



AGENDA
MOREHEAD CITY TOWN COUNCIL
Tuesday, April 14, 2015 at 5:30 p.m.
Municipal Chambers
202 South 8th Street

- I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance
- II. Adoption of the CONSENT AGENDA:
 - A. Approval of Minutes: Tuesday, March 3, 2015, Special Meeting
Tuesday, March 10, 2015, Regular Meeting
 - B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for March 2015, in the amount of \$4.94; and Accept the Tax Collector and Finance Director Reports for March 2015
 - C. Adopt Budget Ordinance Amendment 2015 – 12 in the General Fund to Decrease Planning & Inspections Budget by \$20,000 and Increase Central Services Budget the Same for the Acquisition of a Plotter Utilized by Multiple Departments; in the Water/Sewer Fund to adjust the Budget for the Interest Payment on the USDA Revenue Bond
 - D. Approve Annual Contract with McGladrey, LLP for Audit Services
 - E. Adopt Resolution 2015-20 Endorsing the Raleigh Salt Water Sportfishing Club King Mackerel Tournament and Authorizing Action Necessary for The Event to be held Friday, July 24 to Sunday, July 26, 2015 on the Morehead City Waterfront
 - F. Contiguous Annexation Request from Ridge Care, LLC, on behalf of 35th Street Professional Center, LLC, for property located at 221 Friendly Road, Tax PIN 636616949402000, approximately 7.0 acres, zoned RMF [Residential Multifamily] and R20 [Single Family Residential] District -- Adopt Resolution 2015-18 Requesting the Clerk to Investigate the Petition and Resolution 2015-19 Setting the date of the Public Hearing for Tuesday, May 12, 2015 at 5:30 p.m.
 - G. Award Repair of the Flashing on the Morehead City Police Department Building located at 300 North 12th Street to the Low Bidder, Stone Restoration of America in the Amount of \$112,227.00

III. Public Hearings:

- A. Rezoning Request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to Rezone Tax PIN #6377-2092-1272-000 located at 2608 Country Club Road from R20 [Single-Family Residential] to R15 [Single-Family Residential] -- Adopt Resolution 2015-16 and Ordinance 2015-09**
- B. Rezoning Request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties, Inc., to Rezone Tax PIN #6346-1297-4076-000 located on McCabe Road from PD [Planned Development] to R15 [Single-Family Residential] – Adopt Resolution 2015-15 and Ordinance 2015-08**
- C. Rezoning Request submitted by Sam Hooker, on behalf of Ridge Care, LLC, to Rezone Tax PIN #'s 6366-1694-5560-000 and 6366-1694-9402-000 located at 221 Friendly Road from RMF [Residential Multi-Family] and R20 [Single-Family Residential] to RMF-CU [Residential Multi-Family Conditional Use] – Adopt Resolution 2015-17 and Ordinance 2015-10**

IV. New Business:

- A. Adopt Resolution 2015-21 Providing for the Issuance of a \$4,932,000 Water and Sewer System Revenue Bond, Series 2015 and Approval of Bond Order Authorizing the Same**
- B. Adopt Ordinance 2015-13 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 – 174, Schedule VIII – One Way Streets; Section 9 – 176 [c], Schedule X – Stop Intersections; and Adding Section 9 – 175 [b], Schedule IX – No-Through Streets**

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

VI. City Manager's Report: Webb Memorial Library – Membership in Craven/Pamlico/Carteret Regional Library System

VII. Council Requests/Comments

VIII. Approve CLOSED SESSION Minutes of Tuesday, March 10, 2015

IX. Adjournment

The Town of Morehead City received the contract to audit accounts for FYE 6/30/2015 from McGladrey, LLP at a cost of \$45,500. Morehead City has entered into an agreement with the auditing firm for their services through FYE 6/30/2017, however, the actual annual contract must be approved by the Council each year. The Finance and Administration Committee of the Council reviewed the proposed contract and recommended approval.

Approve the annual contract with McGladrey, LLP for audit services for FYE 6/30/2015.

II.E. Adopt Resolution 2015-20 Endorsing the Raleigh Salt Water Sportfishing Club King Mackerel Tournament and Authorizing Action Necessary for the Event to be held Friday, July 24 to Sunday, July 26, 2015 on the Morehead City Waterfront

This is the fifth year this group has requested the use of specific waterfront areas and ancillary services from Morehead City. Most of the venue has been changed to Otis Landing at Jib Plaza with Jaycee Park being used for a net-casting contest on Saturday. The Public Works Committee of the Council reviewed the request and recommended approval.

Adopt Resolution 2015-20 Endorsing the Raleigh Salt Water Sportfishing Club King Mackerel Tournament and Authorizing Action Necessary for the Event to be held Friday, July 24 to Sunday, July 26, 2015 on the Morehead City Waterfront.

II.F. Contiguous Annexation Request from Ridge Care, LLC, on behalf of 35th Street Professional Center, LLC, for property located at 221 Friendly Road, Tax PIN 636616949402000, approximately 7.0 acres, zoned RMF [Residential Multifamily] and R20 [Single Family Residential] District -- Adopt Resolution 2015-18 Requesting the Clerk to Investigate the Petition and Resolution 2015-19 Setting the date of the Public Hearing for Tuesday, May 12, 2015 at 5:30 p.m.

The Parcel Identification Number under consideration for annexation (636616949402000) is contiguous to the present City limits, contains approximately 7.00 acres and is zoned RMF (Residential Multifamily) and R20 (Single-Family Residential) District. The site in question is not part of a subdivision, and therefore will not fragment a subdivision. The current tax value of the property is estimated to be \$202,080. Based on a 33-cent tax rate, \$666.86 in tax revenues would be generated. Water and sewer will be accessed from Friendly Road. All costs associated with extending the water/sewer service to the newly annexed property will be the responsibility of the owner.

Adopt Resolution 2015-18 requesting the Clerk to investigate the petition and Resolution 2015-19 setting the date of the Public Hearing for Tuesday, May 12, 2015 at 5:30 p.m.

II.G. Award Repair of the Flashing on the Morehead City Police Department Building located at 300 North 12th Street to the Low Bidder, Stone Restoration of America in the Amount of \$112,227.00

On Tuesday, April 7, 2015, the following bids were received for the repair of the window and door flashings at the Morehead City Police Department Building:

Stone Restoration of America	\$112,227.00
Statesville Roofing & Building Restoration, Inc.	\$198,700.00

Requests for quotes were sent to seven [7] contractors with two [2] responding. The low bid for this work is from Stone Restoration of America based in Charlotte, N.C. Attached is a copy of the bid tab.

Since construction of the new Police Department Building, intrusion of rain water during Hurricanes Irene and Sandy as well as winter storm Nemo, have occurred. In determining the cause of this intrusion it was discovered the flashing over the windows and doors of the building were not properly installed. The Council appropriated funds in this year's budget to correct this condition. The low bid is under the funding amount set aside for this work. With the Council's approval and award to the low bidder, preparation can begin to have the repairs made.

Award repair of the flashing on the Morehead City Police Department Building located at 300 North 12th Street to the Low Bidder, Stone Restoration of America in the amount of \$112,227.00.

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

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Naves _____ Postponed/Tabled _____

A.

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

**Tuesday, March 3, 2015 at 5:30 p.m.
Special Meeting/Budget Session**

The Honorable Council of the Town of Morehead City met in a Special Meeting/Budget Session on Tuesday, March 3, 2015, in the Council Chambers, Morehead City Municipal Building, 202 South 8th Street, Morehead City, North Carolina. The purpose of the Special Meeting/Budget Session was a review of the Morehead City Departmental FY 2015/2016 Budget requests. 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:	Interim Police Chief Bernette Morris, Fire/EMS Chief

Jamie Fulk, Finance Director Ellen Sewell, IT Manager Will Lucas, Police Captain Bill Dixon, Human Resources Officer Susan Nixon, Recreation Director Craig Lands, and Planning Director Linda Staab

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

City Manager Whitlow stated the meeting was to set the course for the coming year as far as general departmental desires and to commit to the projects that the Council had set in motion. He reported that Public Services Director Daniel Williams was out sick and was not in attendance so Public Utilities and Public Works will not be discussed.

Parks & Recreation Department – Recreation Director Craig Lands

Recreation Director Craig Lands stated that one of his Department's requests would be the under the field drain system for the soccer fields at Rotary Park which has been requested for the past two [2] to three [3] years at an approximate cost of \$65,000. He spoke about the soccer fields being too wet for playing and as soccer is a year round sport, the fields are very heavily used. Placing synthetic grass on the field would be another option in terms of costs with this grass having a shelf life of ten [10] years.

New floors are needed in the fitness areas at the Recreation Center which would cost approximately \$30,000.

Recreation Director Craig Lands reported that the tennis courts at Shevans Park need to be redone. The cracks were sealed five [5] years ago, however, the base is now cracked. The lighting at the tennis courts also needs to be addressed. The costs for the resurfacing and lights would be approximately \$150,000.

The restrooms at the west end of the Recreation Center should also be slated for refurbishing. A project for the future would be adding restrooms at the Mitchell Village Park or at the 10th Street Boat Ramp.

For safety issues, the resurfacing of the tennis courts and the flooring in the fitness areas of the Recreation Center should be priorities.

Fire/EMS Department – Fire/EMS Chief Jamie Fulk

Due to the merger with the Wildwood Fire Department, the Morehead City Fire/EMS Department has adequate air packs. The Department will acquire and utilize a tanker with the proceeds from Carteret County. There is a need to fund another ambulance. An ambulance could be acquired for \$100,000 by remounting the current box on a new chassis. The current reserve ambulance is from 2006 which could place the Department in a situation where if one [1] is not replaced soon, there may be a need for two [2] new ambulances in the near future.

Upon a question from Councilman Taylor regarding using county funds for a new ambulance, City Manager Whitlow replied that Morehead City does not have purview over that as it is entirely a county decision. A new ambulance would cost approximately \$150,000.

Fire/EMS Chief Fulk continued that the heating element in the bays at Fire Station No. 1 needs replacing.

Chief Fulk continued that he would like to reduce the funding for the part time staff by half to fund another full-time position which would start in October 2015. He would try to grant fund two [2] other full-time positions.

He continued that he is working with the Police Chief on radio system communication failures. Radio communication is poor at the western end of town and especially in the big box stores. The radios carried on the person do not have the necessary range. This could be fixed with placing a microwave to relay at a cost of \$50,000 for equipment, installation, etc. There may be funding from the county to assist with this project.

Police Department – Interim Chief Bernette Morris

The transfer to the use of the E-911 Center will save the Morehead City Police Department four [4] part-time positions.

There is a need to replace 30 gas masks at the rate of six [6] per year at a cost of \$300 each. The uniform allowance should be increased by \$3,000 to purchase shoes. Interim Police Chief Morris stated that the improvement in radio communications as was previously discussed is a priority. She also proposed increasing the budget for the maintenance of vehicles from \$23,000 to \$30,000 in order to do a more preventative maintenance program. Travel and training budget needs to be increased due to the use of field arms training. Leases need to be increased by \$900 for the storage of an evidence vehicle. Dues and subscriptions need to be increased due to placing computers in the police vehicles, using mobile internet services and other on-line investigative tools.

Under Capital Outlay, two [2] fully equipped Chevrolet Tahoes are necessary in addition to the Animal Control van needing replacement by a mini-van. Police Captain Bill Dixon explained the use of the vehicle fleet and the necessity for the new Chevrolet Tahoes.

Interim Police Chief Morris also mentioned that the Department needed a new finger print machine and three [3] more watch guard cameras.

Inspections & Planning Department – Planning Director Linda Staab

Planning Director Staab reported that development is on the upswing. She spoke about the increased demand in the permitting process. She requested another clerical position in order to take some of the clerical duties away from the Building Inspectors to make those positions more efficient. At the present time, all the Planning vehicles are in good shape. She supports the enhanced audio-visual updates at the Municipal Building. She requested extra money to tear down a condemned building in town. She spoke about ISO ratings and the impact on home owners' insurance.

Finance Department – Finance Director Ellen Sewell

The Department needs a new copier and scanning equipment which will be requested in the budget. The Travel and Training budget needs to be increased due to the new position of the Assistant Finance Director and the need for her to attain Government Finance Officer Certification. Under the Capital Improvement Plan there are safety concerns for Billing & Collections especially at the Front Counter and also the Planning Department. This could be alleviated perhaps with the purchase of an alarm software program. Software dealing with financial transparency for the City's website will have to continue to be maintained.

The county re-evaluation showed a decrease of less than 1 percent [1%] for Morehead City.

The City will continue to fund the liability of retiree medical insurance. Finance Director Sewell explained that she would like to have the City set aside \$50,000 more than these actual costs. This funding could be done incrementally adding to the funds going forward. She also would like to continue funding the police separation allowance in this manner also for a "cushion". The Department will continue to aggressively collect taxes and utility bills.

Human Resources Department – Human Resources Officer Susan Nixon

This was the second year for the implementation of the employee compensation plan, the EAP [Employee Assistance Program] was instituted as well as the hiring of a Health Insurance Consultant. The Wellness Program was a success with 100 percent [100%] employee participation. The City is hoping to make the 5 percent [5%] credit toward Blue Cross/Blue Shield employee health insurance. The City has a very active Safety Program in place.

The exchange server needs to be purchased this year. She introduced Will Lucas, the City's new IT Manager. A new department will be developed for IT. The new server in City Hall may be delayed until next year. The Personnel Policy Update is close to completion. Into FY2015/2016, the City will continue the retirement and health programs and implement year three [3] of the compensation plan.

Webb Memorial Library – City Manager David Whitlow

City Manager Whitlow reported that discussions have been held with Carteret County for the Webb Memorial Library becoming a part of the Regional Library System which looks very positive. The Regional Library System would absorb the current staff. An Advisory Board will be named in order to keep the “flavor” of the Webb Library alive. James Swann is the current Acting Library Director with the retirement of Sandy Bell. The City would like to have this take effect July 1, 2015.

General Administration – City Manager David Whitlow

City Manager Whitlow stated that the IT Department would become independent of the Administration Department. The City continues to work with its Benefit Consultant on employee health insurance. There may be an increase this year from Blue Cross/Blue Shield and the City will get quotes from other insurance companies. The City will continue to look for efficiencies to keep costs as low as possible.

Work continues on the Succession Program and helping employees to move up in the organization.

The MORE for Morehead Christmas Coat Give Away was a success and the City continues to do a lot of activities for better interaction between the staff and the community.

The City is getting closer to reaching an agreement with the state for the purchase of Katherine Davis Park. This may cost the City \$175,000 a year if we want to acquire the park and the riparian rights. The City would inherit the boat slip fees. It is important for the City to acquire the park.

Travel and Training will need a slight increase because City Clerk Jeanne Giblin will become the President of the North Carolina Association of Municipal Clerks. The recodification of the Code of Ordinances is ongoing and will be an item in next year’s budget.

It was a good year for sales tax revenue which will help offset the loss of the privilege license fees. Also the ABC [Alcoholic Beverage Control] revenue is up.

Upon a question as to the future of the Charles Wallace Building, City Manager Whitlow replied that the City will conduct a structure analysis of the building. After that is complete, a determination of the progress of the building will be made.

Adjournment

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

Gerald A. Jones, Jr., Mayor

Attest:

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

Tuesday, March 10, 2015

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, March 10, 2015, at 5:30 p.m., in the Municipal Chambers located at 202 South 8th 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: Craig Lands; Tom Kies; Don Gray; Bill Dixon;

Holly Fletcher; Mark Hibbs, Reporter, THE CARTERET NEWS TIMES; Corinne Geer; Roldan Munoz; Casey Wagner; Crystal Hesmer; Lou Teer; Pollas Teer; Rob Cheshire; Lou Wilson; Katrina Smith

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

Mayor Jones stated that Item 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, will be changed as Brydge & Lee rescinded their bid due to a verified mathematical error.*

**II.A. Approval of Minutes: Friday, February 6, 2015, Special Meeting
Tuesday, February 10, 2015, Regular Meeting**

Approved the Town Council Minutes of Friday, February 6, 2015, Special Meeting and Tuesday, February 10, 2015, Regular Meeting and dispensed with the reading.

II.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

Approved the requests for release of overpayment of ad valorem taxes for February, 2015, in the amount of \$4,108.74; and accepted the Tax Collector and Finance Director Reports for February 2015. [The financial documents are attached to and made a part of these minutes herein by reference.]

II.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]

The first Military Appreciation Day [MAD] started in the former Raps Restaurant on May 21, 2006, and has since grown to include a good portion of downtown Morehead City. Military Appreciation Day is an event dedicated to a day of fishing, food and live entertainment for active duty military, guard and reserve members and their families. The Public Works Committee of the Council reviewed the request at their last meeting and recommended approval.

Mr. Don Gray, a representative of MAD, stated he has been with MAD since 2008. This is the tenth year for this event to be held in Morehead City. Last year over 500 troops got to fish and feed their families and enjoy Morehead City. MAD has over 300 volunteers who work on putting on this event many of whom come down in the days before the event to fish and enjoy the area. He continued that he has received great support this year from the community and he thanked them and the Council for allowing the event in Morehead City.

Adopted 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]. [Resolution 2015-11 is attached to and made a part of these minutes herein by reference.]

II.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]

This is the first occasion for this joint venture with the Big Rock Blue Marlin Tournaments [Crystal Coast Tournaments] and the Downtown Morehead City 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.

