

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.

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David S. Whitlow  
*City Manager*

**AGENDA**  
**MOREHEAD CITY TOWN COUNCIL**  
**Tuesday, March 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: Friday, February 6, 2015, Special Meeting  
Tuesday, February 10, 2015, Regular Meeting
  - B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for February 2015, in the amount of \$4,108.74 ; and Accept the Tax Collector and Finance Director Reports for February 2015
  - C. Adopt Resolution 2015-11 Endorsing Military Appreciation Day and Authorizing Action Necessary for the Event to be held on Friday, Saturday and Sunday, May 29, 30 and 31, 2015, on the Morehead City Waterfront [Jaycee Park] and City Park [Train Depot]
  - D. Adopt Resolution 2015-12 Endorsing the Big Rock Blue Marlin [Crystal Coast Tournaments]/Downtown Morehead City Revitalization [DMCRA] Concert Event and Authorizing Action Necessary for the Event to be held Saturday, May 30, 2015 on the Morehead City Waterfront [Jib Plaza]
  - E. Request from Lou Wilson of Arts & Things to hold Artists Painting "In Plen Air" the Third Saturday of Each Month Beginning in April at the Marlin Fountain on Jib Plaza
  - F. Adopt Resolution 2015-13 Endorsing the Seventh Annual Reelin' for Research, Inc., Fishing Tournament and Authorizing Action Necessary for the Event to be held Saturday, May 2, 2015, on the Morehead City Waterfront
  - G. Adopt Resolution 2015-14 Supporting the Existing School Calendar
  - H. Award the Tournament Central [Big Rock – Jib Site Weigh Station] Project to the Lowest Bidder, T.D. Eure Marine Construction LLC, in the amount of \$109,120

- I. Award the Complete Renovation of the Men's Rest Room in the Recreation Building at 1600 Fisher Street to the lowest bidder, Brydge & Lee, in the amount of \$52,900
- III. 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
- IV. Citizen Requests/Comments: [2 minute time limit]
- V. City Manager's Report: Public Officials Travel & Training Policy
- VI. CLOSED SESSION AS PER G.S. 143.318.11[A][3] TO CONSULT WITH THE CITY ATTORNEY REGARDING USE OF CITY PROPERTY
- VII. Unfinished Business Part 2: South 11<sup>th</sup> Street Beach Access Site
- VIII. Council Requests/Comments
- IX. Adjournment



Revitalization Association [DMCRA] to hold a concert on Saturday, May 30, 2015, on the newly completed Jib Plaza. The entities will engage a band to conduct appropriate family musical entertainment on the deck at Ottis Landing beginning at 8:30 p.m. and ending at 11:30 p.m. The Public Works Committee of the Council reviewed the request and recommended its adoption.

*Adopt Resolution 2015-12 Endorsing the Big Rock Blue Marlin [Crystal Coast Tournaments]/Downtown Morehead City Revitalization [DMCRA] Concert Event and authorizing action necessary for the event to be held Saturday, May 30, 2015, on the Morehead City Waterfront [Jib Plaza].*

**II.E. Request from Lou Wilson of Arts & Things to hold Artists Painting “In Plen Air” the Third Saturday of Each Month Beginning in April and ending in Autumn at the Marlin Fountain on Jib Plaza**

Last year was the first year that Lou Wilson of Arts & Things on the Morehead City Waterfront requested the use of the area around the Marlin Fountain on Jib Square for an art event consisting of 10 – 12 [maximum] artists painting “in plen air” from 10 a.m. to 4 p.m. beginning the third Saturday of each month from April until autumn as the weather permits. The artists have easels [some have umbrellas and small tables] and painting equipment. No tents or utilities are allowed or needed. The artists would be able to sell their work. Acoustic, non-invasive music may be played during those hours. The staff at Arts & Things is responsible for the organizing and policing of the area to be sure that nothing is damaged during the time span. Also, for safety reasons, it is requested that the Shepherd Street portion of the fountain area be closed to traffic during the painting hours. This event proved very successful last year both for the local artists and those viewing the paintings. The Public Works Committee of the Council reviewed the request and recommended approval.

*Grant the request from Lou Wilson of Arts & Things to hold Artists Painting “In Plen Air” the third Saturday of each month beginning in April and ending in Autumn at the Marlin Fountain on Jib Plaza.*

**II.F. Adopt Resolution 2015-13 Endorsing the Seventh Annual Reelin’ for Research, Inc., Fishing Tournament and Authorizing Action Necessary for the Event to be held Saturday, May 2, 2015, on the Morehead City Waterfront**

Reelin’ for Research, Inc., Fishing Tournament is an annual event that raises money for the North Carolina Children’s Promise, a statewide initiative, which is a year round campaign to promote the North Carolina Children’s Hospital. The tournament events will be held on Saturday, May 2<sup>nd</sup>, 2015, at the Fabulous Fisherman’s Room, Jack’s Waterfront Bar and the 6<sup>th</sup> Street boat day docks on the Morehead City waterfront. The Public Works Committee of the Council reviewed the request at their last meeting and recommended approval.

*Adopt Resolution 2015-13 Endorsing the Reelin’ for Research, Inc. Fishing Tournament and Authorizing action necessary for the event to be held on Saturday, May 2, 2015, on the Morehead City Waterfront.*

**II.G. Adopt Resolution 2015-14 Supporting the Existing School Calendar**

Atlantic Beach Mayor Trace Cooper announced at the last Crystal Coast Mayors’ Association Meeting that it seems the General Assembly is again discussing a proposed

shortened summer vacation for school districts. The attached resolution contains information on the starting of the school year in late August and the important economic impact this has on the state. Mayor Cooper requested that all the neighboring towns adopt a similar resolution and forward it on to the State Tourism Board as well as our legislators.

*Adopt Resolution 2015-14 supporting the existing school calendar.*

**II.H. Award the Tournament Central [Big Rock – Jib Site Weigh Station] Project to the Lowest Bidder, T.D. Eure Marine Construction LLC, in the amount of \$109,120**

Bids received for the construction of the weigh station located a 709 Shepard Street [Big Rock – Jib Site] were reviewed and discussed at the last Public Works Committee Meeting. The bids received were as follows:

T.D. Eure Construction Company, Inc. of Beaufort	\$109,120.00
Bogue Banks Marine Construction	\$115,095.00

The low bidder, T.D. Eure Construction Company, is on site constructing Otis' Landing and has indicated there would be no problem including this project in the schedule. The recommendation of the Public Works Committee of the Council was for the Council to award the Tournament Central Weigh Station work to T.D. Eure Construction, Inc. in the amount of \$109,120.

*Award of Tournament Central Weight Station [Big Rock – Jib Site] to T.D. Eure Marine Construction LLC in the amount of \$109,120.*

**II.I. Award the Complete Renovation of the Men's Rest Room in the Recreation Building at 1600 Fisher Street to the lowest bidder, Brydge & Lee, in the amount of \$52,900**

Bids received for the complete renovation of the Men's Rest Room on the eastern side of the Recreation Center were received on Thursday, March 5<sup>th</sup> and were as follows:

Brydge & Lee	\$52,900
Jerry Lawrence General Contractor	\$85,900
Primus Contracting	\$90,583
S. F. Ballou Construction	\$91,999

The lowest bid from Brydge & Lee came in under budget. Because of a scheduling conflict with the bid opening, the Public Works Committee of the Council was unable to review the bids at their last meeting but recommended to accept the lowest bidder.

*Award the complete renovation of the Men's Rest Room in the Recreation Building at 1600 Fisher Street to Brydge & Lee in the amount of \$52,900.*

***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**

**Friday, February 6, 2015 at 10:00 a.m.  
Special Meeting/Council Retreat**

The Honorable Council of the Town of Morehead City met in a Special Meeting/Retreat on Friday, February 6, 2015, in the Council Chambers, Morehead City Municipal Building, 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. The purpose of the Special Meeting/Retreat was a review of the Morehead City Police Department, Fire/EMS, Webb Library and Stormwater Management. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Demus L. Thompson
	Harvey N. Walker
	Diane C. Warrender
CITY MANAGER:	David Whitlow
CITY CLERK:	Jeanne M. Giblin
OTHERS:	Bernette Morris, Interim Police Chief; Jamie Fulk, Fire/EMS Chief; and Daniel Williams, Public Services Director

Mayor Jones opened the meeting at 10:10 a.m. and thanked all for being present. He stated the purpose of the meeting was to determine what the Council envisions Morehead City to be now and in the future in order to provide direction for City staff. The question is if the Council was satisfied with the way the City is operating or would the Council like to see changes. The ultimate goal is to provide better services to the citizens.

