehead City to join the Carteret County Multi- Jurisdictional Hazard Mitigation Plan by adopting the attached resolution.



**RESOLUTION No. 2015-10**

**RESOLUTION TO ADOPT THE CARTERET COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Town of Morehead City is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and,

**WHEREAS**, the Town of Morehead City has been an active participant since 2013 in the development of the Pamlico Sound Regional Hazard Mitigation Plan which is due to be adopted in 2015; and,

**WHEREAS**, it is the intent of the Morehead City Council to fulfill its obligation under NCGS, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation of the Robert T Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town; and

**WHEREAS**, Morehead City's existing Hazard Mitigation Plan has expired and until such time as the Pamlico Sound Regional Hazard Mitigation Plan is adopted, it is necessary to adopt and become part of the Carteret County Multi-Jurisdictional Hazard Mitigation Plan; and,

**WHEREAS**, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Carteret County Multi-Jurisdictional Hazard Mitigation Plan for legislative compliance and have approved the plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the Town of Morehead City hereby:

1. Adopt the Carteret County Multi-Jurisdictional Hazard Mitigation Plan; and,
2. Agree to take such other action as may be reasonably necessary to carry out the proposed actions of the plan.

---

Gerald A. Jones, Jr., Mayor

ATTEST:

---

Jeanne M. Giblin, City Clerk

ADOPTED: \_\_\_\_\_

**J.**

# MOREHEAD CITY

## NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



David S. Whitlow  
City Manager

**COUNCIL**

George W. Ballou, *Mayor Pro Tem*  
Demus L. Thompson  
William F. Taylor  
Diane C. Warrender  
Harvey N. Walker, Jr.

202 South 8th Street  
Morehead City, North Carolina 28557-4234  
TEL (252) 726-6848  
FAX (252) 222-3082  
www.moreheadcity.nc.gov

### TOWN OF MOREHEAD CITY FY 2014-2015 BUDGET ORDINANCE AMENDMENT –2015 - 07

	Annual Budget Before Amendment	Annual Amended Budget	Difference
<b>GENERAL FUND</b>			
The purpose of this amendment is to adjust the budget as follows:			
<ul style="list-style-type: none"> <li>• To increase Miscellaneous revenue and the Police Dept. by \$13,600 related to insurance reimbursement for expenditures for vehicle repairs for various accidents.</li> <li>• To decrease Restricted Intergovernmental revenue by \$250,000 and the Transportation (Streets) Dept. \$275,000 related to a grant for a sidewalk on Arendell Street from 25<sup>th</sup> to 35<sup>th</sup> Streets that will not be constructed at this time. The \$25,000 difference between revenue and expenditures will increase Contingency.</li> </ul>			
<b>Revenue</b>			
Ad valorem taxes	\$ 6,268,200	\$ 6,268,200	\$ -0-
Other taxes	73,000	73,000	-0-
Unrestricted intergovernmental	3,045,700	3,045,700	-0-
Restricted intergov'tal revenue	769,225	519,225	(250,000)
Permits and fees	215,000	215,000	-0-
Sales and services	200,700	200,700	-0-
Investment earnings	5,000	5,000	-0-
Miscellaneous	22,420	36,020	13,600
<b>Other financing sources</b>			
Approp. fund balance-restr. & committed	368,615	368,615	-0-
Approp. Fund balance-unassigned	913,935	913,935	-0-
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$11,881,795</b>	<b>\$11,645,395</b>	<b>\$ (236,400)</b>
<b>Expenditures</b>			
Mayor/Council	\$ 81,200	\$ 81,200	\$ -0-
Administration	441,100	441,100	-0-
Finance	471,275	471,275	-0-
Cemetery/Bldg. & Grounds	471,100	471,100	-0-
Central Services	739,800	739,800	-0-
Garage	116,850	116,850	-0-
Community Projects	75,835	75,835	-0-
Police	3,559,395	3,572,995	13,600
Federal forfeiture funds	18,700	18,700	-0-
Planning & Inspections	514,175	514,175	-0-
Transportation	1,083,875	808,875	(275,000)
Powell Bill	525,300	525,300	-0-
Library	217,175	217,175	-0-
Recreation	648,500	648,500	-0-
Parks	313,650	313,650	-0-
Debt Service	542,511	542,511	-0-
Transfers to other funds	2,524,244	2,524,244	-0-
Reimbursements from other funds	(643,200)	(643,200)	-0-

Contingency	180,310	205,310	25,000
TOTAL GENERAL FUND EXPEND.	\$11,881,795	\$11,645,395	\$ (236,400)

This ordinance shall become effective upon adoption.

Adopted as submitted this the 10<sup>th</sup> day of February, 2015

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne M. Giblin, City Clerk

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.A.  
DATE: February 10, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Unfinished Business: Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District [Continued from Council Meeting on January 13, 2015 for a Simple Majority Vote]

Background Information Attached: Yes X No

At the Council Meeting on January 13, 2015, Planning Director Linda Staab reported that Morehead City received a request submitted by Matt and Mindy Fitzpatrick to amend Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to add "Business residence" as a special use in the Highway Commercial [CH] District. The definition of a business residence is a building which contains both a business and a residence and which is subject to conditions of section 14-20 of the UDO.

The Planning Board unanimously recommended approval of the request at their meeting on December 16, 2014 and the Planning Committee of the Council concurred. At the public hearing on January 13, 2015, no one spoke for or against the ordinance amendment. Those Councilmembers present voted in favor of the ordinance amendment. However, in order to pass a supermajority vote was necessary, hence this item is presented again whereupon only a majority vote will be necessary for passage.

**Recommended Action: Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District.**

Board Action: Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Naves \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_

**ORDINANCE AMENDMENT: Request submitted by Matt and Mindy Fitzpatrick to amend Articles 11-1 and 14-20 of the Unified Development Ordinance to add “Business residence” as a special use in the Highway Commercial (CH) district.**

*Planning Board Update (12/16/14): Tom Saunders made MOTION, seconded by Tom Outlaw, to recommend approval of the amendment. The motion carried unanimously.*

A request has been submitted by Mr. and Mrs. Fitzpatrick to amend Articles 11-1 and 14-20 to allow “Business residence” as a special use in the Highway Commercial District.