Casey Wagner, on behalf of the Big Rock/Blue Marlin Tournament, stated he appreciated everyone's support of this event.

Adopted 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]. [Resolution 2015-12 is attached to and made a part of these minutes herein by reference.]

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 and painting equipment. No 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.

Lou Wilson requested if the artists could bring tents or sun shades to get out of the sun and the Council concurred with her request. She also thanked Morehead City for allowing these events to take place.

Granted 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 2nd, 2015, at the Fabulous Fisherman’s Room, Jack’s Waterfront Bar and the 6th 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.

Holly Fletcher stated that she is one of the liaisons for the tournament. People come from all over the state for this event which is in its seventh year and has hit the million dollar mark in raising funds for charity. There are no prizes in this tournament all the money is returned to charity, mainly for cancer awareness. She thanked the Council for allowing this event to be held in Morehead City.

Adopted 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. [Resolution 2015-13 is attached to and made a part of these minutes herein by reference.]

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 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.

Adopted Resolution 2015-14 supporting the existing school calendar. [Resolution 2015-14 is attached to and made a part of these minutes herein by reference.]

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.

Awarded the 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, Jerry Lawrence General Contractor in the amount of \$85,900~~

Award the Complete Renovation of the Men's Rest Room in the Recreation Building at 1600 Fisher Street to the lowest bidder, Jerry Lawrence General Contractor in the amount of \$85,900

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 5th 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 was rescinded by the bidder due to a verified mathematical error. The next lowest bid was Jerry Lawrence General Contractor in the amount of \$85,900. City Staff recommended the acceptance of the bid from Jerry Lawrence General Contractor in the amount of \$85,900.

Awarded the complete renovation of the Men's Rest Room in the Recreation Building at 1600 Fisher Street to Jerry Lawrence General Contractor in the amount of \$85,900.

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

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

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, was 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.

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 2017 municipal election. The motion carried with a vote of three [3] to two [2] with Councilman Ballou and Walker voting opposed.

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

Katrina Smith of 2807 Myrtle Street, Morehead City stated that she was pleased to see that the Council was reconsidering the storage of small boats at the South 11th Street Beach Access. She continued that she saw that many of the boats have a difficult time with launching especially the Hobie Cats. She stated that she hoped that a compromise could be reached to help the sailors in the community.

Roldan Munoz 1610 of Ivory Gull Drive, Morehead City stated he appreciated the work of the Council and hoped the South 11th Street Beach Access would be reopened to boat storage.

V. City Manager's Report: Public Officials Travel & Training Policies

City Manager David Whitlow reported that 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 discussed this proposal at length and has recommended adoption by the full Council. Once adopted by the Council, this will regulate all future travel and training by the Council and Mayor.

Councilman Taylor MOVED, seconded by Councilman Thompson, and carried unanimously, to adopt the Morehead City Public Officials Travel & Training Policy as presented.

VI. CLOSED SESSION AS PER G.S. 143.318.11[A][3] TO CONSULT WITH THE CITY ATTORNEY REGARDING POTENTIAL LITIGATION

Councilman Thompson MOVED, seconded by Councilman Ballou, and carried unanimously, to enter into CLOSED SESSION.

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to return to OPEN SESSION.

VII. Unfinished Business Part 2: South 11th Street Beach Access Site

The Town Council previously discussed the need to reconsider the allowing of small boat storage at the South 11th Street Beach Access site.

Mayor Jones stated that he would entertain a motion to release the restrictions at the South 11th Street Beach Access to allow overnight storage and to approve the presented guidelines for the use of the property.

Councilman Thompson MOVED, seconded by Councilman Taylor, to release the restrictions at the South 11th Street Beach Access to allow overnight storage of small boats and to approve the presented guidelines for the use of the property.

Councilwoman Warrender commented that she felt that the City should keep the hand launch area at the South 11th Street Beach Access and not include the South 10th Street Boat Launch area for the hand launch of small boats. She felt that the area at South 10th Street was difficult to launch small boats from dollies.

Councilman Ballou replied that the City was going to use both places because of limited storage and access, therefore, leaving both areas open for use by small hand launched boats.

Councilman Thompson commented that the City opened South 10th Street for the purpose of launching small motorized boats to help alleviate the boat traffic at the Visitor's Center site.

Mayor Jones commented that the regulations are a start which can be tweaked in the future.

City Manager Whitlow said he would check on the removal of the pilings in that area and that the proposed regulations would be updated with a procedure for registration set in place.

With that, Councilman Thompson amended the motion as presented with the exception of allowing small boat storage at the end of the South 10th Street. The motion was seconded by Councilman Taylor and carried unanimously.

VIII. Council Requests/Comments

Councilwoman Warrender commented that she was glad that the South 11th Street Beach Access could be worked out. Morehead City is a waterfront community and public water access is there for everyone's enjoyment.

Councilman Taylor commented he was glad to see the issue settled. The Morehead City Council has long history of promoting public access. This is a move in that direction.

Councilman Walker stated that the use of South 11th Street Beach Access is a good idea and positive for the City.

Councilman Ballou commented there was so much pressure from both sides of the issue, the sailors and the property owners. He was glad that the City was able to reach a good conclusion and a good policy.

Councilman Thompson stated he was 100 percent [100%] for the public use of the property.

Mayor Jones commented that it was a matter of property rights and public access. He charged the public to help the City with the maintenance of the beach access site and to self-regulate themselves; to adhere to the regulations; when it is time to remove the boats for winter to do so; and not to encroach on private property.

IX. Adjournment

There being no further business, the meeting was adjourned at 6:30 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

DRAFT

B.

TOWN OF MOREHEAD CITY
 REQUESTED REFUNDS
 AS OF 3/31/2015
 PREPARED BY SHIRL MEADOWS, TAX COLLECTOR

Tax Year	Payee/Taxpayer	Parcel No. and/or Account No.	Requested by/ Refund to	Amount of Tax & Interest Paid	Amount of Interest Due	Total Refund	Reason
2013	KEVIN BLACK	426654	KEVIN BLACK 6409 STONERIDGE CT KANNAPOLIS, NC 28081	4.94		4.94	OVERPAYMENT(10-2132-006)
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						4.94	

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: April 1, 2015

TOWN LEVIED TAXES:

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

2014	\$ 61,983.74	2009	\$ 29.80	2004	\$ 0.00
2013	\$ 1,886.40	2008	\$ 0.00	2003	\$ 0.00
2012	\$ 8.27	2007	\$ 0.00		
2011	\$ 0.00	2006	\$ 0.00	OTHER	
2010	\$ 0.00	2005	\$ 0.00	PENALTIES	\$ 3,028.24

The following is fiscal year to date tax information through March 31st, 2015 with comparatives to 2014:

	<u>2015</u>	<u>2014</u>
Tax Scroll (Net Levy)	6,131,209.08	5,865,989.04
Taxes collected (incl. discounts, net of refunds)	6,045,692.70	5,758,072.96
Balance due on taxes	85,516.38	107,916.08
Percentage of tax collected to date	98.61%	98.16%
Prior year taxes collected to date (net of refunds)	42,233.25	42,605.13
Prior year taxes outstanding	42,481.32	38,717.14
Interest and penalties collected to date (net of refunds)	16,959.16	19,421.73

Notes:

1. Overpayments for March 2015 totaled \$1,782.76. Refunds requested totaled \$4.94.
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 February 28th, 2015 with comparative information for 2014. The County collects and remits these taxes to the Town, net of a collection fee.

	<u>2/28/15</u>	<u>2/28/14</u>	
Fiscal year to date tax levy	159,345.44	204,042.82	A
Interest billed on taxes	141.44	862.86	B
Total billed	159,486.88	204,905.68	C
Current year taxes collected	160,357.78	183,366.62	D
Prior year taxes collected	5,941.95	1,466.73	E
Interest collected	2,063.30	3,216.80	F
Collection fee charged (Both sys)	9,718.96	6,593.20	G
Percentage of tax collected to date	101.02%	89.87%	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: April 6, 2015

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

Central Depository Funds	<u>Mar. 2015</u>	<u>Mar. 2014</u>
<u>Unrestricted Funds</u>		
Branch Bank & Trust-General disb. acct. (A)	\$ 2,681,319.55	\$ 219,915.42
Branch Bank & Trust-Money Rate acct. (.10%)	7,348,714.61	8,353,855.11
Branch Bank & Trust Cert. Of Deposit	-0-	1,000,000.00
North Carolina Capital Mgmt. Trust-		
Cash Account (.02%)	121,165.38	655,401.75
Term Account (.08%)	7,078,682.27	3,903,879.41
Finistar (.17%)	<u>2,161,468.49</u>	<u>2,157,657.98</u>
Total-unrestricted cash and investments	19,391,350.30	16,290,709.67
<u>Restricted Funds</u>		
Branch Bank & Trust-Employee reimb. acct.	11,240.04	14,313.10
Branch Bank & Trust-USDA required restricted accts.	140,889.41	-0-
Branch Bank & Trust-USDA required restricted CD	<u>22,139.00</u>	<u>97,163.00</u>
Total-restricted cash and investments	174,268.45	111,476.10
Total cash and investments-Mar 31	19,565,618.75	16,402,185.77
Total cash and investments-Feb. 28	19,288,863.09	16,215,291.60
Increase (decrease)	276,755.66	186,894.17
Interest received Mar.	981.28	2,008.18
Interest received fiscal year to date	\$ 12,032.88	\$ 14,885.13
<u>Loan Escrow Funds</u>		
Branch Bank & Trust-Water Treatment		
Capital Project Fund interim loan proceeds (B)	\$ -0-	\$ 464,226.25

- (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

FY 2014-2015 BUDGET ORDINANCE AMENDMENT –2015 - 12

	Annual Budget Before Amendment	Annual Amended Budget	Difference
GENERAL FUND			
The purpose of this amendment is to adjust the budget as follows:			
<ul style="list-style-type: none"> • To decrease the Planning & Inspections budget by \$20,000 and increase the Central Services budget by the same amount for the acquisition of a new plotter that will be utilized by multiple departments/funds. There is no change in the total amount of the budget. 			
Revenue			
Ad valorem taxes	\$ 6,268,200	\$ 6,268,200	\$ -0-
Other taxes	73,000	73,000	-0-
Unrestricted intergovernmental	3,045,700	3,045,700	-0-
Restricted intergov'tal revenue	519,225	519,225	-0-
Permits and fees	215,000	215,000	-0-
Sales and services	200,700	200,700	-0-
Investment earnings	5,000	5,000	-0-
Miscellaneous	36,020	36,020	-0-
Other financing sources			
Approp. fund balance-restr. & committed	368,615	368,615	-0-
Approp. Fund balance-unassigned	913,935	913,935	-0-
TOTAL GENERAL FUND REVENUE	\$11,645,395	\$11,645,395	\$ -0-
Expenditures			
Mayor/Council	\$ 81,200	\$ 81,200	\$ -0-
Administration	441,100	441,100	-0-
Finance	471,275	471,275	-0-
Cemetery/Bldg. & Grounds	471,100	471,100	-0-
Central Services	739,800	759,800	20,000
Garage	116,850	116,850	-0-
Community Projects	75,835	75,835	-0-
Police	3,572,995	3,572,995	-0-
Federal forfeiture funds	18,700	18,700	-0-
Planning & Inspections	514,175	494,175	(20,000)
Transportation	808,875	808,875	-0-
Powell Bill	525,300	525,300	-0-
Library	217,175	217,175	-0-
Recreation	648,500	648,500	-0-
Parks	313,650	313,650	-0-
Debt Service	542,511	542,511	-0-
Transfers to other funds	2,524,244	2,524,244	-0-
Reimbursements from other funds	(643,200)	(643,200)	-0-
Contingency	205,310	205,310	-0-
TOTAL GENERAL FUND EXPEND.	\$11,645,395	\$11,645,395	\$ -0-

	Annual Budget Before Amendment	Annual Amended Budget	Difference
--	---	-----------------------------	------------

WATER/SEWER FUND

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

- To increase the Debt Service budget in the amount of \$16,000 and utilize (decrease) Contingency by the same amount to pay the first interest payment due June 1, 2015 on the USDA Revenue Bond which provided permanent financing for water treatment related improvements at Country Club Rd., Arthur Farm Rd., and Mayberry Loop Rd. There is no change in the total amount of the Water/Sewer Fund budget.

Revenue	\$ 6,505,675	\$ 6,505,675	\$ -0-
Expenditures	\$ 6,505,675	\$ 6,505,675	\$ -0-

This ordinance shall become effective upon adoption.

Adopted as submitted this the 14th day of April, 2015

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne M. Giblin, City Clerk

E.

RESOLUTION 2015-20

ENDORISING THE RALEIGH SALT WATER SPORTFISHING CLUB KING MACKEREL TOURNAMENT AND AUTHORIZING ACTION NECESSARY FOR THE EVENT TO BE HELD JULY 24 – 26, 2015

WHEREAS, the Raleigh Salt Water Sportfishing Club King Mackerel Tournament [hereafter called RSWSC KMT 2015] a non-profit corporation in North Carolina, shall be responsible for conducting a major fishing tournament event in Morehead City on July 24 – 26, 2015. The RSWSC KMT 2015 shall engage in promoting sport fishing throughout Carteret County and the State of North Carolina; to promote conservation among sports fishermen; to raise money for charities (the Take a Kid Fishing Foundation, Inc. and the Dale Ward Marine Scholarship); to preserve maritime culture and heritage; and to promote marine education. The Town of Morehead City will provide solely ancillary services as requested by the RSWSC KMT 2015; and

WHEREAS, the RSWSC KMT 2015 shall engage participation of sponsors to display around the weigh-in station area at Otis Landing on Jib Plaza from Friday, July 24th at 12:00 Noon to Sunday, July 26th at 3:00 p.m., and

WHEREAS, the RSWSC KMT 2015 requests the use of Otis Landing on Jib Plaza from Thursday, July 23rd until Monday, July 27th for tent setup and breakdown; and

WHEREAS, the RSWSC KMT 2015 requests the temporary closure of the parking spaces along the front of Jaycee Park on Shepard Street between 8th and 9th Streets, the use of the first four [4] westernmost Morehead City Boat Docks at Jaycee Park, and the sidewalks nearest the Big Rock Weigh Station to be used for weigh-in and spectator viewing; on Saturday, July 25, 2015; and

WHEREAS, the RSWSC KMT 2015 requests to levy such fees as may be necessary to cover those costs associated with the planning, organizing and conducting the RSWSC KMT 2015 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 wholeheartedly endorse the organization of the RSWSC KMT 2015; and

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

1. The use of Otis Landing on the Jib Plaza from Thursday, July 23, 2015 to Monday, July 27th, 2015, for tent setup and breakdown. The use of Jaycee Park from Saturday, July 25, 2015 from 7:00 a.m. until 6:30 p.m. **This use shall not interfere with the Town of Morehead City's Parks & Recreation "Concert in the Park" to be held at Jaycee Park from 7:00 p.m. to 8:30 p.m. on Saturday, July 25, 2015.**
2. The temporary closure of the parking spaces along the front of Jaycee Park on Shepard Street between 8th and 9th Streets, the use of the first four [4] westernmost Morehead City Boat Docks at Jaycee Park and the sidewalks nearest the Big Rock Weigh Station to be used for weigh-in and spectator viewing.
3. The RSWSC KMT 2015 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.
4. The RSWSC KMT 2015 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.
5. Subject to Morehead City approval, the RSWSC KMT 2015 shall have the authority to assign exhibition and vending space and have final approval on activities or vendors allowed to be registered.
6. The RSWSC KMT 2015 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 parks, streets, sidewalks, 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 the RSWSC KMT 2015, or any exhibitor or vendor or from 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 the RSWSC KMT 2015 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 the RSWSC KMT 2015, or either of them, on account of any use or occupation of City street, 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 the RSWSC KMT 2015 or any exhibitor or vendor and all goods, products and food by any of them, the

RSWSC KMT 2015 will defend the City with total cost accruing to the RSWSC KMT 2015 including all reasonable attorney fees for the RSWSC KMT 2015 and the City. The Town of Morehead City may select Counsel of its own choosing to consult with the RSWSC KMT 2015'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 City, either independently or jointly with the RSWSC KMT 2015, or either of them, the RSWSC KMT 2015 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 therefrom.

7. The RSWSC KMT 2015 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.
8. The RSWSC KMT 2015 shall be held responsible for any damage/loss to City property within the designated event boundaries and shall leave the area used clean.
9. The RSWSC KMT 2015 will notify all property owners in the vicinity of the event at least one [1] month before the event.
10. The Town of Morehead City is recognized as a sponsor or host and all advertising needs to acknowledge this.
11. The City Manager shall be the liaison person to the RSWSC KMT 2015 and shall determine the scope of ancillary City services to be provided to the RSWSC KMT 2015.

Adopted this the 14th day of April, 2015.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

F.



MEMORANDUM

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

FROM: Linda V. Staab, Planning Director

RE: Friendly Road Annexation Request

DATE: March 23, 2015

- A. The Parcel Identification Number under consideration for annexation (636616949402000) is contiguous to the present city limits. The parcel contains approximately 7.00 acres and is zoned RMF (Residential Multifamily) and R20 (Single-Family Residential District).
- B. The site in question is not part of a subdivision, and therefore will not fragment a subdivision.
- C. The current tax value of the property is estimated to be \$202,080. Based on a 33-cent tax rate, \$666.86 in tax revenues would be generated.
- D. Water and sewer will be accessed from Friendly Road. All costs associated with extending the water/sewer service to the newly annexed property will be the responsibility of the owner.