### **I. Morehead City Police Department**

City Manager Whitlow stated that this session would focus on the transition of the Police Department due to the retirement of former Police Chief Wrenn Johnson; to receive an update on the merger of the Wildwood Fire/EMS Department; discussion of a Stormwater Plan for Morehead City, as toward the end of summer the City experienced problems with stormwater runoff that were beyond normal; and finally a discussion on the Webb Library and its future direction due to the impending departure of Sandy Bell on February 11<sup>th</sup>.

#### **Philosophy of Community Policing**

Interim Police Chief Bernette Morris expressed her thoughts that community policing meant the Police Department working together with the community to solve problems. She stated that she wanted the Morehead City Police Department to work closer with other outside agencies and toward that end she has started to reach out to others, for instance the Carteret County Sheriff's Department and in fact the Morehead City Police Department has become part of the County Sheriff's Department Drug Task Force and Special Response Technical Team.

#### **K-9 Division**

Interim Police Chief Morris commented that the Department currently has three [3] dogs; a bomb sniffing dog and two [2] narcotics dogs. The bomb sniffing dog was received through a

federal grant. The officer in charge of the bomb sniffing dog is mostly in the local schools with a student program he has developed. All the dogs are also used to track individuals and missing persons. Interim Police Chief Morris felt that one [1] narcotics dog would be sufficient. She spoke about the high costs of the maintenance and training of the animals in addition to the necessary hours of training for the handler. She recommended keeping one [1] narcotics dog and one [1] bomb sniffing dog. The extra narcotics dog could be sold, retired, donated, etc.

She stated her vision of policing would be more community oriented and getting resources to help the citizens. She spoke about her past and the help she received from the community. She envisions her police officers interacting with the community although she still understands that tickets need to be written and arrests need to be made. She sees Morehead City as a safe place to live and requested Council input on further direction.

Discussion ensued about how visitors view Morehead City and that even though tourism is a big part of the area economy, there is a necessity for upholding the law while building a rapport with the community.

Interim Police Chief Morris stated that there is a drug problem in Morehead City and that only one [1] officer is dedicated to narcotics fulltime. Her biggest concerns are drugs [which are mostly illegal pills] and shoplifting with Belks and Walmart being the largest targets.

Councilman Taylor was concerned with the duplication of services, for instance, animal control, and could not this be done by the county and also the Tactical Response Team, could not Morehead City piggyback with other agencies for these functions?

Councilman Ballou concurred that in many instances maybe these services could be shared with another agency.

The consensus of the Council was that wherever possible to have the Morehead City Police Department work with other agencies while continuing to provide the same level of high service; to make collaborative efforts and keep costs minimal.

### **Teen Court**

The Council concurred that the Teen Court was an integral part of the rapport between the community and the Police Department and should be maintained and supported. The Council also maintained that there should be continued support for the D.A.R.E. Program, the Mentoring Program and Summer Camp, etc., as these are important services and a part of community policing.

### **Dispatch Department**

Interim Police Chief Morris was of the opinion that the continued operation of both the City's Dispatch Department and the Carteret County E-911 Center was confusing and a safety issue.

Fire/EMS Chief Jamie Fulk concurred stating that City residents are using old phone numbers for emergency services which has caused some issues and that the two [2] dispatch

systems cause confusion. The E-911 Center is also able to collect important data which is of help to the two [2] departments.

City Manager Whitlow offered that the consensus was not to continue use of the Morehead City Dispatch Center and to transition to use the County E-911 system.

Councilman Thompson expressed concern for the employees of the Dispatch Center.

Interim Police Chief Morris stated that the transition will not be an issue with the current employees and would be handled.

### **Certification**

City Manager Whitlow spoke about the Morehead City Police Department Certification administered by the Commission on Accreditation for Law Enforcement Agencies, Inc. [CALEA] and that it is a costly process and the question of where or will it fit into the philosophy of community policing.

The Council questioned CALEA's value and asked for further clarification on the program.

Interim Police Chief Morris explained that it is a way for an outside agency to come in and tell if the Morehead City Police Department is doing its job correctly.

City Manager Whitlow stated that CALEA is helpful if you are an agency which is having problems as CALEA focuses on areas such as record keeping, emergency response, how to maintain evidence, etc., the organization is good for giving a framework.

Mayor Jones requested that the City Manager make a recommendation in the budget.

Councilman Thompson stated he would like the Police Department to go in a different direction than in the past.

Councilman Taylor mentioned the two [2] motorcycles in the Department and asked if they were necessary as the City should be looking at areas such as this for a cost savings.

Upon a question about updating the Records Department, Interim Police Chief Morris stated that the Records Department is very effective in terms of handling the paperwork.

***At 12:00 noon the Council broke for lunch and resumed the meeting at 12:30 p.m.***

## **II. Morehead City Fire/EMS**

### **Wildwood Fire Department Merger**

City Manager Whitlow spoke about the transition of the Wildwood Fire Department into the Morehead City Fire/EMS Department. With this transition there is the expectation of a higher level of service as the Morehead City Department is a dual department providing both fire and EMS services. There is also a very strong commitment to mutual aid in Carteret County.

Fire/EMS Chief Fulk reported that the merger brought over eight [8] new employees from the Wildwood Fire Department which has worked very well. He confided that he had anticipated personnel issues, however, these have not ensued. He stated that the internet and phone services had to be updated as well as some demolition and furnishings of the building. He stated that the employees seem glad to have stability in their lives. With the addition of that area of Morehead City, the Fire/EMS Department has picked up approximately 1.94 more emergency calls a day. The Morehead City Fire/EMS Department also received some much needed equipment from the merger.

On a question of training for the new employees, Chief Fulk stated that they have two [2] years to get the necessary training and that the costs have been minimal to get them where they need to be for today. Approximately 28,000 people are under the protection of the Morehead City Fire/EMS Department with approximately 7,000 in the Wildwood area. However, there is an influx of approximately 50,000 people per day into Morehead City.

### **ISO Rating**

Fire/EMS Chief Fulk stated that the Department is working toward the ISO inspection and rating. He explained how the ISO ratings are calculated and stated that the Department is working toward a 4/6 rating as applied to proximity of residences to fire hydrants and fire stations. He reminded the Council that the Morehead City Fire Department works with three [3] water distribution systems and that they have been training more with the Broad & Gales Creek, Beaufort, etc., Fire Departments in order to gain additional credit for the ISO. He spoke about the implementation of a water shuttle operation with the acquisition of the new tanker.

### **Desired Level of Service and Staff Constraints**

Fire/EMS Chief Fulk spoke about staff constraints to maintain a desired level of service. He explained that a full staff is 13 people a day at all three [3] Fire/EMS stations not including command staff. This is sufficient until an employee is absent. At this point the City makes do with part-time staff, however, this means that the part-time staff needs uniforms, gear, training, a physical, etc., and cannot work more than 1,000 hours per year. Also, no one is sure how the Affordable Care Act will impact the part-time employee.

Last year there were over 1,100 overlapping calls which means many emergency calls coming in at the same time. To help cure this, Fire/EMS Chief Fulk suggested reducing the part-time employee budget by half; placing the money toward a full time position [\$70,000] and hire two [2] additional personnel thus allowing one [1] person per shift to fill in for absences. The part time roster stands at 30 individuals.

Volunteers at the Fire Station have declined in recent years. Everyone wants to be paid for their services. There is also the problem of volunteer requirements, certification and the fact that OSHA has become involved.

### **Handling Non-Emergency Calls**

Fire/EMS Chief Fulk spoke about the high incidence of non-emergency calls. He offered that the City could respond to a call, assess the situation and offer other services which could help, such as provide a taxi voucher for transportation to a medical facility. This could enable staff to respond to true emergencies more quickly as it would lower the down time an ambulance and staff was assisting non-emergency calls.

City Manager Whitlow continued that Morehead City depends upon good mutual aid with our surrounding communities and that Morehead City is providing paramedic services for non-emergency situations.

Everyone feels they need an ambulance for the least emergency and that many of the calls are from “frequent flyers”. The question is how to encourage people to only call for true emergencies. Consideration has been given in non-emergency situations to defer the transport and provide a taxi token or other option.