**Article 11-1 Table of Permissible Uses:**

<i>Use/District</i>	<i>(definition)</i>	R5	R5S	R7	R10	R15	R15M	R15SM	R20	RMF	O&P	PD	MA	CD	CM	DB	CN	CH	I	PM	FP	IC
Business residence*	Yes										S			P		P	P	<u>S</u>				

**Article 2-2 Definitions:**

*Business residence.* A building which contains both a business and a residence and which is subject to the conditions of section 14-20.

**Article 14-20 Special Requirements for Business Residences:**

A business residence may be established in the CD, O&P, CN, CH, and DB districts subject to the requirements of the district and the following limitations:

14-20.1 Not more than one (1) residence shall be permitted for each structure in the O&P, CN, and CH ~~and CN~~ districts. Business residences located in the CD and DB district shall be permitted to have one (1) dwelling per six hundred twenty-five (625) square feet of land area. Density for buildings located over the water will be computed at one (1) unit per six hundred twenty-five (625) square feet of the building footprint;

14-20.2 The residence in the O&P, CN, and CH ~~and CN~~ district shall not exceed the gross floor area of the business operation.

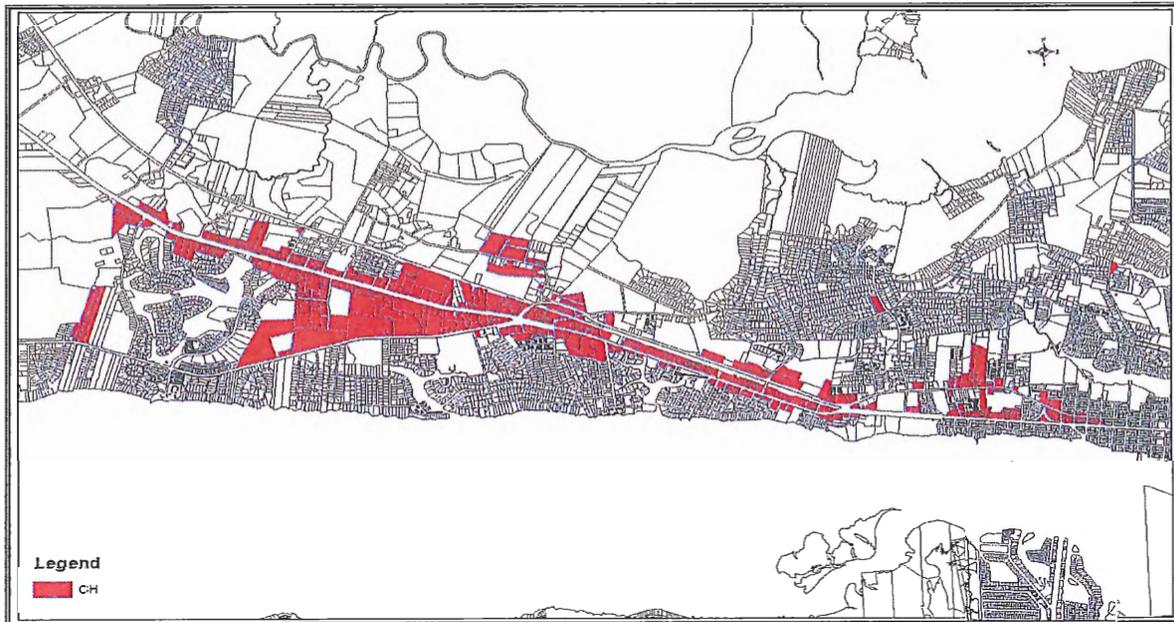
14-20.3 Residences may be located above the business, but in no case shall be located in the front yard of the business; and

14-20.4 Any residence must be in the same structure as the business.

**Article 20-3.1(I) Off-Street Parking and Service Requirements:**

*Business residence.* Two (2) spaces for the residential use plus parking to meet the minimum requirements of the particular business.

For your information, please find below a map depicting the extent of the areas zoned Highway Commercial (CH) where the proposed amendment would be applicable.



*Current Permitted Uses in CH:*

- Accessory building/use
- Accessory outdoor displays
- Accessory outdoor storage\*
- Adult establishment\*
- Animal hospital/veterinary clinic
- Auction house
- Automobile repair garage\*
- Automobile service station\*
- Bar/cocktail lounge\*
- Car wash
- Cemetery, pet
- Club or lodge, private
- Communication services
- Dry cleaning/laundry establishment
- Fabricating shop (majority of products sold at retail, on premises)
- Financial institution
- Flea/farmer's market
- Funeral home

- Garden center
- Government building/use
- Itinerant merchant/vendor\*
- Kennel\*
- Library, museum, art gallery
- Printing, publishing and allied industries (SIC #27)
- Motel
- Motor vehicle sales
- Office, all
- Outdoor vending, self-service machine\*
- Parking facility
- Passenger transportation and associated services
- Personal services
- Public utility building/use\*
- Railroad transportation and associated services
- Recreation use, governmental
- Recreation use, indoor
- Recreation use, outdoor
- Recycling collection point

- Restaurant
- Restaurant, drive-in
- Retail, indoor with gas pumps and storage
- Retail, marine-related with or without outdoor storage
- Retail and wholesaling, indoor
- Retail and wholesaling, marine-related with or w/o outdoor storage
- Self-service storage facility
- Sign, outdoor advertising
- Sign, principal use
- Sign, temporary
- Sign shop
- Studio
- Tattoo and/or body piercing establishment
- Taxi stand
- Theater
- Warehousing and distribution

*Current Special Uses in CH:*

- Adult daycare center

- Boat storage
- Child daycare

- Child daycare, afterschool
- Church\*



**PLANNING BOARD  
RESOLUTION No. 2014-0011**

**Plan Consistency Statement  
for Case #OA14-008**

**Business Residences as a Special Use in CH**

**WHEREAS**, Matt and Mindy Fitzpatrick have requested to amend sections 11-1 and 14-20 of the Unified Development Ordinance to add “Business residence” as a special use in the Highway Commercial (CH) district; and

**WHEREAS**, effective January 1, 2006, North Carolina General Statute 160A-383 requires that “prior to adopting or rejecting any zoning amendment” each local governing board “shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest”; and

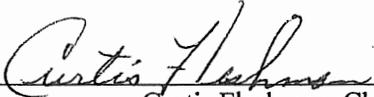
**WHEREAS**, this ordinance amendment request was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on December 16, 2014, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