LVS/sw

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., *Mayor*



David S. Whitlow
City Manager

COUNCIL

George W. Ballou, *Mayor Pro Tem*
Demus L. Thompson
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CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Morehead City, North Carolina

I, Jeanne M. Giblin, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31(c), as amended.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Town of Morehead City, this the 14th day of April, 2015.

Jeanne M. Giblin, City Clerk

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow
City Manager

RESOLUTION NO. 2015-18

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition has been received by the Town Council of the Town of Morehead City; and

WHEREAS, G.S. 160A-31(c) provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Morehead City, deems it advisable to proceed in response to this request for annexation;

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

That the City Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of her investigation.

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

ADOPTED: _____

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

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David S. Whitlow
City Manager

RESOLUTION NO. 2015-19

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the Town Council of the Town of Morehead City has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morehead City, North Carolina;

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held at the Council Chambers, 2nd floor, 202 South 8th Street, Morehead City, at 5:30 o'clock p.m. on the 12th day of May, 2015.

Section 2. The area proposed for annexation is described as follows:

Exhibit "A"

Lying and being situated in Morehead Township, Carteret County, North Carolina, and being more particularly described as follows:

Beginning at an existing iron pipe located in the western right of way of Friendly Road, said point also being located S53-49-04W 811.68 feet from an existing Parker Ka Ion nail located at the centerline intersection of Friendly Road and Gordon Court, thence from said beginning point and following the western right of way of Friendly Road with a curve to the left having a radius of 1535.00 feet and a length of 60.17 feet a chord bearing and distance of S41-27-26W 60.17 feet to an existing iron pipe, thence leaving said right of way and following the northern lines of Carolina Telephone and Telegraph, Friendly Properties, LLC, and ITAC 109, LLC., the following bearings and distances; NS0-20-35W 266.77 feet to a set iron rod; N36-25-18W 6.59 feet to an existing concrete monument; S28-54-13W 38.24 feet to an existing iron pipe; N37-13-22W 296.51 feet to an existing iron pipe; N61-04-21W 187.34 feet to an existing iron pipe; N61-10-22W 40.24 feet to an existing iron pipe; N61-02-05W 109.98 feet to an existing iron pipe; S28-53-27W 105.84 feet to an existing iron pipe; N61-07-28W 97.52 feet to an existing iron pipe located in a 30 foot overhead electric easement, thence leaving said northern lines and following said overhead electric easement the following bearings and distances; N23-58-25E 143.11 feet to an existing iron pipe; N23-06-50E 381.97 feet to an existing iron pipe; thence leaving said overhead electric easement and following the Stephanie Sledge southern line the following bearings and distances; S60-51-06E 590.28 feet to an existing iron pipe, S60-14-46E 59.95

RESOLUTION NO. 2015-19

feet to an existing iron pipe; thence leaving said southern line and following the western and southern line of New Life Assembly of God the following bearings and distances; S29-56-19W 379.39 feet to an existing iron pipe; S37-23-08E 150.19 feet to an existing iron pipe bent; S50-15-22E 262.06 feet to an existing iron pipe the point and place of beginning containing 7.00 acres.

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

ADOPTED: _____

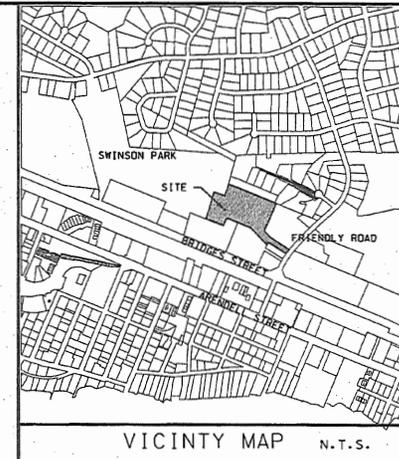
- NOTES:
- 1) AREA BY COORDINATES.
 - 2) NO 404 WETLANDS SHOWN.
 - 3) NO UTILITIES SHOWN.
 - 4) PROPERTY IS WOODED AND VACANT.
 - 5) NOT ALL EASEMENTS OF RECORD ARE SHOWN ON THIS PLAT.

I, _____, THE CITY CLERK OF MOREHEAD CITY, DO HEREBY CERTIFY THAT THE MOREHEAD CITY TOWN COUNCIL APPROVED THIS MAP AND THE SITE HAS BEEN APPROVED FOR ANNEXATION AND RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS:

DATE: _____
CITY CLERK: _____

ADOPTED BY THE TOWN OF MOREHEAD CITY TOWN COUNCIL ORDINANCE NO. _____

DATE: _____
EFFECTIVE DATE OF ORDINANCE: _____



M.B. 32 PG. 406

N/F SWINSON PARK
D.B. 350 PG. 146
NCPIN 636612857009000

N/F 35TH STREET
PROFESSIONAL CENTER
D.B. 1463 PG. 337
NCPIN 636616945560000

N/F ITAC 109, LLC
D.B. 1094 PG. 455
NCPIN 636616944211000

30' OVERHEAD
ELECTRIC EASEMENT
S.S. M.B. 32 PG. 406
D.B. 706 PG. 242
D.B. 851 PG. 174

N/F STEPHANIE SLEDGE
D.B. 1203 PG. 376
NCPIN 637613042926000

N/F EMILY SLEDGE
D.B. 1446 PG. 141
NCPIN 637613045710000

N/F NEW LIFE ASSEMBLY OF GOD
D.B. 877 PG. 191
NCPIN 637613043370000

N/F FRIENDLY PROPERTIES, LLC
D.B. 1349 PG. 284
NCPIN 637613031904000

N/F CAROLINA TELEPHONE
& TELEGRAPH
D.B. 731 PG. 548
M.B. 28 PG. 568
NCPIN 637613033923000

AREA TO BE ANNEXED
7.00 ACRES

EXISTING PK NAIL
IN CENTERLINE INTERSECTION
OF GORDON COURT & FRIENDLY RD.

- LEGEND
- EIR = EXISTING IRON ROD
 - EIP = EXISTING IRON PIPE
 - R/W = RIGHT OF WAY
 - TEL = TELEPHONE
 - OE = OVERHEAD ELECTRIC
 - MB = MAP BOOK
 - DB = DEED BOOK
 - PG = PAGE
 - CO = CLEAN OUT
 - WM = WATER METER
 - FH = FIRE HYDRANT
 - CP = COMPUTED POINT
 - LP = LIGHT POLE
 - ELEC = ELECTRIC

CERTIFICATE OF SURVEY
AND ACCURACY

I, E. GLENN CORBETT, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOKS REFERENCED); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOKS REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 26TH DAY OF MARCH, A.D. 2015.

E. GLENN CORBETT, PLS PROFESSIONAL LAND SURVEYOR
L-3407
LICENSE NUMBER



I, E. GLENN CORBETT, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND.

E. GLENN CORBETT, PLS PROFESSIONAL LAND SURVEYOR
L-3407
LICENSE NUMBER

REVIEW OFFICER CERTIFICATION

STATE OF NORTH CAROLINA

I, _____, REVIEW OFFICER OF CARTERET COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

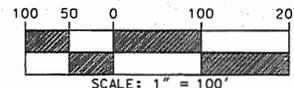
REVIEW OFFICER _____ DATE _____

REGISTER OF DEEDS CERTIFICATE

FILED FOR REGISTRATION AT _____ O'CLOCK
ON THE _____ DAY OF _____ 2015.
RECORDED IN MAP BOOK _____ PAGE _____
JERRY HARDESTY, REGISTER OF DEEDS

BY: _____
ASSISTANT DEPUTY

FRIENDLY ROAD
60' PUBLIC RIGHT OF WAY
1535' 00' RADIUS



REVISIONS:

No.	BY	DATE	DESCRIPTION
1	EGC	3/26/15	PROCESSED WESTERN 159 ACRES

REFERENCES:
OWNER: N/F 35TH STREET
PROFESSIONAL CENTER
D.B. 1434 PG. 25
NCPIN 636616949402000
D.B. 1463 PG. 337
NCPIN 636616945560000

ANNEXATION SURVEY FOR

RIDGE CARE ASSISTED LIVING

MOREHEAD TOWNSHIP, CARTERET COUNTY, NORTH CAROLINA

CLIENT: RIDGE CARE

ADDRESS: 853 OLD WINSTON ROAD
KERNERSVILLE, NC 27284

PHONE: 336-993-7555

STROUD ENGINEERING, P.A.
151-A NC HIGHWAY 24
MOREHEAD CITY, N.C. 28557
(252) 247-7479 LICENSE NO. C-0847

E. GLENN CORBETT, P.L.S.

SURVEYED:	JH 2/18/15
DRAWN:	EGC
APPROVED:	EGC
DATE:	2/19/15
SCALE:	1" = 100'



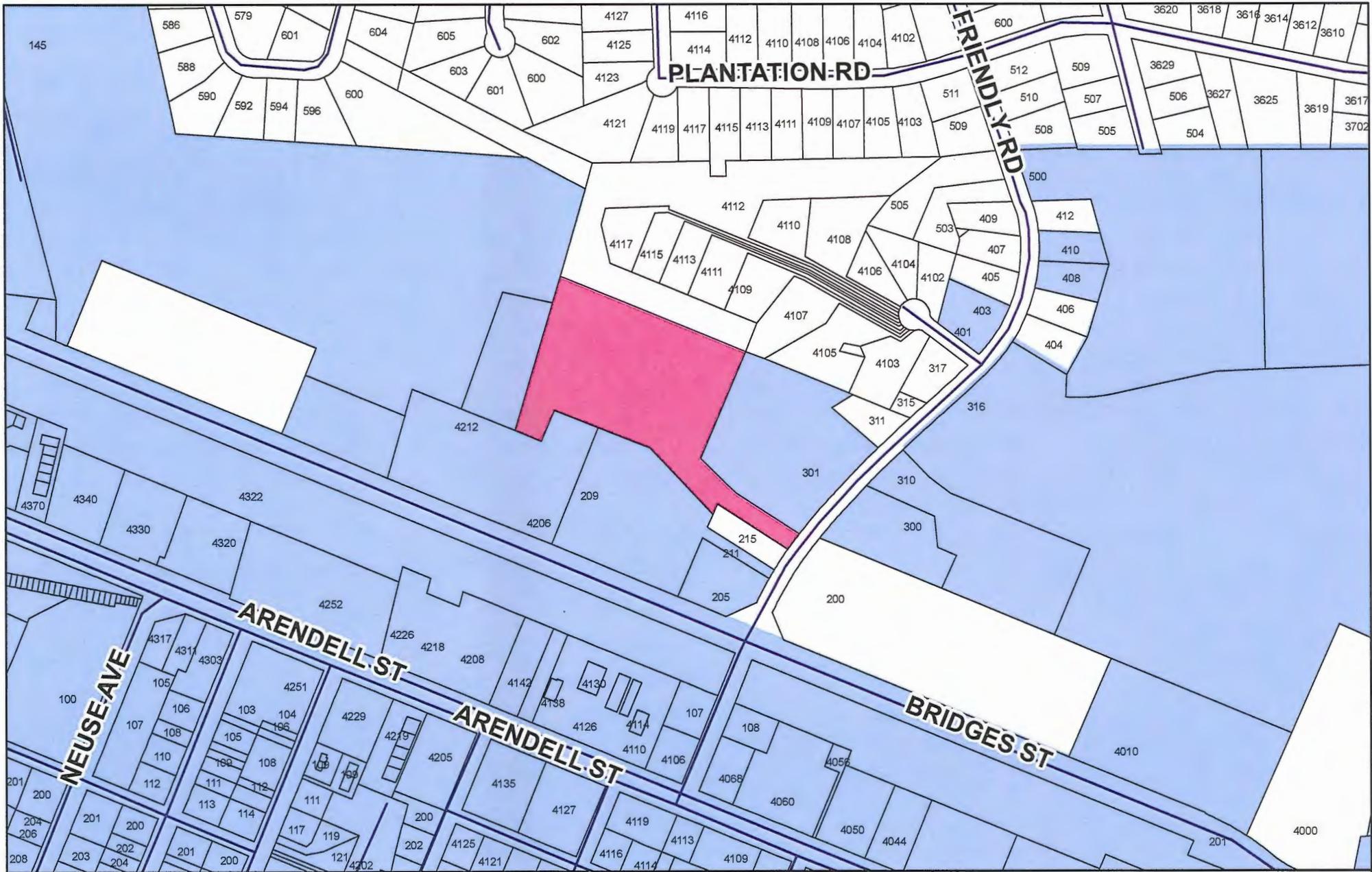
Contiguous Annexation Request



35th Street Professional Center
221 Friendly Road



Prepared by: Town of Morehead City
Planning Department
March 2015



Contiguous Annexation Request



35th Street Professional Center
 221 Friendly Road



Prepared by: Town of Morehead City
 Planning Department
 March 2015

Request for Voluntary Annexation

David Whitlow, City Manager
Town of Morehead City
706 Arendell Street
Morehead City, NC 28557

RE: Voluntary Annexation Request

Dear Manager:

As the owner(s) of the below-referenced property, I (we) would like the Town Council to consider my (our) request for annexation. The property in question is located at Friendly Road no address assigned The property is currently undeveloped and is zoned RMF & R20 or RMF-CU. The size of the tract is 8.68 acres and it is contiguous to the city limits

A) The tax evaluation data for the property is as follows:

- 1. Tax Parcel Number(s) 636616945560000 636616949402000
- 2. Owner(s) as listed on Deed 35th Street Professional Center, LLC
- 3. Tax Value (by parcel) \$21,712 & \$202,080

B) The anticipated impact to City services is as follows:

- 1. Water/Sewer (estimated gallons per day) 120 gals/bed x 110 beds= 13,200 gals

C) The anticipated impact fee is \$ 88,686.00 . (Figure may be obtained from the Public Utilities Department)

D) Enclosed, please find the following information:

- 1. Copy of Annexation Survey (suitable for recording) and Legal Description of Property;
- 2. Copy of All Deeds for the Area to Be Annexed to verify ownership;
- 3. Flat fee of \$300.00 *(In addition to the application fee, the applicant is responsible for advertising and recording costs associated with the annexation request.)*

Any additional information may be obtained by contacting Ronald Cullipher at 252-247-7479

Michael Lupton
manager member

Sincerely,

35th Street Professional Center LLC
P.O. Box 1143
Beaufort, NC 28516

Carter County North Carolina

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: Michael Lupton as Managing Member of 35th Street Professional Center LLC

Date: 2-27-2015

Treva M. Tosto

notary signature

Treva M. Tosto

Printed notary name

August 6, 2019

my commission expires



G.

MEMORANDUM

TO: MAYOR & CITY COUNCIL
FROM: DANIEL WILLIAMS, PUBLIC SERVICES DIRECTOR
SUBJECT: MCPD FLASHING REPAIR BID
DATE: 4/7/2015
CC: DAVID WHITLOW, CITY MANAGER

On Tuesday, April 7, 2015, bids were received for the repair of the window and door flashings at the Morehead City Police Dept. building. Requests for quotes were sent to seven contractors with two responding. Low bid for this work is from Stone Restoration of America based in Charlotte, NC. Attached is a copy of the bid tab.

Since construction of the new PD building intrusion of rain water during Hurricane Irene and Sandy as well as winter storm Nemo have occurred. In determining the cause of this intrusion it was discovered the flashing over windows and doors of the building were not properly installed.

The Council appropriated funds in this year's budget to correct this condition. The low bid is under the funding amount set aside for this work. With the Council's approval and award to the low bid preparation can begin to have this contractor start work.

Town of Morehead City

Bid Tabulation

Flashing Repairs

Morehead City Police Department 301 N. 12th Street

Item	Stone Restoration of America	Statesville Roofing & Building Restoration Inc.
Furnish all labor, equipment, tools, machinery, materials, shoring, bracing, and to furnish and deliver all materials not specifically mentioned but required in the construction of the work described.	\$112,227.00	\$198,700.00

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.A.

DATE: April 14, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Public Hearing: Rezoning Request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to Rezone Tax PIN #6377-2092-1272-000 located at 2608 Country Club Road from R20 [Single-Family Residential] to R15 [Single-Family Residential] -- Adopt Resolution 2015-16 and Ordinance 2015 -09

Background Information Attached: Yes X No

Mr. Ray Murdoch submitted a request to rezone approximately 13.75 acres located at 2608 Country Club Road from R20 [Single-Family Residential District] to R15 [Single-Family Residential District]. The zoning classification of surrounding properties is R20 [Single-Family Residential District]. Surrounding land use includes residential and agricultural to the east, agricultural and undeveloped land to the west, and a mining operation and undeveloped land across Country Club Road to the south. The subject property currently consists of a combination of residential and agricultural uses as well as undeveloped area.

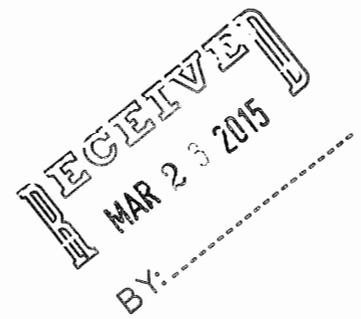
The property is located in Neighborhood 7 of the CAMA Land Use Plan and is classified as Low Density Residential.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for April 14, 2015. The property has been posted.