The Council was concerned about the secondary service getting to the situation within a reasonable amount of time and Councilman Ballou had concerns about liability.

Upon a question from Councilman Taylor, Fire/EMS Chief Fulk explained that most of the collected ambulance fees are from Medicare and Medicaid.

### **III. Stormwater Management**

City Manager Whitlow explained that last fall the City experienced several storm events which left a foot of water across the north side of town and the sewer treatment plant was inundated. Water also came across Highway #70 near the Brandywine Subdivision. The problem is that many of the private ditches are not being maintained. The question is how to address this issue which would be a massive undertaking. Due to EPA [Environmental Protection Agency] laws, the City is dealing not only with quantity but quality issues also.

Mayor Jones stressed that the City needed a stormwater design plan and a policy to maintain the ditches. A lot of the problems are in the City's ETJ [extra-territorial jurisdiction] area.

Public Services Director Daniel Williams stated that the City has begun to catalog every storm drain and catch basin as a way to know where they flow and to make sure that what the City owns is in good shape and that maintenance is being done on a regular basis. Water/sewer equipment is being used to clean out ditches and storm drains. The City also experiences a tide storm drainage system as well as CAMA [Coastal Area Management Act] limitations. He demonstrated on a map the topographical features, natural water flows and basins. He stated that the City will identify basic problems and begin there. DENR [Department of Natural Resources] will not allow any more outfalls; you can make them bigger, but you cannot add more. He continued that money will be placed in the budget for the upcoming year to start some of the process to have immediate relief. The City is working with the North Carolina Railroad [NCR] and the North Carolina Department of Transportation [NCDOT] on the Brandywine situation.

Mayor Jones recommended the City consider implementing a funding source for a stormwater management program.

City Manager Whitlow explained that Stormwater Utilities come up with a unit measure called an equivalent residential unit and bases a charge on this.

The consensus of the Council to pursue an equitable charge system based on impervious coverage of property and to further pursue a stormwater management program.

#### **IV. Webb Library**

City Manager Whitlow reported that the Head Librarian for the Webb Library, Sandy Bell, resigned effective February 11, 2015. It has been the desire to have the Webb Library be included with the Carteret Craven Pamlico Library System. The issue was having someone with a Library Science Degree in place. This decision will impact filing for the open position as there is the need to have someone with a MLS [Master of Library Science] or use the Carteret Craven Pamlico Library System for the required MLS Degree. There was a list of items which had to be accomplished in order to become a part of the library system. Many of these items have been fulfilled.

It was the consensus of the Council to try to become a part of the Carteret Craven Pamlico Library System. The Manager will obtain more information on the process.

#### **V. Travel and Training Policy**

City Manager Whitlow stated that the Finance and Administration Committee has been working with public officials on a travel and training policy. This item will be on the Agenda for the March Council Meeting for consideration and adoption.

#### **VI. Adjournment**

There being no further business, the meeting was adjourned at 2:30 p.m.

Attest:

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

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

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

**Tuesday, February 10, 2015**

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, February 10, 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
	Harvey N. Walker, Jr.
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Tom Kies; Mark Hibbs, Reporter, THE

CARTERET NEWS TIMES; Linda Staab; Haywood Wilder; Interim Police Chief Bernette Morris; Holly Fletcher; and R.J. Lytle

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

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

**II. Adoption of the CONSENT AGENDA:**

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

*Approved the Minutes of Tuesday, January 13, 2015, Regular Meeting and Tuesday, January 20, 2015, Special Meeting and dispensed 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**

*Approved 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. [The Financial Reports are attached to these minutes and incorporated herein by reference.]*

**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**

*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. [The 2014 Delinquent Real Estate and*

Personal Property Tax Lists and the authorization to post and advertise the 2014 Delinquent Tax List are attached to these minutes and incorporated herein by reference.]

**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.

*Adopted 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. [Resolution 2015-08 is attached to these minutes and incorporated herein by reference.]*

**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. [Resolution 2015-09 is attached to these minute and incorporated herein by reference.]*

**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.

*Adopted 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. [Ordinance 2015-05 is attached to Ordinance Book #7 in the vault.]*

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

*Adopt the FY2015/2016 Budget Calendar as presented. [FY2015/2016 Budget Calendar is attached to these minutes and incorporated herein by reference.]*

**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. [The Closed Session Minutes of May 8, 2012 and May 16, 2012 are attached to these [2/10/2015] minutes and incorporated herein by reference. All other released Closed Session Minutes are attached to their respective meeting dates.]*

#### **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.

*Adopted Resolution 2015-10 Adopting the Carteret County Multi-Jurisdictional Hazard Mitigation Plan. [Resolution 2015-10 is attached to these minutes and incorporated herein by reference.]*

#### **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.

*Adopted Budget Ordinance Amendment 2015-07 in the General Fund to account for insurance reimbursement and a declined sidewalk grant. [Budget Ordinance Amendment 2015-07 is attached to Ordinance Book #7 in the vault.]*

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

**III.A. 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]**

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 at the January 13<sup>th</sup> Council Meeting voted in favor of the ordinance amendment. However, in order to pass a supermajority vote was necessary, hence this item was presented again whereupon only a majority vote will be necessary for passage.

Planning Director Linda Staab gave a brief synopsis on the proposal.

***Councilman Walker MOVED, seconded by Councilman Thompson, and carried unanimously, 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. [Resolution 2015-02 is attached to these minutes and incorporated herein by reference. Ordinance 2015-01 is attached to Ordinance Book #7 in the vault.]***

**III.B. 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**

Mayor Jones reported that the 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; if no valid referendum petition is received.

***Councilwoman Warrender MOVED, seconded by Councilman Thompson, to 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 commencing with the next mayoral election.***

Councilman Walker stated that it was his opinion that this amendment is basically changing the way the citizens are governed and was an issue on which the people should decide.

Councilwoman Warrander commented that at the public hearing no one spoke for or against the proposed change. She continued that with the current policy of the Mayor running for office every two [2] years, the Mayor would have one [1] year of working with the City and the next year he would have to start the political process of having to run for office again. She commented that her first year in office was a total learning process; and it was really by the third year that she truly began to feel comfortable in the position. She stated that the current Mayor has never discussed changing the charter for the Mayor serving a four [4] year term. It was her opinion that the Mayor's position should have the same advantages as the Council Members who currently serve a four [4] year term. If another individual were to be elected Mayor, that person would certainly need more than two [2] years to get familiar with the process.

Councilman Taylor supported moving to a four [4] year term for the Mayor's position. He felt this would give the individual ample time to be vetted by the community. This proposal has been before the Council many times in the past. He felt that they, as Councilmembers, make decisions for the community and it was appropriate that the City continues along this route. He also felt it makes sense financially and may have positive recruiting results as people will be more apt to run for Mayor with a four [4] year term of office as opposed to a two [2] year term.

Councilman Ballou questioned in which election term the four [4] year cycle would begin?

Councilman Taylor answered he would prefer to see it synchronized with three [3] and [3] members running for office.

Councilman Ballou commented that the term of mayor has been two [2] years in the Town of Morehead City for over 150 years. He stated that citizens have asked him, "Why was the City messing with the different term of office?" He has replied that he did not have a good answer unless it was to make it easier for the current Mayor or someone else to run for office. He was concerned that the City was changing a way the citizens were being governed. He continued that Mayor Jones had won unopposed every two [2] years for many of the past elections which he felt was a strong mandate. He stated that a two [2] year term of office was a more appropriate balance of power. He questioned the four [4] year election cycle for the Mayor's position and was of the opinion that the citizens should decide this proposal by ballot.

Councilman Walker commented that Morehead City has not had a shortage of citizens running for Mayor and questioned if this change was going to improve the City. He further commented that he could not understand why the people did not think this change was a big thing.

Councilman Taylor was of the opinion that some individuals have chosen not to run because of the expense of the process. He felt that with a four [4] year term, the Mayor should have enough time to implement his programs and prove his leadership.

Further discussion ensued.

Councilman Thompson commented that Mayor Jones and he have been on the Council together for 17 years. He also felt that if he had to run for office every two [2] years he would have dropped out long ago. He agreed that the people have the right to speak on this matter. He spoke about the equality of the Council if the terms were three [3] each being elected every four [4] years. He felt that the citizens have spoken through every election and through all the changes that have happened in Morehead City. He continued that the City was not denying the public any say and that the type of government changed when the City went to the Council/Manager form of government.