**WHEREAS**, the Planning Board has made the following findings and conclusions:

1. The proposed text amendment does not appear to conflict with policies in the CAMA Land Use Plan and is consistent with the Vision Statement.
2. The proposed text amendment is consistent with section 4.2.7, Policy #1 of the CAMA Land Use Plan which states, “Morehead City will promote the diversification of housing in varying types, densities, and costs to meet the demands of all income levels and age groups.”
3. The proposed text amendment is consistent with section 4.2.7, Policy #3 of the CAMA Land Use Plan which states, “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.”
4. Highway Commercial (CH) zoning exists to a greater extent in Neighborhoods 3, 4, 5, 6, 8 and 10 and to a lesser extent in Neighborhoods 2, 7 and 9 of the CAMA Land Use Plan. Adding “Business residence” as use in the Highway Commercial zoning district does not appear to be inconsistent with the Neighborhood-Specific Policies of 4.2.8.
5. The proposed text amendment is in the public interest and reasonable because:
  - Permitting the use, “Business residence”, as a special use allows each site proposed for such use to be adequately reviewed by the Board of Adjustment to ensure that it is appropriately located.
  - Adding the use of “Business residence” to the City’s Unified Development Ordinance may provide:
    - Efficient use of land and infrastructure;
    - Additional housing opportunities;
    - The possibility for alternative affordable housing opportunities;
    - Reduction in auto dependency, roadway congestion, and air pollution by co-locating destinations; and,

- Opportunity for economic development.
- 6. The proposed text amendment is in the public interest based upon comments received during the public meeting.
- 7. The proposed amendment does not appear to conflict with other plans.

**NOW, THEREFORE, BE IT RESOLVED**, on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the ordinance amendment request consistent with the most recently adopted CAMA Land Use Plan and recommends to the Morehead City Council that the request for ordinance amendment be approved.

  
\_\_\_\_\_  
Curtis Fleshman, Chairman

\_\_\_\_\_  
12-16-14  
Date

**TOWN OF MOREHEAD CITY**

**NOTICE OF PUBLIC HEARING**

January 13, 2015

Notice is hereby given that the Morehead City Planning Board will hold a **public meeting** on Tuesday, December 16, 2014, at 5:30 p.m., in the Municipal Building Auditorium, 202 South 8th Street, to discuss the following proposal:

*Request from Matt and Mindy Fitzpatrick to amend sections 11-1 and 14-20 of the Unified Development Ordinance to add "Business residence" as a special use in the Highway Commercial (CH) district.*

The **public hearing** will be conducted by the Morehead City Town Council on Tuesday, January 13, 2015, at 5:30 p.m., in the Morehead City Municipal Building Auditorium, 202 South 8th Street.

The public is invited to be present at both meetings and comment on the proposed amendment. Copies of this request are on file in the Morehead City Planning and Inspections Office, 706 Arendell Street, Morehead City, NC (252) 726-6848, ext. 140.

Sandi Watkins  
Planner

*Please advertise three times as follows:*

*Friday, December 12, 2014*

*Friday, January 2, 2015*

*Friday, January 9, 2015*

*Please bill charges to:*

*Town of Morehead City*

*PO# 61120*

**LEGAL NOTICES**

Municipal Building Auditorium, 202 South 8th Street, to discuss the following proposal:

Request from Matt and Mindy Fitzpatrick to amend sections 11-1 and 14-20 of the Unified Development Ordinance to add "Business residence" as a special use in the Highway Commercial (CH) district.

The public hearing will be conducted by the Morehead City Town Council on Tuesday, January 13, 2015, at 5:30 p.m. in the Morehead City Municipal Building Auditorium, 202 South 8th Street.

The public is invited to be present at both meetings and comment on the proposed amendment. Copies of this request are on file in the Morehead City Planning and Inspections Office, 706 Arendell Street, Morehead City, NC (252)726-6848, ext. 140.

6 **TOWN OF MOREHEAD CITY**

**NOTICE OF PUBLIC HEARING**

January 13, 2015

Notice is hereby given that the Morehead City Planning Board will hold a public meeting on Tuesday, December 16, 2014, at 5:30 p.m. in the Mu-

Sandi Watkins  
Planner

D12,J2,9

**TOWN OF MOREHEAD CITY  
RESOLUTION NO. 2015-02**

**RESOLUTION OF PLAN CONSISTENCY IN ACCORDANCE WITH G.S. 160A-383 FOR AN AMENDMENT TO ARTICLES 11-1 AND 14-20 OF THE MOREHEAD CITY UNIFIED DEVELOPMENT ORDINANCE TO ADD BUSINESS RESIDENCE AS A SPECIAL USE IN THE HIGHWAY COMMERCIAL (CH) DISTRICT:**

**WHEREAS**, Matt and Mindy Fitzpatrick have requested to amend the Unified Development Ordinance to allow “Business residence” as a special use in the Highway Commercial (CH) District.

**WHEREAS**, effective January 1, 2006, North Carolina General Statute 160A-383 requires that “prior to adopting or rejecting any zoning amendment” each local governing board “shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest”; and

**WHEREAS**, this text amendment request was duly advertised and was the subject of a public meeting of the Morehead City Council on January 13, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

**WHEREAS**, the Morehead City Council has made the following findings and conclusions:

- The proposed text amendment does not appear to conflict with policies in the CAMA Land Use Plan and is consistent with the Vision Statement.
- The proposed text amendment is consistent with section 4.2.7, Policy #1 of the CAMA Land Use Plan which states, “Morehead City will promote the diversification of housing in varying types, densities, and costs to meet the demands of all income levels and age groups.”
- The proposed text amendment is consistent with section 4.2.7, Policy #3 of the CAMA Land Use Plan which states, “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.”
- Highway Commercial (CH) zoning exists to a greater extent in Neighborhoods 3, 4, 5, 6, 8 and 10 and to a lesser extent in Neighborhoods 2, 7 and 9 of the CAMA Land Use Plan. Adding “Business residence” as use in the Highway Commercial zoning district does not appear to be inconsistent with the Neighborhood-Specific Policies of 4.2.8.
- The proposed text amendment is in the public interest and reasonable because:

- Permitting the use, “Business residence”, as a special use allows each site proposed for such use to be adequately reviewed by the Board of Adjustment to ensure that it is appropriately located.
- Adding the use of “Business residence” to the City’s Unified Development Ordinance may provide:
  - Efficient use of land and infrastructure;
  - Additional housing opportunities;
  - The possibility for alternative affordable housing opportunities;
  - Reduction in auto dependency, roadway congestion, and air pollution by co-locating destinations; and,
  - Opportunity for economic development.
- The proposed text amendment is in the public interest based upon comments received during the public meeting.
- The proposed amendment does not appear to conflict with other plans.