At the Planning Board Meeting on March 17, 2015, Tom Saunders made the MOTION, seconded by Gordon Thayer, and carried unanimously, to recommend approval of the rezoning request and Resolution No. 2015-0003. The Planning Committee of the Council reviewed the request.

Recommended Action: Conduct the public hearing. If the Council so desires adopt Resolution 2015-16 and Ordinance 2015-09 granting the rezoning request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to rezone Tax PIN #6377-2092-1272-000 located at 2608 Country Club Road from R20 [Single-Family Residential] to R15 [Single-Family Residential].

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____



MEMORANDUM

TO: Jeanne Giblin, City Clerk

FROM: Sandi Watkins, Planner

SUBJECT: Request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to rezone property located at 2608 Country Club Road from R20 (Single-Family Residential) to R15 (Single-Family Residential)

DATE: March 31, 2015

I certify that on March 12th and 31st, a copy of the notice of public hearing for the above referenced rezoning request was mailed to property owners within 300' of the proposed rezoning site. I have attached a copy of the legal advertisement and mailing list for your reference.

I have also attached color maps and a draft ordinance for inclusion in the Council Agenda packet for April 14, 2015.

The Planning Board discussed this item at their March 17, 2015, public meeting, and a copy of that report follows.


Sandi Watkins
Planner

REZONING REQUEST: Rezoning Request from Ray Murdoch, on behalf of Gordon and Susan Laughton, to rezone Tax PIN #637720921272000 located at 2608 Country Club Road from R20 [Single-Family Residential] to R15 [Single-Family Residential] - Flood Zone: Mostly X (Some AE 7 along waterfront)

Planning Board Update (3/17/2015): Tom Saunders made MOTION, seconded by Gordon Thayer, to recommend approval of the rezoning request and Resolution No. 2015-0003. The motion carried unanimously.

Mr. Murdoch has submitted a request to rezone approximately 13.75 acres located at 2608 Country Club Road from R20 [Single-Family Residential District] to R15 [Single-Family Residential District].

The zoning classification of surrounding properties is R20 [Single-Family Residential District]. Surrounding land use includes residential and agricultural to the east, agricultural and undeveloped land to the west, and a mining operation and undeveloped land across Country Club Road to the south. The subject property currently consists of a combination of residential and agricultural uses as well as undeveloped area.

The property is located in Neighborhood 7 of the CAMA Land Use Plan and is classified as Low Density Residential. Attached is a draft land use consistency resolution for review and consideration.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for April 14, 2015. The property has been posted.

Traditional Rezoning Request:

Traditional rezoning requests require consideration of all the uses permitted in the R20 and R15 districts because potentially any of those uses may be located on the site. Looking at all the permitted and special uses in both districts and the development standards, which is the more appropriate zoning classification for the property, R20 or R15?

No site plan is required and decisions cannot be based upon a specific use of the property, even though the property owner may speak to a specific use

ORDINANCE NO. 2015-09

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE AND MAP OF THE TOWN OF MOREHEAD CITY TO INCLUDE IN THE R15 DISTRICT THAT PROPERTY KNOWN AS 2608 COUNTRY CLUB ROAD:

WHEREAS, an application has been filed with the Town Council of the Town of Morehead City requesting an amendment to the Unified Development Ordinance and Zoning Map to include in the R15 (Single-Family Residential) District that property described below, and now zoned R20 (Single-Family Residential) District, that said property is owned by the Gordon & Susan Laughton, and is known as Tax PIN #637720921272000; and

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

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted land use plan and that the adoption of the ordinance rezoning following described property is reasonable and in the public interest due to its consistency with the land use plan and, as a result, its furtherance of the goals and objectives of the land use plan; and

WHEREAS, the said public hearing was actually conducted at 5:30 p.m., Tuesday, April 14, 2015, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

- 1) That the Unified Development Ordinance and Map of the Town of Morehead City is hereby amended to include in the area R15 (Single-Family Residential) District, Tax PIN #637720921272000 located at 2608 Country Club Road.
- 2) That this ordinance shall become effective upon its adoption.
- 3) That if any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

DULY ADOPTED THIS on the 14th day of April, 2015, by a vote of Commissioner(s)

_____ voting for;
Commissioner(s) _____
voting against; and Commissioner(s) _____
absent.

ATTEST:

Jeanne Giblin, City Clerk

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

RESOLUTION NO. 2015-16

RESOLUTION OF PLAN CONSISTENCY IN ACCORDANCE WITH G.S. 160A-383 FOR A REZONING OF PROPERTY LOCATED AT 2608 COUNTRY CLUB ROAD, MOREHEAD CITY, NC, FROM R20 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R15 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

WHEREAS, David Ray Murdoch, on behalf of Gordon and Susan Laughton, has requested to rezone approximately 13.75 acres from Single-Family Residential (R20) District to Single-Family Residential (R15) District; and

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

WHEREAS, this text amendment request was duly advertised and was the subject of a public hearing before the Morehead City Council on April 14, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #2;
 - Section 4.2.2 Land Use Compatibility, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #1; and
 - Section 4.2.7 Areas of Local Concern, Policy #3.

2. The proposed rezoning is in the public interest because:
 - a. The subject property is located in an area with access to adequate public infrastructure, including water utilities and adequate roadway access.
 - b. The allowable uses within the R15 district are consistent with those allowed in the R20 classification, with the exception of “Church” which requires a special use permit be issued in R15 and which is allowed as a permitted use in R20.
 - c. Section 4.2.8 Neighborhood 7, Policy 2 of the *Town of Morehead City Core Land Use Plan* states, “Low-density residential development will be promoted in those areas lacking public water and wastewater facilities.” According to section 4.5A, low density is considered to be a density of 2 to 2.5 dwelling units per acre. The R15 classification allows for a density up to 2.5 units per acre and is considered

low density residential. Since sewer is not available adjacent to the subject area, a low-density residential classification, such as R15, is appropriate.

- d. Based upon the district definitions contained in subsections 9-11.6 and 9-11.9 of the Unified Development Ordinance, the density of R15 and R20 zoning classifications is to be not more than 2.5 and 2 dwelling units per acre, respectively. The R15 classification allows a slightly higher density (0.5 units per acre) than that which is allowed in the R20 district.
- e. The size of the tract is 13.75 acres. The property is surrounded by parcels with R20 densities; however, there are R15-density properties located approximately 1,600 feet to the east and 2,700 feet to the south.

- 3. The proposed map amendment does not appear to conflict with other City plans.

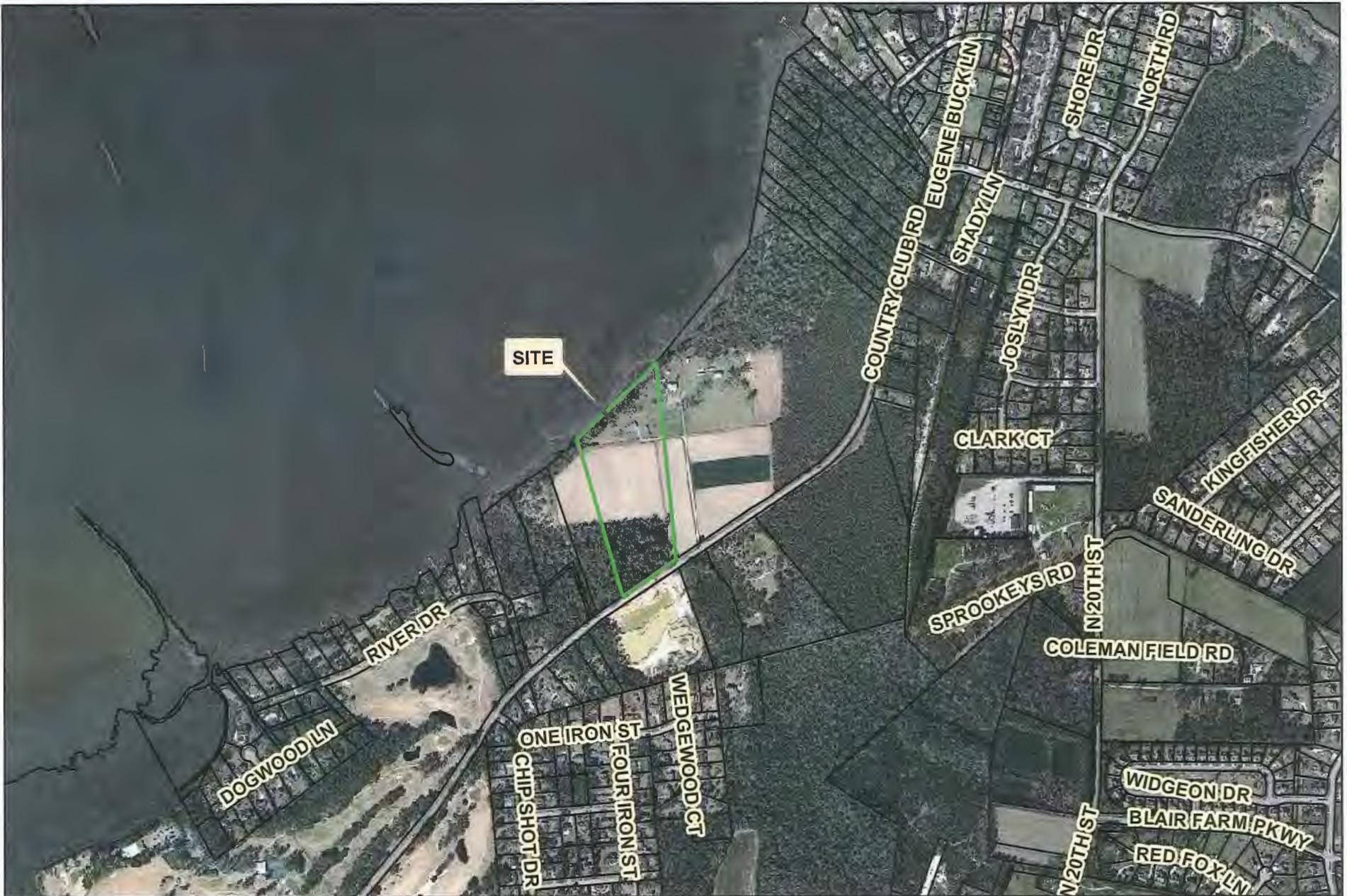
NOW, THEREFORE, BE IT RESOLVED, on the basis of the foregoing findings and conclusions, that the Morehead City Council does hereby find the text amendment consistent with the most recently adopted CAMA Land Use Plan and orders that the text amendment be approved.

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

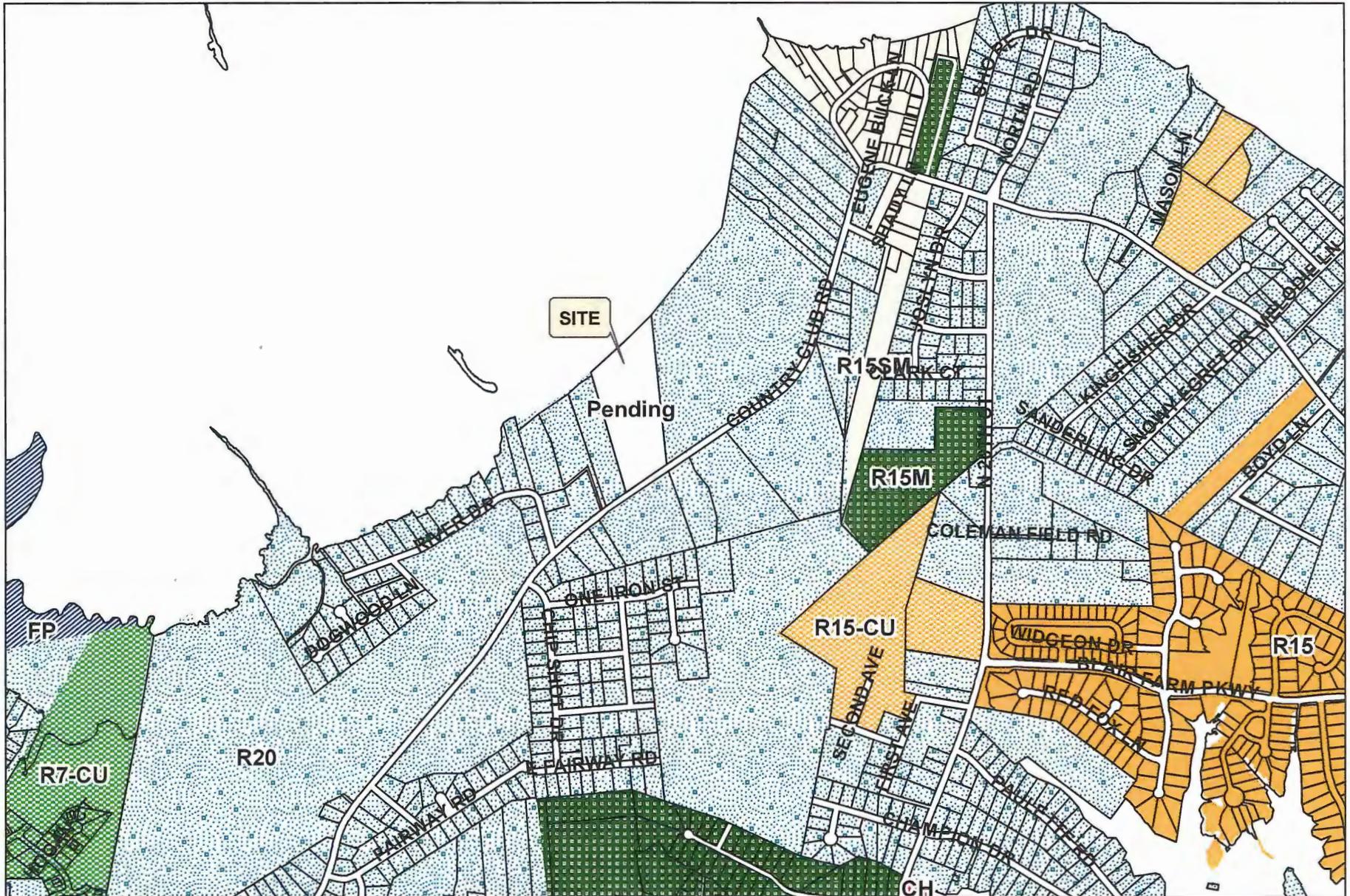
ADOPTED: _____



Rezoning Request - Murdoch/Laughton

2608 Country Club Road - R20 to R15

Prepared by: Town of Morehead City
Planning Department
February 2015



Rezoning Request - Murdoch/Laughton

2608 Country Club Road - R20 to R15

Prepared by: Town of Morehead City
 Planning Department
 February 2015



**PLANNING BOARD
RESOLUTION No. 2015-0003**

**Plan Consistency Statement
for Case #PB15-004**

Request to rezone 2608 Country Club Road from R20 to R15

WHEREAS, David Ray Murdoch, on behalf of Gordon and Susan Laughton, has requested to rezone 2608 Country Club Road (Tax PIN #637720921272000) from R20 (Single-Family Residential District) to R15 (Single-Family Residential District); and

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

WHEREAS, this ordinance amendment request was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on March 17, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #2;
 - Section 4.2.2 Land Use Compatibility, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #1; and
 - Section 4.2.7 Areas of Local Concern, Policy #3.

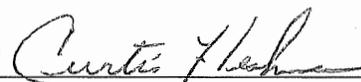
2. The proposed rezoning is in the public interest because:
 - The subject property is located in an area with access to adequate public infrastructure, including water utilities and adequate roadway access.
 - The allowable uses within the R15 district are consistent with those allowed in the R20 classification, with the exception of “Church” which requires a special use permit be issued in R15 and which is allowed as a permitted use in R20.
 - Section 4.2.8 Neighborhood 7, Policy 2 of the *Town of Morehead City Core Land Use Plan* states, “Low-density residential development will be promoted in those areas lacking public water and wastewater facilities.” According to section 4.5A, low density is considered to be a density of 2 to 2.5 dwelling units per acre. The R15 classification allows for a density up to 2.5 units per acre and is considered low density residential. Since sewer is not available adjacent to the subject area, a low-density residential classification, such as R15, is appropriate.
 - Based upon the district definitions contained in subsections 9-11.6 and 9-11.9 of the Unified Development Ordinance, the density of R15 and R20 zoning classifications is to be not more

than 2.5 and 2 dwelling units per acre, respectively. The R15 classification allows a slightly higher density (0.5 units per acre) than that which is allowed in the R20 district.

- The size of the tract is 13.75 acres. The property is surrounded by parcels with R20 densities; however, there are R15-density properties located approximately 1,600 feet to the east and 2,700 feet to the south.

3. The proposed amendment does not appear to conflict with other plans.

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



Curtis Fleshman, Chairman

3-17-15

Date

TOWN OF MOREHEAD CITY
NOTICE OF PUBLIC HEARING
April 14, 2015

Notice is hereby given that the Morehead City Planning Board will hold a **public meeting** on Tuesday, March 17, 2015, at 5:30 p.m., in the Municipal Building Auditorium, 202 South Eighth Street, to discuss the following proposal:

Request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to rezone Tax Parcel #637720921272000 located at 2608 Country Club Road from R20 (Single-Family Residential) to R15 (Single-Family Residential).