Councilman Taylor commented that the citizens are going to elect the Mayor every two [2] or four [4] years and the change to a four [4] year term will not take away their voice.

Councilman Ballou stated that he hoped the current Mayor continued on as long as he wanted to serve, but admitted that one of these days it was on his radar screen to become Mayor and that he would try his very best whether it be a four [4] year or two [2] year term.

***Councilman Warrender MOVED, seconded by Councilman Taylor, to amend the above motion that the proposed change to a four [4] year term for Mayor of Morehead City would commence with the 2017 election. The vote was four [4] to one [1] with Councilman Taylor voting opposed and Councilman Ballou abstaining [counted as a positive vote].***

***The vote to 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 was three [3] to two [2] with Councilmen Ballou and Walker voting opposed.***

[The motion needed a supermajority vote in order to pass. This ordinance will be on the March 10, 2015 Council Agenda at which time a simple majority vote will be sufficient for passage.]

Mayor Jones commented that this proposal has been brought up three [3] or four [4] times since he has been Mayor. He spoke about the current situation that every two years, in theory, you could have a complete turnover of the Council within two [2] election cycles. The term for Councilmember used to be every two [2] years and that was changed some time ago. He stated that he has been very fortunate to have been honored to hold this position for the past 16 years. He was of the opinion the change to a four [4] year term for Mayor would help with the continuity of the Council.

**IV. Citizen Requests/Comments:**

Tom Kies stated that two [2] Resolutions for the Downtown Morehead City Revitalization Association [DMCRA] were adopted and he thanked the Mayor, Council, City Manager and all the employees for their support. The DMCRA could not do it without the permission and assistance of the City.

R. J. Lytle stated that he is new to the community and lives two [2] blocks over. He was concerned with the issue of power and that the Council just extended its own power. He stated he was a constitutionalist and that the precedent to extend your own power was dangerous.

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

City Manager Whitlow reported that 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 North 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.

***Councilman Walker MOVED, seconded by Councilman Taylor, and carried unanimously, to reject all bids and postpone further efforts to sell 304 North 25<sup>th</sup> Street [former Morehead City EMS Building] for the foreseeable future.***

**V.A. Work Session Schedule**

City Manager Whitlow suggested recessing to February 26, 2015 at 5:30 p.m., to review the Morehead City Departmental goals for the upcoming budget.

When the Council could not come to an agreement as to the date for the goal session, City Manager Whitlow suggested scheduling a Special Meeting sometime in the near future and he would be in further contact with the Council as to date and time.

## **VI. Council Requests/Comments**

Councilwoman Warrender stated that the Public Works Committee was working on an equitable policy for use of the South 11<sup>th</sup> Street Water Access and that this item would probably be on the Council Agenda for March 10, 2015.

Councilman Taylor concurred with the above assessment of the South 11<sup>th</sup> Street Water Access site.

Councilman Walker reported he was pleased with the progress at the Jib site and stated it was a great job.

Councilman Ballou stated it was an honor to serve and good to be here tonight.

Councilman Thompson commented on Mr. R. J. Lytle's comments about the balance of power under Citizen Requests/Comments. He continued that may be the case in big cities, but in a small town, this does not happen with the Council/Manager form of government. He continued that it was a pleasure serving with the present Council.

Mayor Jones commented that in a strong mayoral position the Mayor is the Chief Executive Officer, however in small cities, the authority of the mayor is regulated by the Council nor does the Mayor have the authority to hire or fire, this is the City Manager's job.

## **VII. Adjournment**

There being no further business, the meeting adjourned at 6:25 p.m.

Attest:

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

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

**B.**

TOWN OF MOREHEAD CITY  
 REQUESTED REFUNDS  
 AS OF 2/28/2015  
 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	YADKIN BANK 3600 GLENWOOD AVE SUITE 300 RALEIGH, NC 27612 REF: CP ALABAMA LLC	514756	YADKIN BANK 3600 GLENWOOD AVE SUITE 300 RALEIGH, NC 27612 ATTN: ELIZABETH BUSTAMANTE	2,894.63		2894.63	DOUBLE PAYMENT (006)
2014	CINDI HAMILTON 2720 ARVON DR MOREHEAD CITY, NC 28557 REF: HOLLY H BRIGGS ETAL HAMILTON	13391	CINDI HAMILTON 2720 ARVON DR MOREHEAD CITY, NC 28557	47.70		47.70	OVERPAYMENT-REF REQUESTED 2/23/15 -8
2014	CARTERET PUBLISHING CO REF: ITAC 109 LLC	396548	CARTERET PUBLISHING CO PO BOX 1679 MOREHEAD CITY, NC 28557	1042.50		1042.50	OVERPAYMENT (008)
2014	MEDICAL PARK PHARMACY	13105	MEDICAL PARK PHARMACY POX 1586 MOREHEAD CITY, NC 28557	100.00		100.00	OVERPAYMENT PRIVILEGE LICENSE- <b>SARAH PLEASE CODE TO 10-2132-007</b>
2013	DEANIE A JONES REF: MYRON J JONES ETAL JONES	416624	DEANIE A JONES 903 DAVIS PL MOREHEAD CITY, NC 28557	1.72		1.72	OVERPAYMENT (006)
2013	ENOCH MARCHANT JR	29853	ENOCH MARCHANT JR 2101 FISHER ST MOREHEAD CITY, NC 28557	8.80		8.80	OVERPAYMENT (006)
2013	CAROL TRIMMER	510086	CAROL TRIMMER 3802 PINE NEEDLE PL NEW BERN, NC 28562	2.24		2.24	OVERPAYMENT (006)
2013	CHRISTOS CARROLL	504687	CHRISTOS CARROLL 1778 MEADOW DOWN DR FOREST, VA 24551	11.15		11.15	OVERPAYMENT (006)
						4,108.74	

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: March 4, 2015

**TOWN LEVIED TAXES:**

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

2014	\$ 85,906.46	2009	\$ 29.80	2004	\$ 0.00
2013	\$ 722.25	2008	\$ 0.00	2003	\$ 0.00
2012	\$ 189.87	2007	\$ 0.00		
2011	\$ 0.00	2006	\$ 0.00	OTHER	
2010	\$ 0.00	2005	\$ 0.00	PENALTIES	\$ 3,199.49

The following is fiscal year to date tax information through February 28<sup>th</sup>, 2015 with comparatives to 2014:

	<u>2015</u>	<u>2014</u>
Tax Scroll (Net Levy)	6,131,056.76	5,866,352.42
Taxes collected (incl. discounts, net of refunds)	5,983,708.96	5,695,036.32
Balance due on taxes	147,347.80	171,316.10
Percentage of tax collected to date	97.60%	97.08%
Prior year taxes collected to date (net of refunds)	40,338.58	40,456.48
Prior year taxes outstanding	44,377.14	40,890.63
Interest and penalties collected to date (net of refunds)	13,930.92	13,870.06

**Notes:**

1. Overpayments for February 2015 totaled \$5,785.27. Refunds requested totaled \$4,108.74.
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 January 31<sup>st</sup>, 2015 with comparative information for 2014. The County collects and remits these taxes to the Town, net of a collection fee (using figures from December 2013 as the County had not remitted any information/money for the month of January 2014).

	<u>01/31/15</u>	<u>12/31/13</u>	
Fiscal year to date tax levy	142,000.78	131,539.27	A
Interest billed on taxes	231.70	309.54	B
Total billed	142,232.48	131,848.81	C
Current year taxes collected	142,981.45	139,515.86	D
Prior year taxes collected	5,867.70	16,651.57	E
Interest collected	1,921.86	2,186.28	F
Collection fee charged (Both sys)	8,508.16	4,784.37	G
Percentage of tax collected to date	101.12%	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: March 2, 2015

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

	<u>Feb. 2015</u>	<u>Feb. 2014</u>
<b>Central Depository Funds</b>		
<u>Unrestricted Funds</u>		
Branch Bank & Trust-General disb. acct. (A)	\$ 2,682,660.77	\$ 310,459.92
Branch Bank & Trust-Money Rate acct. (.10%)	7,468,081.95	7,453,153.03
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%)	421,960.90	355,863.10
Term Account (.05%)	6,378,221.25	3,903,551.22
Finistar (.17%)	<u>2,160,847.08</u>	<u>2,157,060.08</u>
Total-unrestricted cash and investments	19,111,771.95	16,080,087.35
 <u>Restricted Funds</u>		
Branch Bank & Trust-Employee reimb. acct.	14,063.93	17,617.25
Branch Bank & Trust-USDA required restricted accts.	140,888.21	-0-
Branch Bank & Trust-USDA required restricted CD	<u>22,139.00</u>	<u>117,587.00</u>
Total-restricted cash and investments	177,091.14	135,204.25
 Total cash and investments-Feb. 28	 19,288,863.09	 16,215,291.60
Total cash and investments-Jan. 31	19,078,724.95	16,159,259.80
Increase (decrease)	210,138.14	56,031.80
Interest received Feb.	981.28	1,307.41
Interest received fiscal year to date	\$ 10,290.83	\$ 12,876.95
 <u>Loan Escrow Funds</u>		
Branch Bank & Trust-Water Treatment		
Capital Project Fund interim loan proceeds (B)	\$ -0-	\$ 758,302.53

(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.