**NOW, THEREFORE, BE IT RESOLVED**, on the basis of the foregoing findings and conclusions, that the Morehead City Council does hereby find the text amendment consistent with the most recently adopted CAMA Land Use Plan and orders that the text amendment be approved.

---

Gerald A. Jones, Jr., Mayor

ATTEST:

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Jeanne Giblin, City Clerk

ADOPTED: \_\_\_\_\_

**TOWN OF MOREHEAD CITY**  
**ORDINANCE #2015-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOREHEAD CITY, NC, TO AMEND ARTICLES 11-1 AND 14-20 OF THE UNIFIED DEVELOPMENT ORDINANCE TO ADD BUSINESS RESIDENCE AS A SPECIAL USE IN THE HIGHWAY COMMERCIAL (CH) DISTRICT:**

WHEREAS, the Planning Board and Town Council Notice of Public Hearing date was published in accordance with G.S. 160A-364 in The Carteret County News-Times, a local newspaper, once each week for two (2) successive weeks, said notice having been published the first time not less than 10 days prior to the date of such hearing; and

WHEREAS, the said public hearing was actually conducted at 5:30 p.m., Tuesday, January 13, 2015, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Morehead City that the Unified Development Ordinance be amended as follows:

1. Amend Article 11-1 to add "Business residence" as a special use in the Highway Commercial (CH) district.
2. Amend Article 14-20 Business Residence as follows: "A business residence may be established in the CD, OP, CN, CH, and DB districts subject to the requirements of the district and the following limitations:"
3. Amend Article 14-20.1 for clarification as follows: "Not more than one (1) residence shall be permitted for each structure in the O&P, CN, and CH ~~and CN~~ districts. Business residences located in the CD and DB district shall be permitted to have one (1) dwelling per six hundred twenty-five (625) square feet of land area. Density for buildings ~~building~~ located over the water will be computed at one (1) unit per six hundred twenty-five (625) square feet of the building footprint;"
4. Amend Article 14-20.2 as follows: "The residence in the O&P, CN, and CH ~~and CN~~ districts shall not exceed the gross floor area of the business operation."
5. That this ordinance shall become effective immediately upon its adoption.
6. That if any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

DULY ADOPTED THIS on the 10<sup>th</sup> day of February, 2015, by a vote of Commissioner(s)  
\_\_\_\_\_ voting for;

Commissioner(s) \_\_\_\_\_ voting against; and  
Commissioner(s) \_\_\_\_\_ absent.

TOWN OF MOREHEAD CITY

\_\_\_\_\_  
Gerald A. Jones, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Jeanne Giblin, City Clerk

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.B.  
DATE: February 10, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Unfinished Business: Adopt Ordinance 2015-06 Amending Article III, Mayor and Council, section 3.3[a] Terms, Qualifications, Vacancies, of the Charter of the Town of Morehead City to Provide for Electing the Mayor for a four [4] Year Term of Office

Background Information Attached: Yes X No

North Carolina General Statutes 160A-101 and 160A-102 allow a city to modify their charter to change the terms of office of members of the council by ordinance. Members of council can serve terms of office of either two [2] years or four [4] years. All the terms need not be the same length, and all the terms need not expire in the same year.

Under NCGS 160A-102, the Morehead City Council can amend the current City Charter regarding the term of office of Mayor from two [2] years to four [4] years. The Council adopted a Resolution of Intent to consider such an action at the December 9, 2014, Council Meeting setting the date of the public hearing for January 13, 2015. At the public hearing no one spoke for or against the Charter change.

The adoption of Ordinance 2015-06 would amend Morehead City's Charter allowing for the Mayor to have a four [4] year term of office. The Ordinance would become effective on March 17, 2015, and the change would commence with the November 2015 election. The countdown is still continuing until March 17, 2015, in the event that a referendum petition may be filed.

**Recommended Action: Adopt Ordinance 2015-06 Amending Article III, Mayor and Council, section 3.3[a] Terms, Qualifications, Vacancies, of the Charter of the Town of Morehead City to Provide for Electing the Mayor for a four [4] Year Term of Office.**

Board Action: Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

George W. Ballou, *Mayor Pro Tem*  
Demus L. Thompson  
William F. Taylor  
Diane C. Warrender  
Harvey N. Walker, Jr.

202 South 8th Street  
Morehead City, North Carolina 28557-4234  
TEL (252) 726-6848  
FAX (252) 222-3082  
www.moreheadcity.nc.gov

David S. Whitlow  
*City Manager*

**TOWN OF MOREHEAD CITY  
Ordinance 2015-06**

**AMENDING ARTICLE III, MAYOR AND COUNCIL, SECTION 3.3[a], TERMS, QUALIFICATIONS, VACANCIES, OF THE CHARTER OF THE TOWN OF MOREHEAD CITY TO PROVIDE FOR ELECTING THE MAYOR FOR A FOUR [4] YEAR TERM OF OFFICE**

**BE IT ORDAINED**, by the Council of the Town of Morehead City:

Section 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the Town of Morehead City, as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, is hereby further amended to provide that the Mayor shall hereafter be elected by all the qualified voters of the City for a term of four [4] years.

Section 2. The City Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to provide for election of the Mayor by all the qualified voters of the Town of Morehead City for a four-year term has been adopted. Subject to any referendum petitioned for and conducted pursuant to G.S. 160A-103, this ordinance shall be in full force and effect from and after March 17, 2015.

Section 3. The first such four [4] year term shall be served by the Mayor elected in the next city mayoral election.