The **public hearing** will be conducted by the Morehead City Town Council on Tuesday, April 14, 2015, at 5:30 p.m. in the Municipal Building Auditorium, 202 S

The Council and Planning Board may consider other appropriate or reasonably similar based upon comments received during the public

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

Sandi Watkins
Planner

Please advertise three times as follows:
Friday, March 13, 2015
Friday, April 3, 2015
Friday, April 10, 2015

Please bill charges to:
Town of Morehead City
PO# 61933

TOWN OF MOREHEAD CITY
NOTICE OF PUBLIC HEARING
April 14, 2015

are less intense
Notice is hereby given that the Morehead City Planning Board will hold a public meeting on Tuesday, March 17, 2015, at 5:30 p.m., in the Municipal Building Auditorium, 202 South Eighth Street, to discuss the following proposal:

Request submitted by Ray Murdoch, on behalf of Gordon and Susan Laughton, to rezone Tax Parcel #637720921272000 located at 2608 Country Club Road from R20 (Single-Family Residential) to R15 (Single-Family Residential).

The public hearing will be conducted by the Morehead City Town Council on Tuesday, April 14, 2015, at 5:30 p.m. in the Municipal Building Auditorium, 202 South Eighth Street.

The Council and Planning Board may consider other appropriate districts which are less intense or reasonably similar based upon comments received during the public hearing.

The public is invited to be present at both meetings and comment on the proposed rezoning. Copies of this request

are on file in the Morehead City Planning and Inspections Office, 706 Arendell Street, Morehead City, NC (252) 726-6848, ext. 140.

Sandi Watkins
Planner

M13,A3,10



Murdoch Mailing List

Tuesday, March 24, 2015

10:31:52 AM

Owner Name	Mailing Address	City, State, ZIP
Howard & Karen Carter	1903 Red Fox Lane	Morehead City, NC 28557
Brenda Knelson	2509 Country Club Road	Morehead City, NC 28557
Gordon & Susan Laughton	P.O. Box 302	Morehead City, NC 28557
Trapas Pratt	1609 Sanderling Drive	Morehead City, NC 28557
Daniel & Jami Raeburn	119 Merrill Drive	Newport, NC 28570
Cynthia S. Smith	124 Wiley Road	Greenwood, SC 29649
Charles & Ann Stanley	1710 River Drive	Morehead City, NC 28557
Donald Wuest Etal Trustees	2718 Country Club Road	Morehead City, NC 28557
U.S.C.G. Station Fort Macon	2301 East Fort Macon Road	Atlantic Beach, NC 28512



TOWN OF MOREHEAD CITY
REZONING APPLICATION

STREET ADDRESS: N/A 2608 Country Club Rd.

PROPERTY OWNER INFORMATION:

Name: Gordon K. Laughton Jr. etux Susa Phone Number: N/A
Address: PO Box 302, Morehead City, NC 28557 Email Address: N/A

APPLICANT INFORMATION (if different from property owner):

Name: Ray Murdoch Phone Number: 252-725-1226
Address: 505 Crestwood Drive, Newport, NC 28570 Email Address: N/A

PROPERTY INFORMATION:

Tax PIN #(s): 637720921272000
Total Acreage: 13.75
Property Dimensions: approximately 1080x430x1300x730
Flood Zone(s): N/A
Current Zoning Designation(s): R20
Proposed Zoning Designation(s): R15
Land Use Plan Classification(s): Agriculture/Open Space
Land Use Plan Neighborhood(s): 7
Corporate Limits: Located in Morehead City Extraterritorial Jurisdiction (ETJ)

NOTE: Applications are due 28 days prior to the Planning Board meeting. Incomplete applications will not be accepted and will be returned. A complete basic rezoning application includes this application form, filing fee, and statement on what impacts the rezoning will have on City services as it relates to public health, safety and welfare and a statement on how the rezoning fits with the development policies outlined in the Land Use Plan.

I understand that if the application is not complete that I will have to resubmit and this item will not be scheduled as a Planning Board agenda item until the application is complete.

David R. Luma 2-12-15
Applicant Signature & Date

Project Impact Statement

The proposed rezoning of the 13.75 acre tract of land owned by Gordon & Susa Laughton off of Country Club Road from R20 to R15 is thought to be a minimal zoning change. This change is permissible from an environmental perspective since the original county zoning in this area would have allowed 15000 sf lots if public water was used. The Town of Morehead City now has public water available in the area and the request if approved will allow 15000 square foot lots instead of 20000 sf and the front lot widths go from 100' width to an 80' width.

It is our opinion that the rezoning will not have an adverse impact on public health, safety and welfare on City services. The community if rezoned will have public water and we see that as a positive influence on the town.

The rezoning to R15 is in compliance as well with the Land Use Plan which encourages low-density development.

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.B.

DATE: April 14, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Public Hearing: Rezoning Request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties, Inc., to Rezone Tax PIN #6346-1297-4076-000 located on McCabe Road from PD [Planned Development] to R15 [Single-Family Residential] – Adopt Resolution 2015-15 and Ordinance 2015-08

Background Information Attached: Yes X No

Mr. Eugene Gurganus submitted a request to rezone a 1.23 acre tract located on the east side of McCabe Road from PD [Planned Development District] to R15 [Single-Family Residential District]. The zoning classification of surrounding properties is R20 [Single-Family Residential District] across McCabe Road to the west and PD [Planned Development] to the north, east, and south. Surrounding land use includes a golf course and maintenance area to the north, east, and south, and single-family residential and a church across McCabe Road to the west. The subject property currently is currently undeveloped.

The property is located in Neighborhood 9 of the CAMA Land Use Plan and is classified as Medium Density Residential.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for April 14, 2015. The property has been posted.

At the Planning Board Meeting on March 17, 2015, John Creech made a MOTION, seconded by Tom Outlaw, and carried unanimously, to recommend approval of the rezoning request and Resolution No. 2015-0001. The Planning Committee of the Council reviewed the request.

Recommended Action: Conduct the public hearing. If the Council so desires, adopt Resolution 2015-15 and Ordinance 2015-08 granting the rezoning request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties, Inc., to rezone Tax PIN #6346-1297-4076-000 located on McCabe Road from PD [Planned Development] to R15 [Single-Family Residential].

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Naves _____ Postponed/Tabled _____



RECEIVED
MAR 25 2015
BY:.....

MEMORANDUM

TO: Jeanne Giblin, City Clerk

FROM: Sandi Watkins, Planner

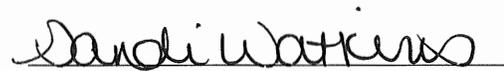
SUBJECT: Request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties Inc., to rezone property located on McCabe Road from PD (Planned Development) to R15 (Single-Family Residential)

DATE: March 31, 2015

I certify that on March 12th and 31st, a copy of the notice of public hearing for the above referenced rezoning request was mailed to property owners within 300' of the proposed rezoning site. I have attached a copy of the legal advertisement and mailing list for your reference.

I have also attached color maps and a draft ordinance for inclusion in the Council Agenda packet for April 14, 2015.

The Planning Board discussed this item at their March 17, 2015, public meeting, and a copy of that report follows.


Sandi Watkins
Planner

REZONING REQUEST: Rezoning Request from Eugene Gurganus, on behalf of Golf & Shore Properties Inc., to rezone Tax PIN #634612974076000 located on McCabe Road from PD [Planned Development] to R15 [Single-Family Residential] - Flood Zone: X

Planning Board Update (3/17/2015): John Creech made MOTION, seconded by Tom Outlaw, to recommend approval of the rezoning request and Resolution No. 2015-0001. The motion carried unanimously.

Mr. Gurganus has submitted a request to rezone a 1.23 acre tract located on the east side of McCabe Road from PD [Planned Development District] to R15 [Single-Family Residential District]. The zoning classification of surrounding properties is R20 [Single-Family Residential District] across McCabe Road to the west and PD [Planned Development] to the north, east, and south. Surrounding land use includes a golf course and maintenance area to the north, east, and south, and single-family residential and a church across McCabe Road to the west. The subject property currently is currently undeveloped.

The property is located in Neighborhood 9 of the CAMA Land Use Plan and is classified as Medium Density Residential. Attached is a draft land use consistency resolution for review and consideration.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for April 14, 2015. The property has been posted.

Traditional Rezoning Request:

Traditional rezoning requests require consideration of all the uses permitted in the PD and R15 districts because potentially any of those uses may be located on the site. Looking at all the permitted and special uses in both districts and the development standards, which is the more appropriate zoning classification for the property, PD or R15?

No site plan is required and decisions cannot be based upon a specific use of the property, even though the property owner may speak to a specific use

ORDINANCE NO. 2015-08

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE AND MAP OF THE TOWN OF MOREHEAD CITY TO INCLUDE IN THE R15 DISTRICT THAT PROPERTY KNOWN AS TAX PIN 634612974076000:

WHEREAS, an application has been filed with the Town Council of the Town of Morehead City requesting an amendment to the Unified Development Ordinance and Zoning Map to include in the R15 (Single-Family Residential) District that property described below, and now zoned PD (Planned Development) District, that said property is owned by Golf & Shore Properties Inc., and is known as Tax PIN #634612974076000; and

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

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted land use plan and that the adoption of the ordinance rezoning following described property is reasonable and in the public interest due to its consistency with the land use plan and, as a result, its furtherance of the goals and objectives of the land use plan; and

WHEREAS, the said public hearing was actually conducted at 5:30 p.m., Tuesday, April 14, 2015, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

- 1) That the Unified Development Ordinance and Map of the Town of Morehead City is hereby amended to include in the area R15 (Single-Family Residential) District, Tax PIN #634612974076000 located on McCabe Road.
- 2) That this ordinance shall become effective upon its adoption.
- 3) That if any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

DULY ADOPTED THIS on the 14th day of April, 2015, by a vote of Commissioner(s) _____ voting for;

Commissioner(s) _____
voting against; and Commissioner(s) _____
absent.

ATTEST:

Jeanne Giblin, City Clerk

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

RESOLUTION NO. 2015-15

RESOLUTION OF PLAN CONSISTENCY IN ACCORDANCE WITH G.S. 160A-383 FOR A REZONING OF PROPERTY LOCATED ON MCCABE ROAD, MOREHEAD CITY, NC, FROM PD (PLANNED DEVELOPMENT) DISTRICT TO R15 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

WHEREAS, Eugene Gurganus, on behalf of Golf & Shore Properties Inc., has requested to rezone an approximately 1.23 acre tract from Planned Development (PD) District to Single-Family Residential (R15) District; and

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

WHEREAS, this text amendment request was duly advertised and was the subject of a public hearing before the Morehead City Council on April 14, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #3;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #6;
 - Section 4.2.7 Areas of Local Concern, Policy #1;
 - Section 4.2.7 Areas of Local Concern, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #4; and,
 - Section 4.2.7 Areas of Local Concern, Policy #7.

2. The proposed rezoning is in the public interest because:
 - a. The subject property is located in an area with access to adequate public infrastructure, including water and sewer utilities and adequate roadway access.
 - b. The majority of the land along McCabe Road across from this property is zoned R20. The uses permitted in the R15 classification are consistent with those allowed in R20.
 - c. The allowable uses within R15 are more in keeping with the residential nature of the land along McCabe Road than some of the higher density and commercial uses permitted in PD.

- d. Section 4.2.8 Neighborhood 9, Policy 3 of the *Town of Morehead City Core Land Use Plan* states, "The current use, density, and building height requirements of the residential zoning classifications in this neighborhood will be maintained to ensure the existing character of the area." The parcels located most closely to the subject property, across McCabe Road to the west, are single-family residential and are of a similar density to the proposed R15 designation (2 vs. 2.5 units per acre) in comparison with the maximum allowable density in the PD district (36 units per acre).

- 3. The proposed map amendment does not appear to conflict with other City plans.

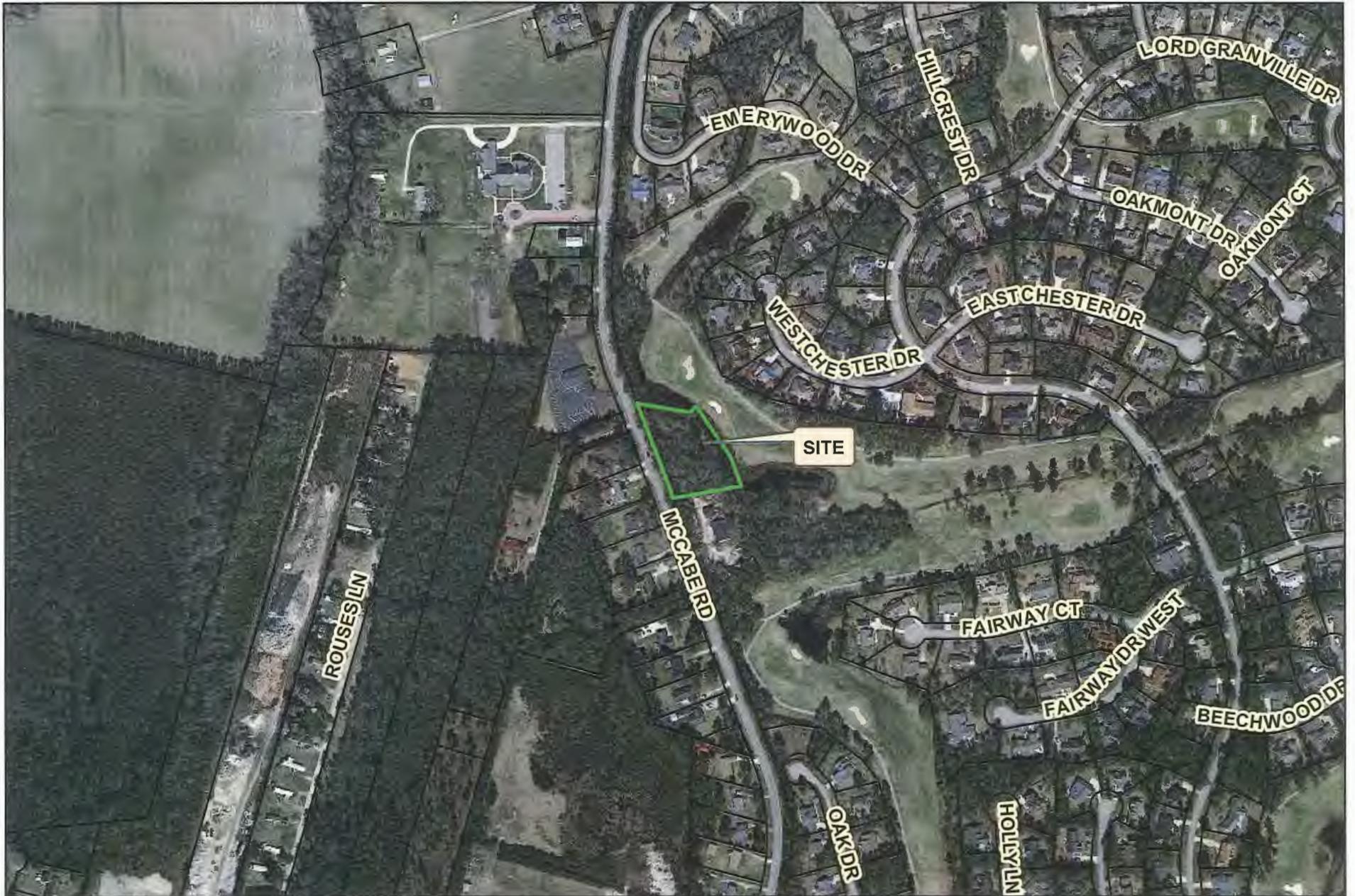
NOW, THEREFORE, BE IT RESOLVED, on the basis of the foregoing findings and conclusions, that the Morehead City Council does hereby find the text amendment consistent with the most recently adopted CAMA Land Use Plan and orders that the text amendment be approved.

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

ADOPTED: _____



Rezoning Request - Golf & Shore Properties Inc.

Property on McCabe Road - PD to R15

Prepared by: Town of Morehead City
Planning Department
February 2015



Rezoning Request - Golf & Shore Properties Inc.
 McCabe Road - PD to R15

Prepared by: Town of Morehead City
 Planning Department
 March 2015



**PLANNING BOARD
RESOLUTION No. 2015-0001**

**Plan Consistency Statement
for Case #PB15-002**

Request to rezone property on McCabe Road from PD to R15

WHEREAS, Eugene Gurganus, on behalf of Golf & Shore Properties, Inc., has requested to rezone property on McCabe Road (Tax PIN #634612974076000) from PD (Planned Development District) to R15 (Single-Family Residential District); and

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

WHEREAS, this ordinance amendment request was duly advertised and was the subject of a public meeting before the Morehead City Planning Board on March 17, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

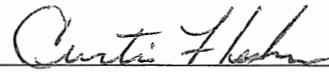
1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #3;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #6;
 - Section 4.2.7 Areas of Local Concern, Policy #1;
 - Section 4.2.7 Areas of Local Concern, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #4; and,
 - Section 4.2.7 Areas of Local Concern, Policy #7.

2. The proposed rezoning is in the public interest because:
 - The subject property is located in an area with access to adequate public infrastructure, including water and sewer utilities and adequate roadway access.
 - The majority of the land along McCabe Road across from this property is zoned R20. The uses permitted in the R15 classification are consistent with those allowed in R20.
 - The allowable uses within R15 are more in keeping with the residential nature of the land along McCabe Road than some of the higher density and commercial uses permitted in PD.
 - Section 4.2.8 Neighborhood 9, Policy 3 of the *Town of Morehead City Core Land Use Plan* states, “The current use, density, and building height requirements of the residential zoning classifications in this neighborhood will be maintained to ensure the existing character of the area.” The parcels located most closely to the subject property, across McCabe Road to the west, are single-family residential and are of a similar density to the proposed R15 designation

(2 vs. 2.5 units per acre) in comparison with the maximum allowable density in the PD district (36 units per acre).