C.

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow  
*City Manager*

**TOWN OF MOREHEAD CITY  
RESOLUTION 2015-11  
ENDORING MILITARY APPRECIATION DAY AND  
AUTHORIZING ACTION NECESSARY FOR THE EVENT TO BE HELD ON  
FRIDAY, SATURDAY AND SUNDAY, MAY 29, 30 AND 31, 2015, ON THE MOREHEAD  
CITY WATERFRONT [JAYCEE PARK] AND CITY PARK [TRAIN DEPOT]**

**WHEREAS, Military Appreciation Day, Inc.** [hereinafter called "**MAD**"] a private non-profit corporation in North Carolina, shall be responsible for conducting a "Take the Troops Fishing" event [hereinafter called **MAD**] in Morehead City during the dates of May 29 and 31, 2015, to promote appreciation of our military heroes and to promote downtown Morehead City waters as a boating and fishing destination; and

**WHEREAS, MAD** shall engage the participation of **MAD** sponsors and exhibitors to conduct fishing trips and appropriate family oriented activities in and around the Morehead City waterfront at Jaycee Park, Morehead City Park at 10<sup>th</sup> and Arendell Streets and the Morehead City Train Depot beginning on Friday, May 29, 2015, from 12:00 p.m. to 10:00 p.m. through Saturday, May 30, 2015, from 4:30 a.m. to 10:00 p.m.; and

**WHEREAS, MAD** requests the use of the Morehead City docks located at Jaycee Park for the **MAD** troop deployment and return and for the kids fishing activities beginning Friday, May 30 from 12:00 p.m., and ending Sunday, May 31, 2015, at 12:00 p.m.; and

**WHEREAS, MAD** requests the use of Sugarloaf Island on Saturday, May 30, 2015, from 10:00 a.m. to 4:00 p.m., for guests to hunt shells and play in the water.

**NOW, THEREFORE, LET IT BE RESOLVED**, by the Council of the Town of Morehead City, North Carolina, in regular session that it endorses **Military Appreciation Day [MAD]**; and

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

1. The temporary closing of portions of Evans Street between South 10<sup>th</sup> Street and South 11<sup>th</sup> Street on Saturday, May 30, 2015, from 4:30 a.m. to 10:00 p.m., on an "as needed" basis.
2. The temporary closing of the parking lot at the end of 9<sup>th</sup> and Shepard Streets on Saturday, May 30, 2015, from 4:30 a.m. to 10:00 p.m.
3. The use of City sidewalks and street sections within the boundaries of the closed streets for the event.
4. The use of Sugarloaf Island on Saturday, May 30, 2015, for guests to hunt shells and play in the water.
5. The exclusive use of Jaycee Park including the stage and gazebo and other designated open public spaces within the stated boundaries for various activities planned for the event. **In order for the Morehead City Parks & Recreation**

**Department's concert on Saturday evening at 7:00 p.m., MAD will vacate Jaycee Park at 6:00 p.m. on Saturday, May 30<sup>th</sup>.**

6. The use of the Morehead City docks located at Jaycee Park beginning Friday, May 29, 2015, from 12:00 p.m., and ending Sunday, May 31, 2015, at 12:00 p.m.
7. The use of Morehead City Park at 10<sup>th</sup> and Arendell Streets and the Morehead City Train Depot beginning on Friday, May 29, 2015, from 12:00 p.m. to 10:00 p.m. through Saturday, May 30, 2015, from 4:30 a.m. to 10:00 p.m.
8. **MAD** is hereby authorized to levy such fees as may be necessary to cover those costs associated with planning, organizing and conducting the **MAD** event.
9. **MAD** shall indemnify, reimburse, keep and hold harmless, the Town of Morehead City 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 parks, streets, sidewalks, 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 **MAD** or any exhibitor or vendor or out of the sale of all foods, goods and products during **MAD**; and also for any claim or damage which may result directly or indirectly from **MAD'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 **MAD**, or either of them, on account of any use or occupation of 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 **MAD** or any exhibitor or vendor and all goods, products and food by any of them, **MAD** will defend the Town with total costs accruing to **MAD** including all reasonable attorney fees for **MAD** and the Town. The Town of Morehead City may select Counsel of its own choosing to consult with **MAD'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 **MAD**, or either of them, **MAD** 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 **MAD** will not be limited in anyway by the limits of insurance provided for in this agreement.
10. **MAD** shall secure liability insurance effective during the course of "Take the Troops Fishing" event. Limits of the policy shall be determined by the City Manager. The kind of insurance required shall include, but not limited to, comprehensive general liability, including personal injury, blanket contracting and non-owned auto.
11. **MAD** shall be held responsible for any damage/loss to Town property within the designated boundaries and shall leave the areas broomcleaned.
12. **MAD** shall notify all the affected property owners of the street closings two [2] weeks before event.
13. **The Town of Morehead City is recognized as a sponsor and all advertising must acknowledge the City in this capacity.**
14. The City Manager shall be the liaison to **MAD** and shall determine the scope of ancillary Town services to be provided to **MAD**.

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

TOWN OF MOREHEAD CITY

---

Gerald A. Jones, Jr., Mayor

Attest:

---

Jeanne M. Giblin, City Clerk

**D.**

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor

COUNCIL

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

**TOWN OF MOREHEAD CITY  
RESOLUTION 2015 -- 12**

**ENDORING THE BIG ROCK BLUE MARLIN [CRYSTAL COAST TOURNAMENTS]/DMCRA  
CONCERT EVENT AND AUTHORIZING ACTION NECESSARY FOR THE EVENT TO BE HELD  
SATURDAY, MAY 30, 2015 ON THE MOREHEAD CITY WATERFRONT [JIB PLAZA]**

**WHEREAS**, the **Downtown Morehead City Revitalization Association, Inc. (DMCRA)** (hereinafter called "**DMCRA**"), and the **Big Rock Blue Marlin Tournament [Crystal Coast Tournaments]**, private, non-profit corporations in Morehead City, North Carolina shall be responsible for conducting a free concert in Morehead City on Saturday, May 30, 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 the Big Rock Blue Marlin Tournament; and

**WHEREAS**, the DMCRA and the Big Rock Blue Marlin Tournament will engage a band to conduct appropriate family musical entertainment on the deck at Ottis Landing beginning at 8:30 p.m. and ending at 11:30 p.m. on the evening of May 30th; and

**WHEREAS**, the DMCRA and the Big Rock Blue Marlin Tournament requests use of the deck at Ottis Landing, Jib Plaza and Shepard Street from 7<sup>th</sup> to 8<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 this free concert to cover costs associated with planning, organizing and conducting this event;

**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 DMCRA/Big Rock Blue Marlin Tournament Concert; and

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

1. The use of the deck at Ottis Landing, Jib Plaza and Shepard Street from 7<sup>th</sup> to 8<sup>th</sup> Streets on Saturday, May 30, 2015, from 5:00 p.m. to 12:00 midnight.
2. The DMCRA and the Big Rock Blue Marlin Tournament are declared independent contractors and are not employees or agents of the Town of Morehead City and are solely responsible for the planning, organizing, implementing and monitoring of the free concert.
3. The DMCRA and Big Rock Blue Marlin Tournament are solely responsible in their capacity as independent contractors 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 and Big Rock Blue Marlin Tournament 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 "the Free Concert" or any exhibitor or vendor or out of the sale of all foods, goods, products and beverages during "the Free Concert"; and also, for any claim or damage which may result directly or indirectly from "the Free Concert'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 "the Free Concert", 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 Free Concert" or any vendor and all foods, goods, products and beverages by any of them, "the Free Concert" will defend the Town with total cost accruing to "the Free Concert" including all reasonable attorney fees for "the Free Concert" and Town. The Town of Morehead City may select Counsel of its own choosing to consult with "the Free Concert'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 Free Concert”, or either of them, “the Free Concert” 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 Free Concert” will not be limited in anyway by the limits of insurance provided for in the agreement.