**Adopted** this the 10<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Gerald A. Jones, Jr., Mayor

Attest:

\_\_\_\_\_  
Jeanne M. Giblin, City Clerk

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David S. Whitlow  
*City Manager*

**Town of Morehead City  
Resolution of Intent 2014-50**

**To Consider an Ordinance Amending the Charter of the Town of Morehead City to Provide for Election of the Office of Mayor for a Term of Four [4] Years and Setting the Date for the Public Hearing for Tuesday, January 13, 2015 at 5:30 p.m.**

**WHEREAS**, pursuant to G.S. 160A-101 and 160A-102, the Council of the Town of Morehead City may adopt an ordinance to amend the Charter of the Town of Morehead City to implement any of the optional forms set out in G.S. 160A-101; and

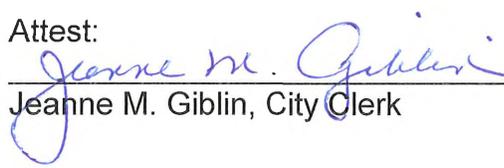
**WHEREAS**, G.S. 160A-102 requires that proposed Charter amendment first be submitted to a public hearing and that due notice thereof be published not less than ten [10] days prior to the date fixed for the public hearing.

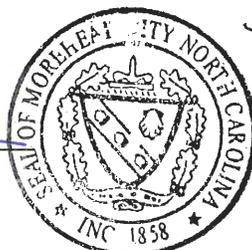
**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Morehead City that:

1. The Council hereby intends to consider an ordinance amending the Charter of the Town of Morehead City as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for the election of the Mayor by all the qualified voters of the city for a four-year [4] term, as authorized by G.S. 160A-101 (8).
2. A public hearing on the proposed ordinance is hereby called at the Municipal Chambers located in the Municipal Building, 202 South 8<sup>th</sup> Street, Morehead City, North Carolina on Tuesday, January 13, 2015 at 5:30 p.m.
3. Following the public hearing called hereby, the Council shall consider passage of the ordinance at its regular meeting on Tuesday, February 10, 2015.
4. The City Clerk is hereby directed to cause to be published in THE CARTERET NEWS TIMES a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendment.

Adopted this the 9<sup>th</sup> day of December, 2014.

Attest:

  
Jeanne M. Gibling, City Clerk



  
Gerald A. Jones, Jr., Mayor

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow  
City Manager

**TOWN OF MOREHEAD CITY  
NOTICE OF PUBLIC HEARING ON  
PROPOSED CHARTER AMENDMENT  
ORDINANCE**

The public will take notice that the Council of the Town of Morehead City, North Carolina, will conduct a public hearing in the Municipal Building located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina, at 5:30 p.m. on Tuesday, January 13, 2015, concerning a proposed ordinance amending the Charter of the Town of Morehead City as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for election of the Mayor by all the qualified voters of t Morehead City for a four [4] year term. F public hearing, the Council will consider the ordinance at its regular meeting to Tuesday, February 10, 2015.

**LEGAL NOTICES**

The public will take notice that the Council of the Town of Morehead City, North Carolina, will conduct a public hearing in the Municipal Building located at 202 South 8th Street, Morehead City, North Carolina, at 5:30 p.m. on Tuesday, January 13, 2015, concerning a proposed ordinance amending the Charter of the Town of Morehead City as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for election of the Mayor by all the qualified voters of the Town of Morehead City for a four [4] year term. Following the public hearing, the Council will consider passage of the ordinance at its regular meeting to be held on Tuesday, February 10, 2015.

Jeanne M. Giblin, City Clerk

*Please publish once: Legal Section, Carteret County News  
December 28, 2014. P. O. #60892*

Jeanne M. Giblin,  
City Clerk

D28

ry to go  
l for jobs

McCrory is on his first trade mission as North Carolina governor, visiting in a short economic trip, the governor's Tuesday, the Associated Press spokesman Josh Ellis said the governor arrived early Tuesday morning and would remain there until Mr. Ellis said the governor's activities include meeting with executives of companies. He said the talks involved economic development. McCrory is in England for a new state Commerce Department business adviser and Christopher Ellis, CEO of the Economic Partnership of North Carolina. The new organization is designed to help with corporate recruitment and business leaders. Gov. McCrory said he would be meeting with potential employers in the state. Factoring's been a big priority and continues Mr. Ellis said. McCrory, who became governor in January 2013, has made recruitment trips around the country, including one to Japan last year. He said the cost for the trip would be divided by the Department of Commerce and the Economic Partnership. He said an estimate of those costs was Tuesday.

ship  
set

Carolina's new environmental secretary has replaced two secretaries at the post, the Associated Press said. Environment and Natural Resources Secretary van der Vaart announced

secretary for natural resources. A permanent replacement has not been named.

Hearing held on  
term extension

No comments were received Tuesday during the Morehead City Council's public hearing on a proposed city charter amendment to extend the term of mayor from two years to four.

The hearing held during the council's monthly meeting at the Municipal Building at 202 S. Eighth St. was the second step in the process, after the council voted in January to hold the hearing. The next step is for council to vote on an ordinance amending the charter at its next regular meeting in February or not later than 60 days from the date of the hearing.

Finally, notice of the adopted ordinance must be published. However, if within 30 days following that publication enough citizens sign a petition demanding a referendum on the term extension, the decision will instead be put to voters in the November 2015 election.

The petition must include signatures from registered voters in the city - the smaller number of either 10 percent of those persons registered to vote in city elections or 5,000 persons. Citizen petitions must be filed with the board of elections.

MFC attending  
meeting

A majority of Marine Fisheries Commission members plan to attend a meeting of the Cape Fear For-Hire Captains' Association at 6:45 p.m. today at Saltwater Marine at 6130 Carolina Beach Road in Wilmington. The meeting is open to the public.

Though a majority of members of the commission will be in attendance, the meeting is not being organized or sponsored by the commission. The commission will not convene an official meeting and will not take any action.

The Cape Fear Captains' Association recently formed with the purpose of giving guides and charter captains a unified voice and representation in marine fisheries management. The group will discuss proposed for-hire logbook requirements.

banks to let consumers compare the costs of elective procedures and drive down rising medical prices, the Associated Press reported.

Blue Cross and Blue Shield of North Carolina on Wednesday unveiled its online tool intended to make it easy to compare costs that can differ by thousands of dollars. The database allowing questions for knee, neck or other procedures includes prices for more than 1,200 non-emergency treatments and providers statewide.

The bottom-line prices for treating an ailment do not include the discounts insurers negotiate with doctors and hospitals. Blue Cross customers have more detailed information about what their specific policy covers.

Insurers and governments started making medical costs public about a decade ago and the trend has increased in recent years.