3. The proposed map amendment does not appear to conflict with other plans.

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



Curtis Fleshman, Chairman

3-17-15

Date

TOWN OF MOREHEAD CITY

NOTICE OF PUBLIC HEARING

April 14, 2015

Notice is hereby given that the Morehead City Planning Board will hold a **public meeting** on Tuesday, March 17, 2015, at 5:30 p.m., in the Municipal Building Auditorium, 202 South Eighth Street, to discuss the following proposal:

Request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties Inc., to rezone Tax Parcel #634612974076000 on McCabe Road from PD (Planned Development) to R15 (Single-Family Residential).

The **public hearing** will be conducted by the Morehead City Town Council on Tuesday, April 14, 2015, at 5:30 p.m. in the Municipal Building Auditorium, 202 South Eighth Street

The Council and Planning Board may consider other appropriate or reasonably similar based upon comments received during the public

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

Sandi Watkins
Planner

Please advertise three times as follows:

Friday, March 13, 2015

Friday, April 3, 2015

Friday, April 10, 2015

Please bill charges to:
Town of Morehead City
PO# 61934

TOWN OF MOREHEAD CITY

NOTICE OF PUBLIC HEARING

April 14, 2015

Notice is hereby given that the Morehead City Planning Board will hold a public meeting on Tuesday, March 17, 2015, at 5:30 p.m., in the Municipal Building Auditorium, 202 South Eighth Street, to discuss the following proposal:

Request submitted by Eugene Gurganus, on behalf of Golf & Shore Properties Inc., to rezone Tax Parcel #634612974076000 on McCabe Road from PD (Planned Development) to R15 (Single-Family Residential).

The public hearing will be conducted by the Morehead City Town Council on Tuesday, April 14, 2015, at 5:30 p.m. in the Municipal Building Auditorium, 202 South Eighth Street.

The Council and Planning Board may consider other appropriate districts which are less intense or reasonably similar based upon comments received during the public hearing.

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

Sandi Watkins
Planner

M13,A3,10/

ss intense

rezoning.
Arendell



Golf Shore Properties Mailing List

Tuesday, March 24, 2015

10:17:07 AM

Owner	Mailing Address	City, State ZIP
John & Peggy Barwick	207 Westchester Drive	Morehead City, NC 28557
David Garner Jr.	847 Nine Foot Road	Newport, NC 28570
Elizabeth S. Garner	362 McCabe Road	Newport, NC 28570
David Gernoske	374 McCabe Road	Newport, NC 28570
Golf & Shore Properties Inc.	224 Brandywine Blvd	Morehead City, NC 28557
Jassa Group LLC	107 Fairway Drive East	Morehead City, NC 28557
David E. Johnson	905 Evans Street	Morehead City, NC 28557
Casey Donahue Jones	342 McCabe Road	Morehead City, NC 28557
Robert & Anne Kenward	203 Westchester Drive	Morehead City, NC 28557
Morehead Jehovah Witness Church	324 McCabe Road	Newport, NC 28570
Anita Murphy	Rt 2 205 Westchester Drive	Morehead City, NC 28557
Susan M. Sice	338 McCabe Road	Newport, NC 28570
Jacob & Karen Sptiz	350 McCabe Road	Newport, NC 28570
Sarah V. Taylor	209 Westchester Drive	Morehead City, NC 28557
U.S.C.G. Station Fort Macon	2301 East Fort Macon Road	Atlantic Beach, NC 28512



TOWN OF MOREHEAD CITY REZONING APPLICATION

STREET ADDRESS: 224 Brandywine Blvd., Morehead City NC, 28557

PROPERTY OWNER INFORMATION:

Name: Golf & Shore Properties INC Phone Number: 252-240-5000
Address: 224 Brandywine Blvd., Morehead City NC 28557 Email Address:

APPLICANT INFORMATION (if different from property owner):

Name: Phone Number:
Address: Email Address:

PROPERTY INFORMATION:

Tax PIN #(s): 634612974076000
Total Acreage: 1.23
Property Dimensions: 30.69'x160.73'x306.73'x209.40'x93.39'x185.51'
Flood Zone(s): X
Current Zoning Designation(s): PD
Proposed Zoning Designation(s): R15
Land Use Plan Classification(s): Residential
Land Use Plan Neighborhood(s): 9
Corporate Limits: Located in Morehead City Extraterritorial Jurisdiction (ETJ)

NOTE: Applications are due 28 days prior to the Planning Board meeting. Incomplete applications will not be accepted and will be returned. A complete basic rezoning application includes this application form, filing fee, and statement on what impacts the rezoning will have on City services as it relates to public health, safety and welfare and a statement on how the rezoning fits with the development policies outlined in the Land Use Plan.

I understand that if the application is not complete that I will have to resubmit and this item will not be scheduled as a Planning Board agenda item until the application is complete.

Eugene Sungenis 2-17-15
Applicant Signature & Date

Project Impact Statement

The proposed rezoning of the 1.23 acres of land owned by Golf and Shores Properties, Inc. off of McCabe Road from PD to R15 is thought to be a minimal zoning change.

It is our opinion that the rezoning will not have an adverse impact on public health, safety and welfare on City services. The community if rezoned will have public water and sewer.

The rezoning to R15 is in compliance as well with the Land Use Plan which encourages low-density development.

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.C.

DATE: April 14, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Public Hearing: Rezoning Request submitted by Sam Hooker, on behalf of Ridge Care, LLC, to Rezone Tax PIN #'s 6366-1694-5560-000 and 6366-1694-9402-000 located at 221 Friendly Road from RMF [Residential Multi-Family] and R20 [Single-Family Residential] to RMF-CU [Residential Multi-Family Conditional Use] – Adopt Resolution 2015-17 and Ordinance 2015-10

Background Information Attached: Yes No

Ridge Care, LLC submitted a request to rezone 8.68 acres located at 221 Friendly Road from RMF and R20 to RMF-CU. One [1] of the parcels is currently within Morehead City's Corporate Limits. The applicant has submitted an annexation application for the remaining parcel. Both parcels are currently vacant. Adjacent property is zoned R20 to the north, east, and west, and CH to the south. Surrounding land use consists of a church and residential (separated by undeveloped land) to the north, a garden center and printing and publishing facility to the south, a public park and undeveloped area to the east, and a self-service storage facility and undeveloped land across Friendly Road to the west.

The developer is proposing to locate a 110 bed nursing home facility which will employ an estimated 85 employees. An accessory maintenance building is also proposed. Nursing home/assisted living facility and accessory building are allowed as a conditional-use in the RMF district.

The site is located within Neighborhood 5 of the CAMA Land Use Plan and is classified as Low Density Residential and Public/Institutional.

The applicant has indicated that the structure will be one-story in height. The maximum allowable height in the RMF district is 50'. Parking requirements for the project have been exceeded. Per the submitted site plan, the setback requirements have been met.

Any approval should be contingent upon receipt of the following permits/approvals:

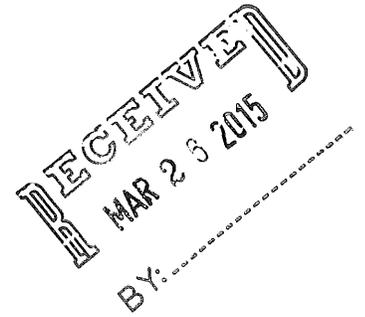
- 1) State Stormwater Permit; and
- 2) Sedimentation and Erosion Control.

The property has been posted and property owners within 300 feet of the proposed rezoning have been notified of the Planning Board meeting, as well as the Council's public hearing on April 14, 2015.

At the Planning Board Meeting on March 17, 2015, Gordon Thayer made a MOTION, seconded by John Creech, and carried unanimously, to recommend approval of the rezoning request and Resolution No. 2015-0002 contingent upon receipt of the following: 1) the State Stormwater Permit; and 2) the Sedimentation and Erosion Control Permit. The Planning Committee of the Council reviewed the request.

Recommended Action: Conduct the public hearing. If the Council so desires, adopt Resolution 2015-17 and Ordinance 2015-10 granting the rezoning request submitted by Sam Hooker, on behalf of Ridge Care, LLC, to Rezone Tax PIN #'s 6366-1694-5560-000 and 6366-1694-9402-000 located at 221 Friendly Road from RMF [Residential Multi-Family] and R20 [Single-Family Residential] to RMF-CU [Residential Multi-Family Conditional Use].

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____



MEMORANDUM

TO: Jeanne Giblin, City Clerk

FROM: Sandi Watkins, Planner

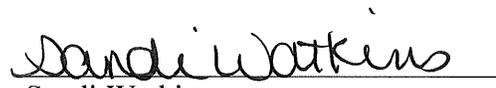
SUBJECT: Request submitted by Sam Hooker of Ridge Care, LLC, on behalf of 35th Street Professional Center, to rezone property located 221 Friendly Road from RMF (Single-Family Residential) and R20 (Single-Family Residential) to RMF-CU (Residential Multifamily Conditional-Use)

DATE: March 31st, 2015

I certify that on March 12th and 31st, a copy of the notice of public hearing for the above referenced rezoning request was mailed to property owners within 300' of the proposed rezoning site. I have attached a copy of the legal advertisement and mailing list for your reference.

I have also attached color maps and a draft ordinance for inclusion in the Council Agenda packet for April 14, 2015.

The Planning Board discussed this item at their March 17, 2015, public meeting, and a copy of that report follows.


Sandi Watkins
Planner

REZONING REQUEST: Rezoning Request from Ridge Care, LLC, on behalf of 35th Street Professional Center, to rezone Tax PIN #s 636616949402000 and 636616945560000 located at 221 Friendly Road from RMF (Residential Multifamily) and R20 (Single-Family Residential District) to RMF-CU (Residential Multifamily Conditional-Use District). Flood Zone – X/AE 7'

Planning Board Update (3/17/2015): Gordon Thayer made MOTION, seconded by John Creech, to recommend approval of the rezoning request and Resolution No. 2015-0002 contingent upon receipt of the following: 1) the State Stormwater Permit; and 2) the Sedimentation and Erosion Control Permit. The motion carried unanimously.

Ridge Care, LLC has submitted a request to rezone 8.68 acres located at 221 Friendly Road from RMF and R20 to RMF-CU. One of the parcels is currently within Morehead City's Corporate Limits while the applicant has indicated that an annexation application will be submitted for the remaining parcel. Both parcels are currently vacant. Adjacent property is zoned R20 to the north, east, and west, and CH to the south. Surrounding land use consists of a church and residential (separated by undeveloped land) to the north, a garden center and printing and publishing facility to the south, a public park and undeveloped area to the east, and a self-service storage facility and undeveloped land across Friendly Road to the west.

General: The developer is proposing to locate a 110 bed nursing home facility which will employ an estimated 85 employees. An accessory maintenance building is also proposed. Nursing home/assisted living facility and accessory building are allowed as a conditional-use in the RMF district.

Land Use Plan: The site is located within Neighborhood 5 of the CAMA Land Use Plan and is classified as Low Density Residential and Public/Institutional. Attached is a draft land use consistency resolution for review and consideration.

Maximum Height: The applicant has indicated that the structure will be one-story in height. The maximum allowable height in the RMF district is 50'.

Parking: Parking requirements for the project have been exceeded. Seventy-nine ($79 = 1$ per each 3 beds + 1 per 2 employees or $110/3 + 85/2$) spaces are required and a total of eighty-two (82) spaces are shown.

Setbacks: Required setbacks are 25' along the front property lines, 10' along the side property lines, and 20' along the rear property lines. Per the submitted site plan, the setback requirements have been met.

Any approval should be contingent upon receipt of the following permits/approvals:

- 1) State Stormwater Permit; and
- 2) Sedimentation and Erosion Control.

The property has been posted and property owners within 300 feet of the proposed rezoning have been notified of the Planning Board meeting, as well as the Council's public hearing on April 14, 2015.

Conditional Use Rezoning:

When property is under consideration for conditional use rezoning site specific conditions may be considered as part of the rezoning request. The focus of the Planning Board and Council is the proposed site plan and conditions. In this case it is necessary to determine if it is appropriate to locate an assisted living facility on the property. If you choose to allow it you may attach any additional reasonable conditions that are determined to be appropriate.

ORDINANCE NO. 2015-10

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE AND MAP OF THE TOWN OF MOREHEAD CITY TO INCLUDE IN THE RMF-CU DISTRICT THAT PROPERTY KNOWN AS TAX PINs 636616949402000 AND 636616945560000:

WHEREAS, an application has been filed with the Town Council of the Town of Morehead City requesting an amendment to the Unified Development Ordinance and Zoning Map to include in the RMF-CU (Residential Multifamily Conditional-Use) District that property described below, and now zoned RMF (Residential Multifamily) and R20 (Single-Family Residential) District, that said property is owned by 35th Street Professional Center, and is known as Tax PIN #s 636616949402000 and 636616945560000; and

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

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted land use plan and that the adoption of the ordinance rezoning following described property is reasonable and in the public interest due to its consistency with the land use plan and, as a result, its furtherance of the goals and objectives of the land use plan; and

WHEREAS, the said public hearing was actually conducted at 5:30 p.m., Tuesday, April 14, 2015, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

- 1) That the Unified Development Ordinance and Map of the Town of Morehead City is hereby amended to include in the area RMF-CU (Residential Multifamily Conditional-Use) District, Tax PIN #s 636616949402000 and 636616945560000 located at 221 Friendly Road.
- 2) That the project shall be developed in accordance with the site plan titled "Carteret Landing Assisted Living" prepared by Stroud Engineering, P.A. dated January 9, 2015 and signed February 16, 2015.
- 3) That approval is contingent upon receipt of State Stormwater permit;

- 4) That approval is contingent upon receipt of Sedimentation and Erosion Control permit;
- 5) That this ordinance shall become effective upon its adoption.
- 6) That if any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

DULY ADOPTED THIS on the 14th day of April, 2015, by a vote of Commissioner(s)

_____ voting for;
Commissioner(s) _____
voting against; and Commissioner(s) _____
absent.

ATTEST:

TOWN OF MOREHEAD CITY

Jeanne Giblin, City Clerk

Gerald A. Jones, Jr., Mayor

RESOLUTION NO. 2015-17

RESOLUTION OF PLAN CONSISTENCY IN ACCORDANCE WITH G.S. 160A-383 FOR A REZONING OF PROPERTY LOCATED AT 221 FRIENDLY ROAD, MOREHEAD CITY, NC, FROM RMF (RESIDENTIAL MULTIFAMILY) DISTRICT AND R20 (SINGLE-FAMILY RESIDENTIAL) TO (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

WHEREAS, Sam Hooker of Ridge Care LLC, on behalf of 35th Street Professional Center, has requested to rezone approximately 8.7 acres located at 221 Friendly Road from Residential Multifamily (RMF) District and Single-Family Residential (R20) District to Residential Multifamily Conditional-Use (RMF-CU) District; and

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

WHEREAS, this text amendment request was duly advertised and was the subject of a public hearing before the Morehead City Council on April 14, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #2;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #3;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #6;
 - Section 4.2.4 Natural Hazard Areas, Policy #1;
 - Section 4.2.2 Natural Hazard Areas, Policy #2;
 - Section 4.2.5 Water Quality, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #2;
 - Section 4.2.7 Areas of Local Concern, Policy #3; and,
 - Section 4.2.7 Areas of Local Concern, Policy #12.

2. The proposed rezoning is in the public interest because:
 - a. The subject property is located in an area with access to adequate public infrastructure, including water and sewer utilities and adequate roadway access.
 - b. According to the Low Density Residential Classification description under

Section 4.5A of the *Town of Morehead City Core Land Use Plan*, “The Town’s goals and policies support the continued use of land in Low Density-classified areas for low density dwellings and for public and institutional land uses that support and that are compatible with this type of residential development.”

- c. According to the Public description under Section 4.5A of the *Town of Morehead City Core Land Use Plan*, “Land uses within the Public and Institutional-designated areas are generally compatible with the OP, Office and Professional and IC, Institutional Campus zoning districts.” Nursing homes and assisted living facilities are a permitted use in the OP zoning classification.
- d. The majority of the subject property is currently zoned RMF, which would permit a nursing home or assisted living facility as a special use.
- e. According to the applicant’s *Project Impact Statement*, there is a need for an assisted living facility within Morehead City and the impact of traffic will be minimal.