5. “The free concert” shall secure liability insurance effective during the course of the concert. The limits of the policy shall be determined by the City Manager. The kind of insurance required shall include, but not limited to, comprehensive general liability, including personal injury, blanket contracting and non-owned auto.
6. “The free concert” shall be held responsible for any damage/loss to Town property with the designated event boundaries and shall leave the areas used broom cleaned.
7. The Town of Morehead City is recognized as a sponsor and all advertising must acknowledge the City in this capacity.
8. The City Manager shall be the liaison person to “the free concert” and shall determine the scope of ancillary Town services to be provided to the event.

TOWN OF MOREHEAD CITY

---

Gerald A. Jones, Jr., Mayor

ATTEST:

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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  
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  
RESOLUTION 2015-13**

**ENDORING THE SEVENTH ANNUAL REELIN' FOR RESEARCH, INC. FISHING  
TOURNAMENT AND AUTHORIZING ACTION NECESSARY FOR THE EVENT  
TO BE HELD SATURDAY, MAY 2, 2015,  
ON THE MOREHEAD CITY WATERFRONT**

**WHEREAS**, Reelin' for Research, Inc. shall be responsible for conducting a major fishing tournament event in Morehead City on May 2, 2015. The Reelin' for Research, Inc. Fishing Tournament is established to raise money for the North Carolina Children's Promise, a statewide initiative, which is a year round campaign to promote the North Carolina Children's Hospital; and

**WHEREAS**, Reelin' for Research, Inc. shall engage participation of sponsors to display around the weigh station area on May 2, 2015, from 8 a.m. to 8 p.m. All other events for the Reelin' for Research, Inc. Fishing Tournament are being held at the Fabulous Fisherman's Room and Jack's Waterfront Bar; and

**WHEREAS**, Reelin' for Research, Inc. requests the use of the 6<sup>th</sup> Street City Docks and boundary necessary for the event, the use of certain sidewalks within the boundaries of the 6<sup>th</sup> Street City Docks for the location of the weigh-in station and bleachers for spectators; and

**WHEREAS**, Reelin' for Research, Inc. requests to levy such fees as may be necessary to cover those costs associated with the planning, organizing and conducting Reelin' for Research, Inc. and these fees (e.g., registration) shall be in addition to any other City fees or license normally required to cover business activities.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Morehead City, North Carolina, in regular session that it endorses the organization of Reelin' for Research, Inc.

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

1. The use of the City Docks located at 6<sup>th</sup> Street and the sidewalks within certain boundaries on May 2, 2015, from 8 a.m. to 8 p.m. for the purpose of weigh-ins.
2. Reelin' for Research, Inc. 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.

3. Reelin' for Research, Inc. 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 insuring the safety and well-being of citizens attending the activities.

4. Reelin' for Research, Inc. shall have the authority to assign exhibition and vending space and have final approval on activities or vendors allowed to be registered.

5. Reelin' for Research, Inc shall indemnify, reimburse, keep and hold harmless, the City from any liability on account of any kind of injury, damage, or liability whatsoever to persons, firms, corporations, property arising out of the occupancy or use of the City streets, sidewalks, parks, parking areas, buildings, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the City within the areas occupied, used or controlled by Reelin' for Research, Inc, or any exhibitor or vendor or out of the sale of any goods and products during the event; and also, for any claim or damage which may result directly or indirectly from the failure of Reelin' for Research, Inc to carry out this agreement, except that the City shall remain liable for any actions due to the negligence of the City or its employees or due to the intentional wrongdoing of the City or its employees. In the event that any suit or proceeding is brought against the City at law or in equity, either independently or jointly with Reelin' for Research, Inc, or either of them, on account of any use or occupation of City streets, sidewalks, parks, parking areas, buildings, toilet facilities, docks and any other property, buildings and facilities owned, leased or under the control of the City within the areas occupied, used or controlled by Reelin for Research, Inc or any exhibitor or vendor and all goods, products and food by any of them, Reelin' for Research, Inc will defend the City with total cost accruing to Reelin' for Research, Inc including all reasonable attorney fees for Reelin' for Research, Inc and the City. The Town of Morehead City may select Counsel of its own choosing to consult with the Reelin' for Research, Inc attorney and/or participate in the defense of such suit or proceeding. In the event of final judgment or decree being obtained against the City, either independently or jointly with Reelin' for Research, Inc, or either of them, Reelin' for Research, Inc 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 City completely harmless there from.

6. Reelin' for Research, Inc shall secure liability insurance effective during the course of the activities. Limits of the policy shall be determined by the City Manager. The kind of insurance required shall include, but not limited to comprehensive general liability, including personal injury, blanket contracting and non-owned auto.

7. Reelin' for Research, Inc shall be held responsible for any damage/loss to City property within the designated event boundaries and shall leave the area used clean.

8. The Town of Morehead City is recognized as a sponsor and all advertising must acknowledge the City in this capacity.

9. The City Manager shall be the liaison person to Reelin' for Research, Inc and shall determine the scope of ancillary City services to be provided to Reelin for Research, Inc.

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

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

Attest:

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

**G.**

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL  
George W. Ballou, *Mayor Pro Tem*  
Demus L. Thompson  
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David S. Whitlow  
*City Manager*

**Town of Morehead City  
Resolution 2015-14  
Supporting the Existing School Calendar**

**WHEREAS**, the travel and tourism industry is a vital component of North Carolina's economic stability as benefits of tourism touch each of the state's 100 counties; and

**WHEREAS**, direct tourism employment continues to grow in lodging, transportation, food service and retail employment sectors to help serve visitors that spend more than \$55 million per day in North Carolina; and

**WHEREAS**, in 2013, domestic travelers spent a record \$20.2 billion, up from \$19.4 billion in 2012, an increase of 4.1 percent; and

**WHEREAS**, this record visitor spending supported more than 40,000 North Carolina businesses and directly supported nearly 200,000 jobs all across the state; and

**WHEREAS**, North Carolina's 2013 total visitor volume was 52.2 million, up nearly 16 percent from 2012; and

**WHEREAS**, studies show that starting school in late August produces as much as \$1 billion each year in economic growth through increased tourism-related sales; and

**WHEREAS**, a majority of other states have late August start dates, with no discernable impact on student learning or test scores;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Morehead City Council supports the existing North Carolina Law requiring schools to begin in late August, the traditional time for back-to-school.

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

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

Attest:

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

H.

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**MEMORANDUM**

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**TO:** MAYOR & CITY COUNCIL  
**FROM:** DANIEL WILLIAMS, PUBLIC SERVICES DIRECTOR  
**SUBJECT:** TOURNAMENT CENTRAL WEIGH STATION BID  
**DATE:** 3/6/2015  
**CC:** DAVID WHITLOW, CITY MANAGER

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At the last regularly scheduled Public Services Committee meeting bids received for the construction of the weigh station located at 709 Shepard St. were reviewed and discussed.

Requests for quotes were forwarded to three marine contractors with two responding. T.D. Eure Construction Co., Inc. of Beaufort, NC was low bid in the amount of \$109,120.00. The project is funded from the NCER trust fund loan proceeds of \$407,000.

The contractor is on site constructing Otis' Landing and has indicated there would be no problem including this project in his schedule. The contractor will have 45 days to build. Liquidated damages are set at \$250/day.

Recommendation from the Committee was for the City Council to award the Tournament Central Weigh Station work to T.D. Eure Construction, Inc.