The Web address is www.bcsnc.com/healthcarecost.

Boat fee hike  
to fund inlet work

An increase in boat registration fees could help battle the shoaling which limits travel through Oregon Inlet, the Associated Press reported.

A spokesman for state Sen. Bill Cook says the higher fees mandated last year are expected to collect about \$6 million annually for work on shallow waterways such as Oregon Inlet.

It would cost about \$7 million annually to keep a dredge working in the inlet all year. The report says the state would pay about \$3.5 million from boat fees with a match from local resources.

Also, the state is negotiating with the U.S. Department of the Interior to trade land for about 600 acres around Oregon Inlet. The state could construct jetties and a sand bypassing system to protect the inlet on land.

Burr tapped as  
committee chairman

North Carolina Sen. Richard Burr says he'll conduct "vigorous oversight" and ask tough questions as leader of the Senate Select Committee on Intelligence

Lougee named  
new principal

Laura Lougee is the new principal of Bridges School, an alternative school on the campus of West Carteret High School.

Superintendent Dr. Dan Novey made the announcement Monday.

Mrs. Lougee will fill the position left vacant when Regi Bolen resigned as principal to take a position as a special education coordinator with East Carolina University and the N.C.



LOUGEE

Department of Public Instruction. Mrs. Lougee served for Curriculum from 1997 to 2010 she worked from the Director of Schools in a North Carolina District.

Mrs. Lougee served in 2002 and served as principal and as most recently served as principal of a large school in Florida.

Mrs. Lougee holds a degree in special education master's degree in special education and a master's degree in elementary education. She holds a degree as a specialist in administration.

Advertisement for Stevenson Chevrolet. Includes a photo of Marquis Gibson, Sales Consultant, and the text 'STEVENSON CHEVROLET' and 'LIFETIME WARRANTY'.

Advertisement for Stevenson Chevrolet. Includes the text 'CHALLENGE BEGINS' and a partial image of a person's face.

**Schedule for Changing Term of Office of Mayor  
[Pending no petition for referendum is filed]**

<u>✓</u> 12/9/2014	Adopt Resolution of Intent 2014-50. Set public hearing Date for January 13, 2015.	Starts the process.
<u>✓</u> 12/11/2014	Clerk posts notice of intent in <u>December 28, 2014</u> , of THE CARTERET NEWS TIMES.	To appear at least ten days before public hearing.
<u>✓</u> 1/13/2015	Board holds public hearing.	Within next 60 days Council can adopt Ordinance. Next meeting is okay.
_____ 2/10/2015	Board adopts Ordinance effective March 17, 2015.	This would be 30 days from public hearing. Ordinance effective March 17, 2015 if no referendum petition is received.
_____ 2/12/2015	Clerk places Notice of Ordinance in <u>February 15</u> edition of THE CARTERET NEWS TIMES to begin 30 day countdown for referendum petition.	To be done within 10 days of adoption of ordinance. Feb. 15 would be 5 days after adoption.
_____ 2/15/2015 through 3/17/2015	This is the 30 day time period for citizens to petition the City for a referendum on this change.	If a referendum petition is filed, other steps will be added to this schedule to accommodate a special election.
_____ 3/17/2015	If no referendum petition is filed, ordinance becomes effective this date.	
_____ 3/20/2015	Clerk files certified true copy of ordinance with Secretary of State and Legislative Library.	

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David S. Whitlow  
*City Manager*

**TOWN OF MOREHEAD CITY  
PUBLIC NOTICE**

**ORDINANCE 2015-06 AMENDING THE CHARTER OF THE TOWN OF MOREHEAD  
CITY HAS BEEN ADOPTED PROVIDING FOR ELECTION OF THE MAYOR FOR A  
FOUR [4] YEAR TERM**

The public will take notice that the Council of the Town of Morehead City, North Carolina, has adopted Ordinance 2015-06 on February 10, 2015, amending the Town of Morehead City Charter as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for election of the Mayor by all qualified voters of the Town of Morehead City for a four [4] year term.

Jeanne M. Giblin, City Clerk

*Please publish once: Legal Section, THE CARTERET NEWS TIMES, Sunday,  
February 15, 2015. P.O. 60900.*

January 1, 2011. The governing board may look to model local government codes of ethics for guidance in developing the resolution or policy."

§ 160A-87. Ethics education program required.

(a) All members of governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall receive a minimum of two clock hours of ethics education within 12 months after initial election or appointment to the office and again within 12 months after each subsequent election or appointment to the office.

(b) The ethics education shall cover laws and principles that govern conflicts of interest and ethical standards of conduct at the local government level.

(c) The ethics education may be provided by the North Carolina League of Municipalities, North Carolina Association of County Commissioners, North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the governing board.

(d) The clerk to the governing board shall maintain a record verifying receipt of the ethics education by each member of the governing board.

History.

2009-403, s. 1.

Editor's Note.

Session Laws 2009-403, s. 1, enacted this section as G.S. 160A-84. It has been renumbered as this section at the direction of the Revisor of Statutes.

Session Laws 2009-403, s. 7, provides: "The resolution or policy containing a code of ethics that is required by G.S. 160A-86 shall be adopted by each municipality, county, local board

of education, unified government, sanitary district, and consolidated city-county on or before January 1, 2011. The governing board may look to model local government codes of ethics for guidance in developing the resolution or policy."

Session Laws 2009-403, s. 8, provides: "Except as otherwise provided in this act, this act becomes effective January 1, 2010. All members of governing boards covered by this act shall receive their initial training to comply with G.S. 160A-87 within 12 months after that date."

PART 4.

MODIFICATION OF FORM OF GOVERNMENT.

§ 160A-101. Optional forms.

Any city may change its name or alter its form of government by adopting any one or combination of the options prescribed by this section:

- (1) Name of the corporation:

The name of the corporation may be changed to any name not deceptively similar to that of another city in this State.

- (2) Style of the corporation:

The city may be styled a city, town, or village.

- (3) Style of the governing board:

The governing board may be styled the board of commissioners, the board of aldermen, or the council.

- (4) Terms of office of members of the council:

Members of the council shall serve terms of office of either two or four years. All of the terms need not be of the same length, and all of the terms need not expire in the same year.

(5) Number of members of the council:

The council shall consist of any number of members not less than three nor more than 12.