3. The proposed map amendment does not appear to conflict with other City plans.

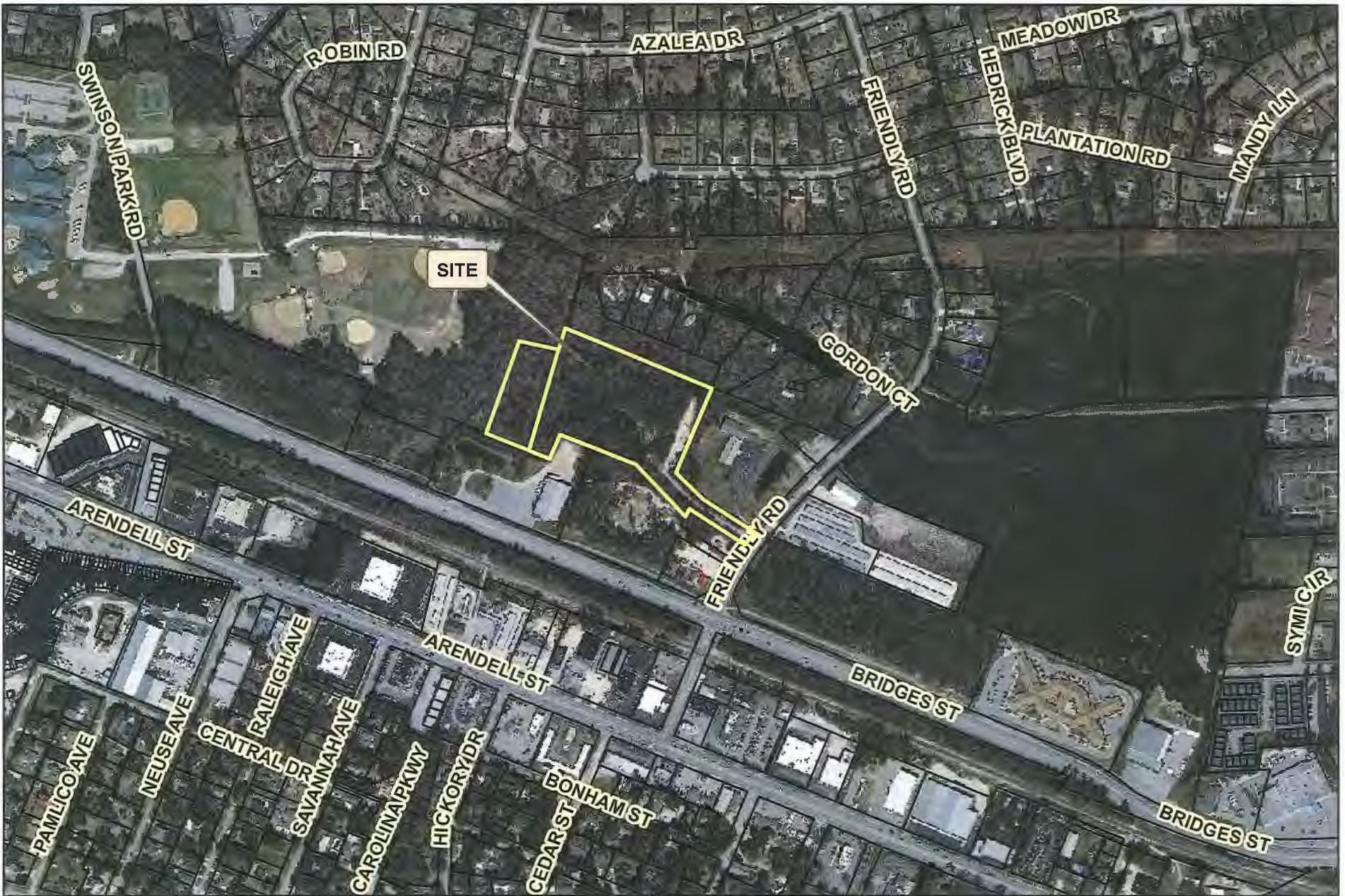
NOW, THEREFORE, BE IT RESOLVED, on the basis of the foregoing findings and conclusions, that the Morehead City Council does hereby find the text amendment consistent with the most recently adopted CAMA Land Use Plan and orders that the text amendment be approved.

Gerald A. Jones, Jr., Mayor

ATTEST:

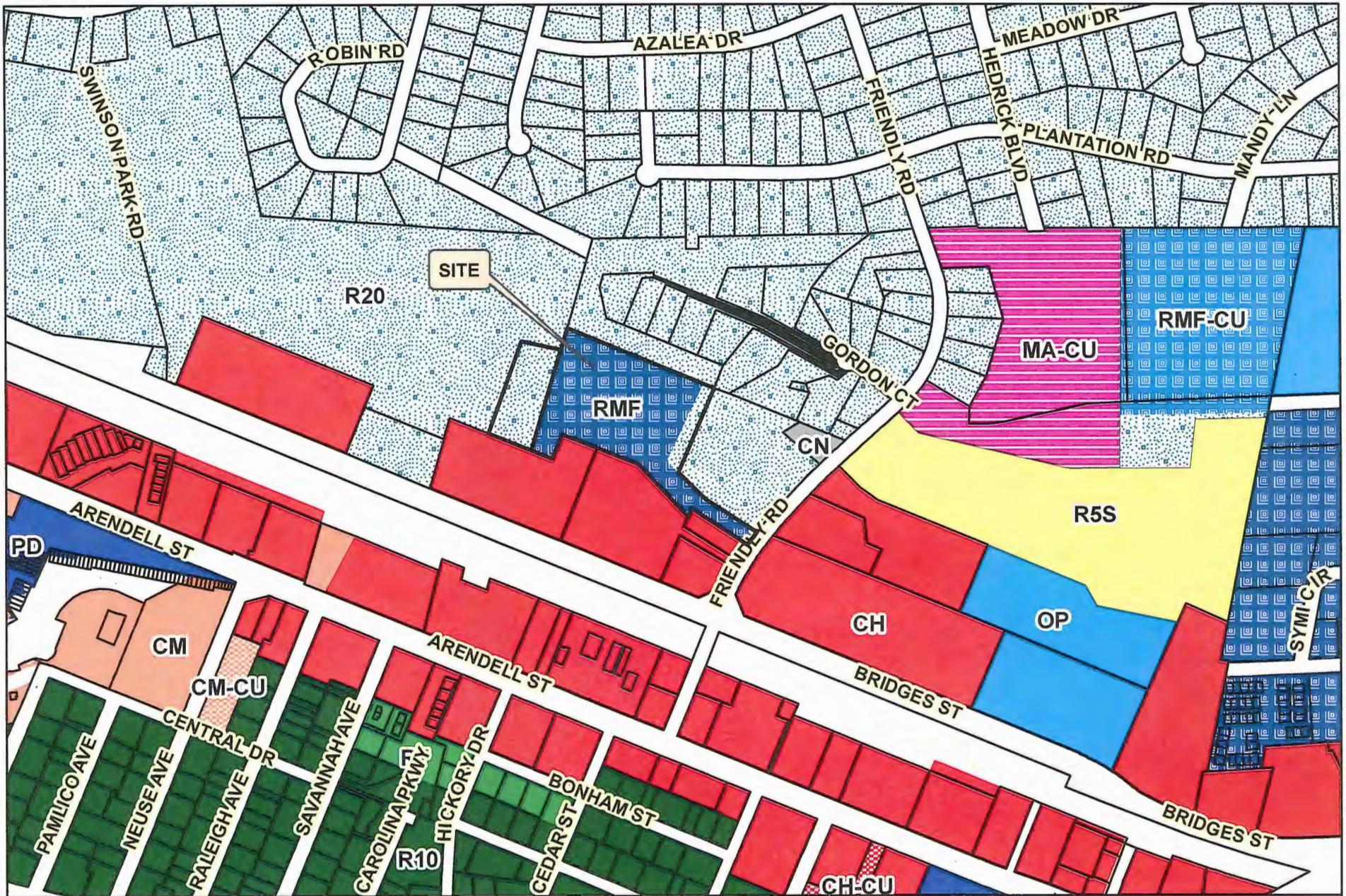
Jeanne Giblin, City Clerk

ADOPTED: _____



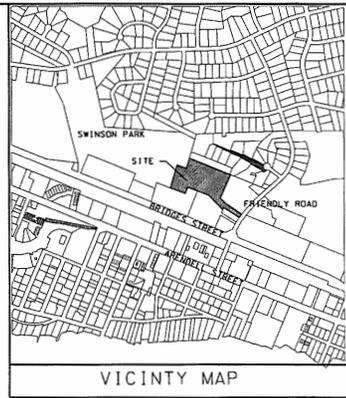
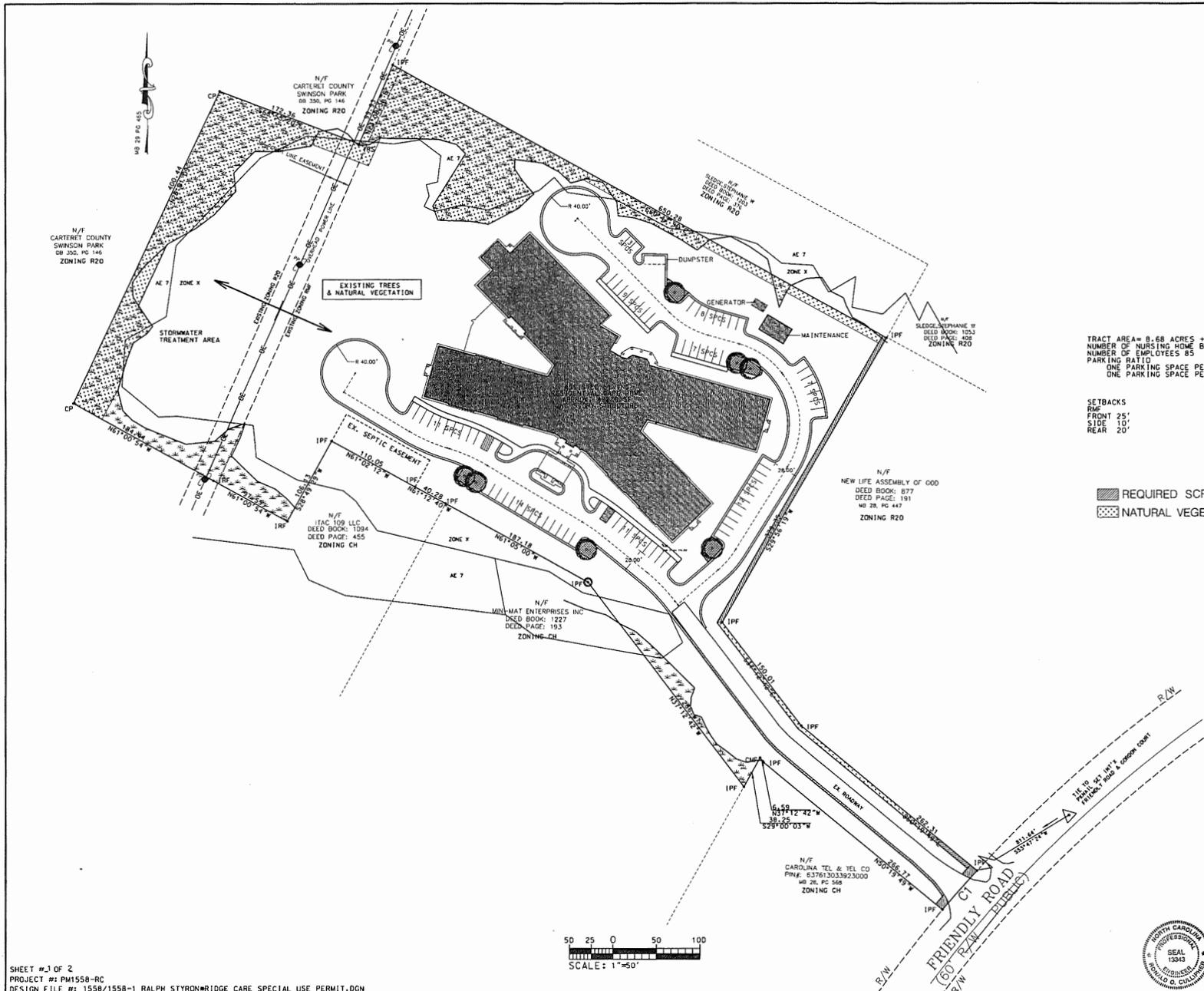
Rezoning Request - Ridge Care, LLC
221 Friendly Road - RMF & R20 to RMF-CU

Prepared by: Town of Morehead City
Planning Department
February 2015



Rezoning Request - Ridge Care, LLC
 221 Friendly Road - RMF & R20 to RMF-CU

Prepared by: Town of Morehead City
 Planning Department
 February 2015



TRACT AREA = 8.68 ACRES +/-
 NUMBER OF NURSING HOME BEDS 110
 NUMBER OF EMPLOYEES 85
 PARKING RATIO:
 ONE PARKING SPACE PER THREE BEDS 37 SPCS REQUIRED
 ONE PARKING SPACE PER 2 EMPLOYEES 43 SPCS REQUIRED
 TOTAL REQUIRED 80 SPCS
 TOTAL PROVIDED 82 SPCS

SETBACKS
 RMP
 FRONT 25'
 SIDE 10'
 REAR 20'

▨ REQUIRED SCREEN
 ▩ NATURAL VEGETATION SCREEN

OWNER: 35TH STREET PROFESSIONAL CNTR
 DEED BOOK: 1430
 DEED PAGE: 146

TRACT AREA = 8.7 ACRES +/-

REVISIONS:

NO.	DATE	DESCRIPTION
1	07/15/15	ALTERATIVE SCREEN



SHEET #_1 OF 2
 PROJECT #: PM1558-RC
 DESIGN FILE #: 1558/1558-1 RALPH STYRON/RIDGE CARE SPECIAL USE PERMIT.DGN

REZONING REQUEST RMF&R20 TO RMP-CU
CARTERET COUNTY ASSISTED LIVING
 MOREHEAD CITY, CARTERET COUNTY, NORTH CAROLINA

CLIENT: RIDGE CARE
 ADDRESS: 853 OLD WINSTON ROAD
 KERNERSVILLE, NC 27284
 PHONE: 336-993-7555

DESTROYED: RDC
 DRAWN: RDC
 CHECKED: RDC
 APPROVED: RDC

STROUD ENGINEERING, P.A.
 151A HIGHWAY 24
 MOREHEAD CITY, N.C. 28557
 (252) 847-7474
 LICENSE NO. C-0847

DATE: 1/23/15
 SCALE: 1"=50'

RONALD D. CULLIPHER P.E.





**PLANNING BOARD
RESOLUTION No. 2015-0002**

**Plan Consistency Statement
for Case #PB15-003**

Request to rezone 221 Friendly Road from RMF and R20 to RMF-CU

WHEREAS, Sam Hooker of Ridge Care, LLC, on behalf of 35th Street Professional Center, has requested to rezone 221 Friendly Road (Tax PIN #s 636616949402000 and 636616945560000) from RMF (Residential Multifamily District) and R20 (Single-Family Residential District) to RMF (Residential Multifamily District); and

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

WHEREAS, this ordinance amendment request was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on March 17, 2015, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

1. The proposed rezoning is consistent with the CAMA Land Use Plan Vision Statement and does appear to be consistent with the general policies, specifically:
 - Section 4.2.2 Land Use Compatibility, Policy #1;
 - Section 4.2.2 Land Use Compatibility, Policy #2;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #3;
 - Section 4.2.3 Infrastructure Carrying Capacity, Policy #6;
 - Section 4.2.4 Natural Hazard Areas, Policy #1;
 - Section 4.2.2 Natural Hazard Areas, Policy #2;
 - Section 4.2.5 Water Quality, Policy #3;
 - Section 4.2.7 Areas of Local Concern, Policy #2;
 - Section 4.2.7 Areas of Local Concern, Policy #3; and,
 - Section 4.2.7 Areas of Local Concern, Policy #12.

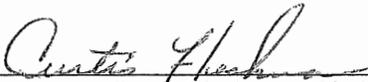
2. The proposed rezoning is in the public interest because:
 - The subject property is located in an area with access to adequate public infrastructure, including water and sewer utilities and adequate roadway access.
 - According to the Low Density Residential Classification description under Section 4.5A of the *Town of Morehead City Core Land Use Plan*, “The Town’s goals and policies support the continued use of land in Low Density-classified areas for low density dwellings and for public and institutional land uses that support and that are compatible with this type of residential development.”

*Ridge Care LLC Rezoning – 221 Friendly Road
Resolution 2015-0002*

- According to the description under Section 4.5D of the *Town of Morehead City Core Land Use Plan*, “Land uses within the Public and Institutional-designated areas are generally compatible with the OP, Office and Professional and IC, Institutional Campus zoning districts.” Nursing homes and assisted living facilities are a permitted use in the OP zoning classification.
- The majority of the subject property is currently zoned RMF, which would permit a nursing home or assisted living facility as a special use.
- According to the applicant’s *Project Impact Statement*, there is a need for an assisted living facility within Morehead City and the impact of traffic will be minimal.

3. The proposed amendment does not appear to conflict with other plans.

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



Curtis Fleshman, Chairman

3-17-15
Date

TOWN OF MOREHEAD CITY
NOTICE OF PUBLIC HEARING
April 14, 2015

Notice is hereby given that the Morehead City Planning Board will hold a **public meeting** on Tuesday, March 17, 2015, at 5:30 p.m., in the Municipal Building Auditorium, 202 South Eighth Street, to discuss the following proposal:

Request submitted by Sam Hooker of Ridge Care, LLC, on behalf of 35th Street Professional Center, to rezone Tax Parcel #s 636616949402000 and 636616945560 located at 221 Friendly Road from RMF (Residential Multifamily) and R20 (Single-Family Residential to RMF-CU (Residential Multifamily Conditional-Use).

The **public hearing** will be conducted by the Morehead City Town Council on Tuesday, April 14, 2015, at 5:30 p.m. in the Municipal Building Auditorium, 202 South Eighth Street, Morehead City, NC (252) 726-6848, ext. 140.