**Bid Tabulation**  
**Town of Morehead City**  
**Tournament Central**  
**March 5, 2015**

			TD Eure Marine Construction LLC	Bogue Banks Marine Construction
ITEM	DESCRIPTION	UNIT		
1.	DEMOLITION and removal of two existing piers and associated framing, & pilings and removal of approx. 955 SF of decking including disposal at a site provided by the contractor in accordance with the plans and specifications.	LS	\$3,500.00	\$3850.00
2.	INSTALL two existing offsite pilings provided by others for weigh station in accordance with the plans and specifications.	LS	\$1,200.00	\$1750.00
3.	PROVIDE and install 12" class B piles for floating docks, dolphins, new deck section including at gangway; additional pilings for step down, etc. and approx. 945 SF of new decking in accordance with plans and specifications.	LS	\$53,965.00	\$53,200.00
4.	PROVIDE and set two aluminum gangways in accordance with the plans and specifications.	LS	\$9,600.00	\$11,145.00
5.	PROVIDE and set one intermediate floating dock with piles and blocking to maintain a preset elevation and one 47'1" x 8.5' floating dock in accordance with the plans and specifications.	LS	\$24,144.00	\$27,500.00
6.	TOURNAMENT CENTRAL dredging of 714 CY including disposal at a site provided by the contractor in accordance with the plans and specifications.	LS	\$15,316.00	\$15,900.00
7.	South 8 <sup>th</sup> St. dredging of 65 CY including disposal provided by the contractor in accordance with plans and specifications.	LS	\$1,395.00	\$1,750.00
<b>TOTAL BID</b>			<b>\$109,120.00</b>	<b>\$115,095.00</b>

1.

C . R . F R A N C I S / A R C H I T E C T U R E  
 329 middle st. new bern, nc 28560 phone: 252.637.1112 fax: 252.637.7698

BID TABULATION – SINGLE PRIME BID – INFORMAL BID

Renovation – Men's Gym Toilet – W S King Building  
 Town of Morehead City  
 1600 Fisher Street  
 Morehead City, NC

Date: 5. March 2015 Time: 2:00pm

Contractor	Base Bid	Low Bid
Brydge & Lee	52,900	
Jerry Lawrence General Contractor	85,900	
Primus Contracting	90,583	
SF Ballou Construction	91,999	
Thomas Simpson Construction		



Located at  
 329 middle street

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.A.  
DATE: March 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.

At the Council Meeting held February 10, 2015, this matter was again addressed by the Council at which time four [4] of the five [5] Councilmembers concurred that it would be best if the Ordinance would take effect with the election to be held in 2017 in order to have an equal distribution of three [3] Councilmembers seeking election each election cycle. The motion to adopt the Ordinance for the change from a two [2] year term of office for the Mayor to a four [4] year term did not receive a supermajority in order to be adopted. The proposed ordinance, which was amended so that the first four [4] year term shall be served by the Mayor elected in the 2017 mayoral election, is again presented for a second reading at which time a simple majority will suffice for adoption. The ordinance would become effective on April 13, 2015, if no referendum petition is received.

***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 commencing with the 2017 municipal election.***

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 April 13, 2015.

Section 3. The first such four [4] year term shall be served by the Mayor elected in the 2017 mayoral election.

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

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

Attest:

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

**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 March 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 which will commence with the 2017 election.

Jeanne M. Giblin, City Clerk

*Please publish once:*

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

✓ _____ 12/9/2014	Adopt Resolution of Intent 2014-50. Set public hearing Date for January 13, 2015.	Starts the process.
✓ _____ 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.
✓ _____ 1/13/2015	Board holds public hearing.	Within next 60 days Council can adopt Ordinance. Next meeting is okay.
✓ _____ 2/10/2015	<del>Board adopts Ordinance effective March 17, 2015.</del> <u>Needed a Super Majority vote. Will be on March 10 Agenda for Simple Majority vote.</u>	This would be 30 days from public hearing. Ordinance effective <del>March 17, 2015</del> if no referendum petition is received.
_____ 3/10/2015	March 10 <sup>th</sup> Agenda for simple majority vote.	Ordinance effective April 13, 2015 if no referendum petition is received.
_____ 3/11/2015	Clerk places Notice of Ordinance in <u>March 13</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. March 10 would be 3 days after adoption.
_____ 3/13/2015 through _____ 4/13/2015	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.
_____ 4/13/2015	If no referendum petition is filed, ordinance becomes effective this date.	
_____ 4/17/2015	Clerk files certified true copy of ordinance with Secretary of State and Legislative Library.	

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor

COUNCIL  
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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

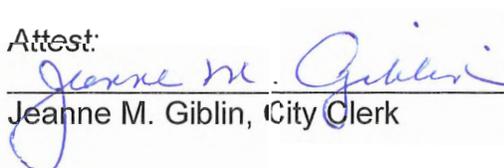
**WHEREAS**, G.S. 160A-102 requires that proposed Charter amendment first be submitted to a public hearing and that due notice thereof be published not less than ten [10] days prior to the date fixed for the public hearing.

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

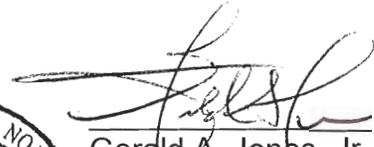
1. The Council hereby intends to consider an ordinance amending the Charter of the Town of Morehead City as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for the election of the Mayor by all the qualified voters of the city for a four-year [4] term, as authorized 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. Giblin, City Clerk



  
Gerald A. Jones, Jr., Mayor

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

George W. Ballou, Mayor Pro Tem  
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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 the Town of Morehead City for a four [4] year term. Following the public hearing, the Council will consider the ordinance at its regular meeting to be held on 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 Japan in a short economic development trip, the governor's office said Tuesday, the Associated Press reported.

McCrory spokesman Josh Ellis said the governor arrived in Japan early Tuesday morning and will remain there until Friday. Mr. Ellis said the governor's activities include meeting with executives of companies. He said the talks involved providing more details on economic development.

McCrory is in England for a new state Commerce Department business meeting and Christopher Ellis, CEO of the Economic Partnership of North Carolina, Mr. Ellis said. The new organization is designed to help with corporate recruitment and training.

Gov. McCrory said he will be meeting with potential employers in the state. Manufacturing's been a big priority and continues to be, Mr. Ellis said.

McCrory, who became governor in January 2013, has made recruitment trips to other countries, including one to Japan last year, he said.

He said the cost for the trip will be divided by the state Department of Commerce and the Economic Partnership. He has an estimate of those costs Tuesday.

ship  
set

North Carolina's new environmental secretary has replaced two secretaries at the state, the Associated Press reported.

Department of Environment and Natural Resources Secretary Van der Veert 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.bcbnsnc.com/healthcarecost](http://www.bcbnsnc.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 Novy 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 Schools. Mrs. Lougee worked for Curriculum from 1997 to 2002 as the Director of Schools in a North Carolina District.

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

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



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 an  
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(7) Elections:

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163-2

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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 qua 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 a 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: March 10, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Citizen Requests/Comments: [2 minute time limit]

Background Information Attached: Yes No X

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

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: V.  
DATE: March 10, 2015

TO: The Honorable Mayor and Town Council  
FROM: David S. Whitlow, City Manager  
SUBJECT: City Manager's Report: Public Officials Travel & Training Policy  
Background Information Attached: Yes  No

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Changes in the IRS interpretations of travel and training reimbursements for bodies such as the Council have created confusion in recent months. In order to clarify what is allowed and what kind of documentation is required, the Finance and Administration Committee undertook the development of a uniform policy for the City Council.

The Committee has discussed this proposal at length and has recommended adoption by the full Council. If adopted by the Council, this will regulate all future travel and training by the Council and Mayor.

***Recommended Action: Adopt the Morehead City Public Officials Travel & Training Policy as presented.***

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

## MEMORANDUM

**TO:** Honorable Mayor  
Members of Council

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

**SUBJECT:** Council Travel and Training Policy

**DATE:** March 5, 2015

Changes in the IRS interpretations of travel and training reimbursements for bodies such as the Council have created confusion in recent months. In order to clarify what is allowed and what kind of documentation is required, the Finance and Administration Committee undertook the development of a uniform policy for the City Council.

The Committee has discussed this proposal at length and has recommended adoption by the full Council. If adopted by the Council, this will regulate all future travel and training by the Council and Mayor.



Town of Morehead City

PUBLIC OFFICIALS TRAVEL & TRAINING POLICY  
VERSION 2.0 (DRAFT RECOMMENDED BY THE  
ADMINISTRATION/FINANCE COMMITTEE)

JANUARY 1, 2015

# Public Officials Travel Expense & Allowance Policy

## Monthly Allowance

Covers the following items in relation to business of the Town of Morehead City:

- Minor office supplies.
- Use of personal vehicle within Carteret County.
- Meals in Carteret County relating to activities serving the public other than “official functions”. (Examples of “official functions” may include but not be limited to Mayors and Managers Association meetings and Port Committee meetings. Meals for “official functions” paid for directly by a public official will be reimbursed as noted below in the section Meals.)
- Use of personal “land line” telephone, cell phone, and/or other electronic devices
- 

The Town of Morehead City will follow the policies and procedures below when paying travel and travel related expenses for public officials.