(6) Mode of election of the council:

a. All candidates shall be nominated and elected by all the qualified voters of the city.

b. The city shall be divided into single-member electoral districts; council members shall be apportioned to the districts so that each member represents the same number of persons as nearly as possible, except for members apportioned to the city at large, if any; the qualified voters of each district shall nominate and elect candidates who reside in the district for seats apportioned to that district; and all the qualified voters of the city shall nominate and elect candidates apportioned to the city at large, if any.

c. The city shall be divided into single-member electoral districts; council members shall be apportioned to the districts so that each member represents the same number of persons as nearly as possible, except for members apportioned to the city at large; and candidates shall reside in and represent the districts according to the apportionment plan adopted, but all candidates shall be nominated and elected by all the qualified voters of the city.

d. The city shall be divided into electoral districts equal in number to one half the number of council seats; the council seats shall be divided equally into "ward seats" and "at-large seats," one each of which shall be apportioned to each district, so that each council member represents the same number of persons as nearly as possible; the qualified voters of each district shall nominate and elect candidates to the "ward seats"; candidates for the "at-large seats" shall reside in and represent the districts according to the apportionment plan adopted, but all candidates for "at-large" seats shall be nominated and elected by all the qualified voters of the city.

e. The city shall be divided into single-member electoral districts; council members shall be apportioned to the districts so that each member represents the same number of persons as nearly as possible, except for members apportioned to the city at large, if any; in a nonpartisan primary, the qualified voters of each district shall nominate two candidates who reside in the district, and the qualified voters of the entire city shall nominate two candidates for each seat apportioned to the city at large, if any; and all candidates shall be elected by all the qualified voters of the city.

If either of options b, c, d or e is adopted, the council shall divide the city into the requisite number of single-member electoral districts

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160A-22 as  
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(7) Elections:

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d. **Nonpa**

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**History.**

1969, c. 629, s. 2; 1971, c. 1; 1973, c. 426, s. 19; c. 64; c. 664, s. 6.

**Local Modification**

(As to Part 4) V  
County Consolidated  
city of Bessemer C.

**Applied in Disher**  
614, 2004 U.S. Dis  
2004).

according to the apportionment plan adopted, and shall cause a map of the districts so laid out to be drawn up and filed as provided by G.S. 160A-22 and 160A-23. No more than one half of the council may be apportioned to the city at large. An initiative petition may specify the number of single-member electoral districts to be laid out, but the drawing of district boundaries and apportionment of members to the districts shall be done in all cases by the council.

## (7) Elections:

- a. **Partisan.** — Municipal primaries and elections shall be conducted on a partisan basis as provided in G.S. 163-291.
- b. **Nonpartisan Plurality.** — Municipal elections shall be conducted as provided in G.S. 163-292.
- c. **Nonpartisan Election and Runoff Election.** — Municipal elections and runoff elections shall be conducted as provided in G.S. 163-293.
- d. **Nonpartisan Primary and Election.** — Municipal primaries and elections shall be conducted as provided in G.S. 163-294.

## (8) Selection of mayor:

- a. The mayor shall be elected by all the qualified voters of the city for a term of not less than two years nor more than four years.
- b. The mayor shall be selected by the council from among its membership to serve at its pleasure.

Under option a, the mayor may be given the right to vote on all matters before the council, or he may be limited to voting only to break a tie. Under option b, the mayor has the right to vote on all matters before the council. In both cases the mayor has no right to break a tie vote in which he participated.

## (9) Form of government:

- a. The city shall operate under the mayor-council form of government in accordance with Part 3 of Article 7 of this Chapter.
- b. The city shall operate under the council-manager form of government in accordance with Part 2 of Article 7 of this Chapter and any charter provisions not in conflict therewith.

**History.**

1969, c. 629, s. 2; 1971, c. 698, s. 1; c. 1076, s. 1; 1973, c. 426, s. 19; c. 1001, ss. 1, 2; 1975, c. 19, s. 64; c. 664, s. 6.

**Local Modification.**

(As to Part 4) Wilmington/New Hanover County Consolidated Government: 1987, c. 643; city of Bessemer City: 1991, c. 293; city of

Lexington: 1987, c. 64, s. 1(2).

**Editor's Note.**

Session Laws 1975, c. 664, which added references to option e. in subdivision (6), provided in s. 6(c): "Nothing contained in this section shall be construed to alter any existing form of government of any municipality."

**CASE NOTES**

**Applied** in *Disher v. Weaver*, 308 F. Supp. 2d 614, 2004 U.S. Dist. LEXIS 3849 (M.D.N.C. 2004).

**§ 160A-102. Amendment by ordinance.**

By following the procedure set out in this section, the council may amend the city charter by ordinance to implement any of the optional forms set out in G.S. 160A-101. The council shall first adopt a resolution of intent to consider an ordinance amending the charter. The resolution of intent shall describe the proposed charter amendments briefly but completely and with reference to the pertinent provisions of G.S. 160A-101, but it need not contain the precise text of the charter amendments necessary to implement the proposed changes. At the same time that a resolution of intent is adopted, the council shall also call a public hearing on the proposed charter amendments, the date of the hearing to be not more than 45 days after adoption of the resolution. A notice of the hearing shall be published at least once not less than 10 days prior to the date fixed for the public hearing, and shall contain a summary of the proposed amendments. Following the public hearing, but not earlier than the next regular meeting of the council and not later than 60 days from the date of the hearing, the council may adopt an ordinance amending the charter to implement the amendments proposed in the resolution of intent.

The council may, but shall not be required to unless a referendum petition is received pursuant to G.S. 160A-103, make any ordinance adopted pursuant to this section effective only if approved by a vote of the people, and may by resolution adopted at the same time call a special election for the purpose of submitting the ordinance to a vote. The date fixed for the special election shall be not more than 90 days after adoption of the ordinance.

Within 10 days after an ordinance is adopted under this section, the council shall publish a notice stating that an ordinance amending the charter has been adopted and summarizing its contents and effect. If the ordinance is made effective subject to a vote of the people, the council shall publish a notice of the election in accordance with G.S. 163-287, and need not publish a separate notice of adoption of the ordinance.

The council may not commence proceedings under this section between the time of the filing of a valid initiative petition pursuant to G.S. 160A-104 and the date of any election called pursuant to such petition.

**History.**

1969, c. 629, s. 2; 1971, c. 698, s. 1; 1973, c. 426, s. 20; 1979, 2nd Sess., c. 1247, s. 11.