## Transportation (Outside of Carteret County)

[Detailed receipts must be submitted with travel reimbursement report.](#)

- Use of personal vehicle - payment will be made for actual miles driven at the current federally approved mileage rate (Expenses relating to repairs, towing or other related maintenance are included in the federal mileage rate).
- Other modes of transportation – travel by airplane, rental vehicle, taxi, etc. will be paid at actual cost. Reimbursement will be made at rates for coach fare for airlines and economy model rental cars unless there are extenuating circumstances.
- Other travel related costs – payment will be made for other costs such as parking fees and tolls.
- 

## Meals

[Detailed receipts must be submitted with travel reimbursement report.](#)

- Outside of Carteret County – payment will be made for actual expense of meals and non-alcoholic beverages.
- Meals within Carteret County – only meals related to serving the public at “official functions” are eligible for reimbursement (see examples of “official functions” in the section Monthly Allowance, item 3 above). Meals other than those for “official functions” that are purchased within Carteret County solely for the convenience of the traveler are not eligible for reimbursement.
- 

## Tips

- Tips for meals eligible for reimbursement will be reimbursed at actual cost not to exceed 20% of the reimbursable portion of the meal costs.
- Tips for hospitality services (maid service, bellhop, etc.) not to exceed \$10 per day total.
- 

## Hotel & Lodging (Outside of Carteret County)

[Detailed receipts must be submitted with travel reimbursement report.](#)

- Payment will be made for actual costs (including deposits and taxes). Public Officials should choose reasonably priced lodging. Entertainment costs such as in room movies are not eligible for reimbursement.
- Reimbursement will not be made for hotel & lodging within Carteret County.
- Public officials not cancelling reservations in time to avoid fees/charges without a legitimate reason will be expected to reimburse the Town for any forfeited fees/charges.

## Other Costs

[Detailed receipts must be submitted with travel reimbursement report.](#)

- Other costs related to travel and/or training such as registration, texts, materials, etc. will be reimbursed at actual costs.
-

## Travel Expense Reports

- A Travel Expense Report must be submitted within three business days of travel return date.
- All applicable detailed original receipts should be attached. Credit card receipts showing total only will not be accepted. Request for reimbursement for otherwise allowable expenses without an itemized receipt will result in non-reimbursement of expenditures.
- Any unused portion of the travel advance must be returned with the Travel Expense Report.
- If there are any questions about the submitted report, the report will be returned to the submitting party for explanation or modification.
- Travel Expense Reports must have City Manager or Mayor approval prior to submission to Finance.
- 

## Travel Advance

- A travel advance may be requested by submitting an "Advance Travel Request" form. Costs should be estimated for the anticipated trip and the request should not exceed the projected costs.
- The City Manager or Mayor must approve travel advances and approval must be obtained before submitting the "Advance Travel Request" to the Finance Department for payment.
- 

## Other Related Information

- Travel advances and reimbursements will generally be paid with the accounts payable check run closest to and prior to the travel date if requested in a timely manner. Refer to the annually distributed accounts payable calendar to determine due dates for all payment requests.
- The City Manager or Mayor may approve any exceptions to the above.
- The Town will pay reasonable costs for a spouse/guest to accompany a public official to an event at which the public official represents the Town and it is customary for a spouse/guest to attend as evidenced for example by a separate spouse/guest registration fee. An event to which spouses have accompanied Morehead public officials in the past (e.g. customary) is the NC League of Municipalities fall conference.

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: VI.  
DATE: March 10, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: CLOSED SESSION AS PER G.S. 143.318.11[A][3] TO CONSULT WITH  
THE CITY ATTORNEY REGARDING USE OF CITY PROPERTY

Background Information Attached: Yes No X

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Motion to enter into CLOSED SESSION:

Second to MOTION:

Vote:

Motion to return to OPEN SESSION:

Second to MOTION:

Vote:

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



## MEMORANDUM

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

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

**SUBJECT:** Small Boat Storage at S. 11<sup>th</sup> Street

**DATE:** March 5, 2015

The Town Council previously discussed the need to reconsider the allowing of small boat storage at the S. 11<sup>th</sup> Street street end. The Public Works Committee received a briefing from the City Attorney regarding the use of street rights of way for purposes other than vehicular and pedestrian access. After discussion, the Committee decided to simply forward the draft regulations, as is, to the full Council and to ask the City Attorney to brief the entire Council in closed session before proceeding with any further discussions on this matter. Attached to this memorandum are the draft regulations.

## Boating Access Facilities

### S. 10<sup>th</sup> and 11<sup>th</sup> Streets

#### Regulations

1. These facilities are open for public use from 1 hour before sunrise until 1 hour after sunset. Use at all other times is prohibited except under special permit issued by the Morehead City Department of Parks and Recreation.
2. These facilities may be used for swimming, walking, sun bathing, fishing, sailing, picnicking and launching and storage of non-motorized watercraft as defined in these regulations.
3. These facilities are for hand launching and storage of non-motorized vessels including kayaks, canoes, sailboards, paddleboards, sailing and rowing dinghies, mono-hull sailboats up to 14 feet in length and multi-hull sailboats up to 18 feet in length.
4. All vessels stored on site must be in a usable condition.
5. Major repairs and replacement activity shall not be performed on site.
6. Storage is permitted only on the provided racks for kayaks and canoes up to the capacity of the racks and only in assigned spaces.
7. Storage of sailboats and dinghies is permitted on the ground or on an owner provided cradle within designated assigned spaces.
8. No storage of equipment or vessels will be allowed except as specified in items 6 and 7. This includes masts, sails, ropes, rudders, oars, paddles, anchors, flotation devices, etc.
9. Halyards should be secured on all sailboats to minimize slapping against the mast.
10. No trailers or motor vehicles are allowed beyond the paved portions of the facilities.
11. No overnight parking of trailers or vehicles is permitted in the parking lot or storage area.
12. All vessels, boating equipment, storage devices and launching dollies stored on the property must be removed between January 15 and March 1 each year. Anything left on the site between these dates will be treated as abandoned and will be removed and disposed of by the Town of Morehead City with no further notice.
13. All vessels stored on site must display a Town issued sticker.
14. Vessels storage on either site must be done in such a fashion that trip hazards, blocking of pedestrians and other users, and interference with other vessels is minimized. The Town reserves the right to remove or eliminate any hazard that it observes without notice.
15. Use of the sites is at the users' own risk. The Town of Morehead City is not responsible for any theft, damage or injury that occurs on the site.
16. Users shall place any litter or trash in the provided receptacles. Household trash is not permitted in these receptacles.
17. Users should be respectful of our neighbors and other users.
18. The Town of Morehead City reserves the right to amend, alter, revoke or further change these rules at any time. Please check the sign regularly for any changes.
19. Overnight and long-term storage is limited to permit holders only. Non-permitted vessels will be removed by the Town.
20. Permits are issued to full-time and part-time town residents on a first come basis, one permit per household.
21. The total number of permits issued is \_\_\_\_ for canoe and kayak racks at S. 10<sup>th</sup> Street and \_\_\_\_ for sailboat storage at S. 11<sup>th</sup> Street.

22. Permits are issued annually to those applying in person at the Morehead City Recreation Center, \_\_\_ Fisher Street, beginning at 9:00 AM on the second Wednesday in February and applications will be received only until such time as all permits are issued.
23. Permits will be issued upon receipt of a completed application, evidence of residency (tax bill, utility bill, etc.) and a \$25.00, non-transferable, non-refundable fee.
24. Upon issuance, permit holders will sign a statement acknowledging that all vessels shall be removed upon issuance of a hurricane warning for Morehead City and vicinity by the National Hurricane Center.
25. For information or questions contact Director, Morehead City Department of Parks and Recreation, 252-726-5083, ext. 5.

**TOWN OF MOREHEAD CITY**

**AGENDA ITEM: VIII.  
DATE: March 10, 2015**

**REQUEST FOR TOWN COUNCIL ACTION**

**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 \_\_\_\_\_ Naves \_\_\_\_\_ Postponed/Tabled \_\_\_\_\_**