**Local Modification.**

City of Greenville: 1989, c. 359, s. 1.

**§ 160A-103. Referendum on charter amendments by ordinance.**

An ordinance adopted under G.S. 160A-102 that is not made effective upon approval by a vote of the people shall be subject to a referendum petition. Upon receipt of a referendum petition bearing the signatures and residence addresses of a number of qualified voters of the city equal to at least 10 percent of the whole number of voters who are registered to vote in city elections according to the most recent figures certified by the State Board of Elections or 5,000, whichever is less, the council shall submit an ordinance adopted under G.S. 160A-102 to a vote of the people. The date of the special election shall be

fixed on a date addressed to the vote. A referendum days after publi

**History.**

1969, c. 629, s. 2; Sess., c. 1247, ss. 1

**Local Modification**

City of Wilson: Castle Hayne: 201 cation of election town of Duck: 200: 2007-267, s. 1 (cor der Section 5 of th town of Rougemon upon certification poration); town of

**§ 160A-104. I**

The people, initiative peti number of que whole number the most rec whichever is describing th provisions of charter ame petition may integrated s petition, the charter ame accordance w a date permi election shal ordinance a shall not be

(i) between t publishing e proceeding t adoption or one year an the city ch months foll defeated by

The rest apply only pendency c

fixed on a date permitted by G.S. 163-287. A referendum petition shall be addressed to the council and shall identify the ordinance to be submitted to a vote. A referendum petition must be filed with the city clerk not later than 30 days after publication of the notice of adoption of the ordinance.

**History.**

1969, c. 629, s. 2; 1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, ss. 13, 15; 2013-381, s. 10.27.

**Local Modification.**

City of Wilson: 1989, c. 107, s. 1; Town of Castle Hayne: 2011-166 (effective upon certification of election results as to incorporation); town of Duck: 2001-394, s. 1; town of Eastover: 2007-267, s. 1 (contingent on preclearance under Section 5 of the Voting Rights Act of 1965); town of Rougemont: 2011-114, s. 1 (effective upon certification of election results as to incorporation); town of St. James: 1999-241, s. 1.

**Editor's Note.**

Session Laws 2013-381, s. 10.32, made the amendment to this section by Session Laws 2013-381, 10.27, applicable to special elections held on or after January 1, 2014.

**Effect of Amendments.**

Session Laws 2013-381, s. 10.27, effective January 1, 2014, substituted "on a date permitted by G.S. 163-287" for "at not more than 120 nor fewer than 60 days after receipt of the petition" at the end of the third sentence of this section. For applicability, see Editor's note.

**§ 160A-104. Initiative petitions for charter amendments.**

The people may initiate a referendum on proposed charter amendments. An initiative petition shall bear the signatures and resident addresses of a number of qualified voters of the city equal to at least ten percent (10%) of the whole number of voters who are registered to vote in city elections according to the most recent figures certified by the State Board of Elections or 5,000, whichever is less. The petition shall set forth the proposed amendments by describing them briefly but completely and with reference to the pertinent provisions of G.S. 160A-101, but it need not contain the precise text of the charter amendments necessary to implement the proposed changes. The petition may not propose changes in the alternative, or more than one integrated set of charter amendments. Upon receipt of a valid initiative petition, the council shall call a special election on the question of adopting the charter amendments proposed therein, and shall give public notice thereof in accordance with G.S. 163-287. The date of the special election shall be fixed on a date permitted by G.S. 163-287. If a majority of the votes cast in the special election shall be in favor of the proposed changes, the council shall adopt an ordinance amending the charter to put them into effect. Such an ordinance shall not be subject to a referendum petition. No initiative petition may be filed (i) between the time the council initiates proceedings under G.S. 160A-102 by publishing a notice of hearing on proposed charter amendments and the time proceeding under that section have been carried to a conclusion either through adoption or rejection of a proposed ordinance or lapse of time, nor (ii) within one year and six months following the effective date of an ordinance amending the city charter pursuant to this Article, nor (iii) within one year and six months following the date of any election on charter amendments that were defeated by the voters.

The restrictions imposed by this section on filing initiative petitions shall apply only to petitions concerning the same subject matter. For example, pendency of council action on amendments concerning the method of electing

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: IV.  
DATE: February 10, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Citizen Requests/Comments

Background Information Attached: Yes No X

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Board Action: Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_

TOWN OF MOREHEAD CITY

AGENDA ITEM: V.  
DATE: February 10, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: City Manager's Report: Update on the Upset Bid Process for 304 North 25<sup>th</sup> Street [Former Morehead City EMS Building]

Background Information Attached: Yes X No

Subsequent to the Fall 2014 advertisement for the acceptance of bids on the sale of several surplus properties, the City received an unsolicited bid for the former rescue squad building on N. 25<sup>th</sup> Street. Following the procedures specified in the General Statutes, the City went through two [2] rounds of upset bids, finally ending with a high bid of \$27,500.

The final bid was presented to the Finance and Administration Committee of the Council at its regular meeting on February 4<sup>th</sup>, and the Committee has recommended that the Council reject the bid as being too low and postpone further efforts to sell this property in order to give the market a chance to improve and hopefully get a higher price for the property sometime in the future.

***Recommended Action: Postpone further efforts to sell 304 North 25<sup>th</sup> Street [former Morehead City EMS Building] for the foreseeable future.***

Board Action: Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_

## MEMORANDUM

**TO:** Honorable Mayor and Members of Council

**FROM:** David S. Whitlow, City Manager

**SUBJECT:** Bids for N. 25<sup>th</sup> Street Property (Former Rescue Squad)

**DATE:** February 5, 2015

Subsequent to the fall 2014 advertisement for the acceptance of bids on the sale of several surplus properties, we received an unsolicited bid for the former rescue squad building on N. 25<sup>th</sup> Street. Following the procedures specified in the General Statutes, we went through two rounds of upset bids, finally ending with a high bid of \$27,500.

The final bid was presented to the Finance Committee at its regular meeting on February 4 and the committee has recommended that the Council reject the bid as being too low and postpone further efforts to sell this property to let the market improve and hopefully get a higher price for the property.

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: VI.  
DATE: February 10, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Council Requests/Comments

Background Information Attached: Yes No X

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Board Action: Approved: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_  
VOTE: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_