The Council and Planning Board may consider other appropriate districts which are less intense or reasonably similar based upon comments received during the public hearing.

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

Sandi Watkins
Planner

Please advertise three times as follows:

Friday, March 13, 2015
Friday, April 3, 2015
Friday, April 10, 2015

Please bill charges to:
Town of Morehead City
PO# 61935

TOWN OF MOREHEAD CITY

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PUBLIC HEARING**

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Sandi Watkins
Planner

M13,A3,10



Ridge Care Mailing List

Tuesday, March 24, 2015

11:01:08 AM

Owner	Mailing Address	City, State ZIP
35th Street Professional Center	604 Blair Pointe Road	Morehead City, NC 28557
Samuel Glenn Boyd	605 Bridges Street	Morehead City, NC 28557
Carolina Telephone & Telegraph	14111 Capital Boulevard	Wake Forest, NC 27587
John M. Chaanine	100 Pine Bluff Drive	Morehead City, NC 28557
Flowers Development Corp Inc	212 Bayview Boulevard	Atlantic Beach, NC 28512
Friendly Properties LLC	P.O. Box 2328	Morehead City, NC 28557
ITAC 109 LLC	P.O. Box 1679	Morehead City, NC 28557
NC Railroad Company	2809 Highwoods Boulevard, Suite 100	Raleigh, NC 27604
New Life Assembly of God	P.O. Box 217	Morehead City, NC 28557
John E. Nobles Jr.	4119 Sound Drive	Morehead City, NC 28557
Floyd & Virginia Rains	4105 Gordon Court	Morehead City, NC 28557
Emily Sledge	P.O. Box 385	Atlantic Beach, NC 28512
Michael & Jaime Smith	600 Robin Road	Morehead City, NC 28557
Stephanie Sledge	P.O. Box 33	Atlantic Beach, NC 28512
Swinson Park	302 Courthouse Square	Beaufort, NC 28516
U.S.C.G. Station Fort Macon	2301 East Fort Macon Road	Atlantic Beach, NC 28512



FRONT ENTRY ELEVATION



FRONT ELEVATION

DAVID R POLSTON - ARCHITECT
3806 PARK AVENUE, SUITE 2-L
WILMINGTON, NORTH CAROLINA 28403
PH: (910) 350-8900 FAX: (910) 350-0401

CARTERET LANDING
ASSISTED LIVING FACILITY



TOWN OF MOREHEAD CITY
REZONING APPLICATION

STREET ADDRESS: NOT LISTED 221 Friendly Rd.

PROPERTY OWNER INFORMATION:

Name: 35TH STREET PROFESSIONAL CENTER Phone Number: NOT AVAILABLE
Address: 604 BLAIR PT ROAD, MOREHEAD CITY, NC 28557 Email Address: NOT AVAILABLE

APPLICANT INFORMATION (if different from property owner):

Name: RIDGE CARE, LLC Phone Number: 336-993-7555
Address: 853 OLD WINSTON ROAD, KERNERSVILLE, NC Email Address: shooker@ridgecare.com

PROPERTY INFORMATION:

Tax PIN #(s): 636616945560000 636616949402000
Total Acreage: 1.69 AC + 6.99 AC= 8.68 ACRES
Property Dimensions: VARIES APPROX 820'X400'
Flood Zone(s): AE7 & NONE
Current Zoning Designation(s): RMF&R20
Proposed Zoning Designation(s): RMF-CU
Land Use Plan Classification(s): LOW DENSITY RESIDENTIAL
Land Use Plan Neighborhood(s): NEIGHBORHOOD 5
Corporate Limits: Annexation Application Submitted and is Pending

NOTE: Applications are due 28 days prior to the Planning Board meeting.
Incomplete applications will not be accepted and will be returned.
A complete basic rezoning application includes this application form, filing fee, and statement on what impacts the rezoning will have on City services as it relates to public health, safety and welfare and a statement on how the rezoning fits with the development policies outlined in the Land Use Plan.

I understand that if the application is not complete that I will have to resubmit and this item will not be scheduled as a Planning Board agenda item until the application is complete.

Applicant Signature & Date: [Signature] 2/12/15

35th Street Professional Center
P.O. Box 1143
Beaufort, NC 28516

February 27, 2015

Ms. Sandi Watkins, Planner
Town of Morehead City
706 Arendell St.
Morehead City, NC 28557

RE: Parcel #'s : 63661694556000 & 636616949402000
35th Street Professional Center

Gentlemen:

As per the requirements of the Town of Morehead City for a conditional-use rezoning application for the above-referenced property, we are allowing Carteret Landing, LLC to be our agent in this matter.

If you need any further information, please do not hesitate to contact Michael Lupton at 252-342-5740. Thank you for your consideration in this matter.

Very truly yours,



Michael Lupton
Managing Member
35th Street Professional Center

Project Impact Statement

The proposed Carteret Landing Assisted Living facility on an 8.68 parcel off of Friendly Road is a needed medical facility for the Assisted Care Community. The applicant has secured the appropriate Certificate of Need from the State. The property is currently zoned RMF and R20 and if approved will have a potentially significantly smaller impact as a RMF-CU community for the 110 bed nursing care home. The traffic impacts will primarily be limited to staff over a 24 hour period and it is estimated that the staffing will be upto 85 employees. Some visitation occurs on a regular basis with the largest turn out on weekends.

Since this type of facility is by nature a quiet, convalescent facility it is anticipated that the impact for city services will be minimal as it relates to public health, safety and welfare. It is furthermore our opinion that this community if rezoned to RMF-CU, fits within the development policies of the Land Use Plan.

TOWN OF MOREHEAD CITY

AGENDA ITEM: IV.A.

REQUEST FOR TOWN COUNCIL ACTION

DATE: April 14, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: New Business: Adopt Resolution 2015-21 Providing for the Issuance of a \$4,932,000 Water and Sewer System Revenue Bond, Series 2015 and Approval of Bond Order Authorizing the Same

Background Information Attached: Yes X No

The Town of Morehead City will issue Water and Sewer System Revenue Bonds (Bonds) to the United States Department of Agriculture (USDA) on April 23, 2015 to provide permanent financing for the water treatment improvements consisting of the new water tower, two [2] water plants and a well which were made to Morehead City's water system.

An order authorizing the Bonds in an amount not to exceed \$4,932,000 was adopted by the Morehead City Town Council on January 7, 2013. The Bond will replace interim financing provided by Bank of America through a Bond Anticipation Note (BAN) which was issued on January 15, 2013. The BAN was issued under the USDA Bond Order in anticipation of the future receipt of the USDA Bond proceeds. The Bond proceeds will be applied to payment of the BAN which matures concurrently with the issuance of the USDA Bond.

The Water and Sewer System Revenue Bonds will be issued with a fixed interest rate of 2.75% which is .5% less than maximum rate that could have been charged. The Town will amortize the Bonds over a period not to exceed 40 years and may, with notice, make prepayments without incurring penalties.

The Finance and Administration Committee of the Council reviewed the financial instruments and recommended adoption of the resolution.

Recommended Action: Adopt Resolution 2015-21 Providing for the Issuance of a \$4,932,000 Water and Sewer System Revenue Bond, Series 2015 and approval of Bond Order Authorizing the Same.

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____

TOWN OF MOREHEAD CITY

RESOLUTION 2015-21

The Town Council of the Town of Morehead City, North Carolina, met in a regular meeting in the Municipal Building Auditorium located at 202 South 8th Street in Morehead City, North Carolina, the regular place of meeting, at 5:30 p.m. on April 14, 2015.

Present: Mayor Gerald A. Jones, Jr., presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

_____ introduced the following resolution the title of which was read and copies of which had been previously distributed to each Council Member:

SERIES RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$4,932,000 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 2015

BE IT RESOLVED by the Town Council (the "Town Council") of the Town of Morehead City, North Carolina (the "Town") as follows:

Section 1. The Town Council has determined and does hereby find and declare as follows:

(a) An order authorizing not exceeding \$4,932,000 Water and Sewer System Revenue Bonds of the Town was adopted by the Town Council on January 7, 2013 (the "Bond Order").

(b) None of said bonds have been issued and there is outstanding a \$4,932,000 Water and Sewer System Revenue Bond Anticipation Note, dated January 15, 2013, maturing April 23, 2015, and bearing interest at the rate of 0.97% per annum, which note was issued under the Bond Order in anticipation of the receipt of the proceeds of the sale of a like amount of said bonds.

(c) It is necessary to issue \$4,932,000 of said Water and Sewer System Revenue Bonds pursuant to the Bond Order at this time, all of the proceeds thereof, together with other moneys of the Town, to be applied to the payment of the outstanding note at its maturity.

(d) The maximum period of usefulness of the water and sewer system improvements to be provided with the proceeds of the bond authorized hereby is estimated as a period of forty (40) years from April 21, 2015, the anticipated date of said bond, and such period expires on April 21, 2055.

Section 2. Pursuant to the Bond Order, there shall be issued a single registered bond of the Town in the denomination of \$4,932,000, numbered R-1, designated “Water and Sewer System Revenue Bond, Series 2015,” dated as of the date of delivery thereof, and maturing in annual installments on the first day of June in the following years and in the following amounts:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>
2017	\$75,000	2036	\$126,000
2018	77,000	2037	129,000
2019	79,000	2038	133,000
2020	82,000	2039	137,000
2021	84,000	2040	140,000
2022	86,000	2041	144,000
2023	88,000	2042	148,000
2024	91,000	2043	152,000
2025	93,000	2044	156,000
2026	96,000	2045	161,000
2027	99,000	2046	165,000
2028	101,000	2047	170,000
2029	104,000	2048	174,000
2030	107,000	2049	179,000
2031	110,000	2050	184,000

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>
2032	113,000	2051	189,000
2033	116,000	2052	194,000
2034	119,000	2053	200,000
2035	123,000	2054	208,000

and bearing interest on the unpaid part of such principal at a rate of two and three-fourths per centum (2.75%) per annum until payment thereof, such interest to be payable on June 1, 2015, and annually thereafter on the first day of June of each year until paid.

The bond shall be sold to the United States of America, acting by and through Rural Development, an agency of the United States Department of Agriculture (“USDA”) by private sale in accordance with Sections 8 and 9 hereof. The bond shall not be defeased without written consent of USDA during such time as USDA shall remain the registered owner of the bond.

The bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, the bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Payment of interest on the bond shall be made by the Finance Director of the Town, acting in the capacity of Bond Registrar (as defined in the Bond Order) on each interest payment date to the person appearing on the registration books of the Town hereinafter provided for as the registered owner of such bond (or the previous bond or bonds evidencing the same debt as that

evidenced by such bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date. During the time that USDA is the registered owner of the bond, payment of the installments of principal and interest when due and payable on the bond shall be made at the office of such fiscal agent as USDA shall designate without presentation or surrender thereof and, during any such time as an assignee thereof is the registered owner of the bond, payment of the installments of principal when due and payable on the bond shall be made at the office of the Bond Registrar, upon the presentation and surrender thereof, and payment of the interest when due and payable on the bond shall be made by check mailed to such assignee at his address as it appears on the bond registration books of the Town hereinafter mentioned without the presentation or surrender thereof.

Section 3. As long as USDA is the registered owner of the bond, the bond may be redeemed, at the option of the Town, at any time prior to the maturity of any installment of the principal thereof, either in whole or in part in the inverse order of the maturity dates of the installments of principal, from any moneys that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date fixed for redemption, but without any premium. During any time as an assignee of USDA is the owner of the bond, the principal installments of the bond maturing on or after June 1, 2026 may be redeemed in whole or in part on any date on or after June 1, 2025, from any moneys that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date fixed for redemption, but without any premium.

In case of a redemption of all or any part of the bond, a notice of redemption shall be sent by registered mail, mailed at least forty (40) days prior to the date fixed for redemption,

addressed (a) during the time that USDA is the owner of the bond, to the Finance Office, Rural Development, United States Department of Agriculture, 1530 Market Street, St. Louis, Missouri, 63103, or to such other address as USDA may designate by registered or certified mail forwarded to the Town at least fifty (50) days prior to any redemption date, and (b) during any time as an assignee of USDA is the owner of the bond, to the address as it appears on the registration book of the Town maintained by the Bond Registrar.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the bond or part thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the bond or part thereof to be redeemed plus accrued interest thereon to the date fixed for redemption are held at such place as USDA may designate (or, if the bond shall have been assigned by USDA, at the corporate trust office of the Bond Registrar) in trust for such purpose, interest on the bond or part thereof called for redemption shall cease to accrue, such bond or part thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such bond or part thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

In the event that an installment of principal of the bond shall be redeemed, the Bond Registrar shall direct the registered owner thereof to evidence such redemption by appropriate notation on the schedule attached to such bond for such purpose.

Section 4. The bond, upon surrender thereof at the principal office or corporate trust office of the Bond Registrar, together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for bonds, having maturities

corresponding to the maturities of the installments of principal of such bond then unpaid, issuable in fully registered form in the denomination of \$1,000 or any integral multiple thereof and bearing interest at the same rate.

The transfer of the bond may be registered by the registered owner thereof only upon an execution of an assignment thereof duly executed by such registered owner or his attorney or legal representative. Notice of such assignment shall be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as shall be satisfactory to the Bond Registrar, and upon receipt of such notice, such bond shall be registered as to both principal and interest on such registration books in the name of the assignee named in such notice.

The transfer of any bond issued in exchange for the bond as provided above may be registered only upon the registration books of the Town upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such bond a new bond or bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which the bond shall be exchanged or the transfer of bonds shall be registered hereunder and a new bond or bonds are to be delivered in exchange therefor, the Bond Registrar shall authenticate and deliver at the earliest practicable time bonds in accordance with the provisions of this Resolution. All bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar. The Bond Registrar shall not be

required to make any such exchange or registration of transfer of (a) any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or (b) any bond called for redemption in whole or in part pursuant to Section 3 of this resolution.

As to any bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such bond and the interest on any such bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

In addition to the Finance Director, the Town shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of bonds within a reasonable time according to then current commercial standards and for the timely payment of installments of principal and interest with respect to the bond.

Section 5. The bond shall bear the manual or facsimile signatures of the Mayor and the Town Clerk of the Town, and the official seal or a facsimile of the official seal of the Town shall be impressed or imprinted, as the case may be, on the bond.

The certificate of the Local Government Commission of North Carolina to be endorsed on the bond shall bear the manual or facsimile signature of the Secretary of said Commission, and the certificate of authentication of the Bond Registrar to be endorsed on the bonds shall be executed as provided hereinafter.

In case any officer of the Town or the Local Government Commission of North Carolina whose manual or facsimile signature shall appear on the bond shall cease to be such officer before the delivery of such bond, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and the bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such bond shall be the proper officers to sign such bond although at the date of such bond such persons may not have been such officers.

No bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The bond and the endorsements thereon shall be in substantially the following form:

No. R-1 \$4,932,000

United States of America
State of North Carolina
County of Carteret

TOWN OF MOREHEAD CITY
WATER AND SEWER SYSTEM REVENUE BOND, SERIES 2015

The Town of Morehead City, North Carolina, a municipal corporation duly organized and validly existing under the laws of the State of North Carolina, is justly indebted and for value received hereby promises to pay to the

UNITED STATES OF AMERICA, UNITED STATES
DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT

or registered assigns or legal representative the principal sum of

FOUR MILLION NINE HUNDRED THIRTY-TWO THOUSAND DOLLARS

in annual installments on the 1st day of June in the following years and amounts:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>
2017	\$75,000	2036	\$126,000
2018	77,000	2037	129,000
2019	79,000	2038	133,000
2020	82,000	2039	137,000
2021	84,000	2040	140,000
2022	86,000	2041	144,000
2023	88,000	2042	148,000
2024	91,000	2043	152,000
2025	93,000	2044	156,000
2026	96,000	2045	161,000
2027	99,000	2046	165,000
2028	101,000	2047	170,000
2029	104,000	2048	174,000
2030	107,000	2049	179,000
2031	110,000	2050	184,000
2032	113,000	2051	189,000
2033	116,000	2052	194,000
2034	119,000	2053	200,000
2035	123,000	2054	208,000

and to pay interest from the date hereof on the unpaid part of such principal sum at the rate of two and three fourths per centum (2.75%) per annum until payment thereof, such interest to be payable on June 1, 2015, and annually thereafter on the first day of June of each year until paid. The interest so payable on any such interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date. Both the principal of and the interest on this bond are payable in any coin or currency of the United States of America which, at the respective date of payment thereof, is legal tender for the payment of public and private debts.

During the time that the United States of America is the registered owner of this bond, payment of the installments of principal and interest when due and payable on this bond shall be made at the office of such fiscal agent as the United States of America shall designate without

presentation or surrender hereof and, during any such time as an assignee hereof is the registered owner of this bond, payment of the installments of principal when due and payable on this bond shall be made at the office of the Finance Director of the Town, acting in the capacity of Bond Registrar, upon the presentation and surrender hereof, and payment of the interest when due and payable on this bond shall be made by check mailed to such assignee at his address as it appears on the bond registration books of said Town maintained by the Bond Registrar without the presentation or surrender hereof. Upon receipt of said payments of principal and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar hereinafter mentioned, and said Town shall be fully discharged of its obligation on this bond to the extent of the payment so made. Upon final payment this bond shall be surrendered to the Bond Registrar for cancellation.

This Bond is issued pursuant to and in accordance with Article 5 of Chapter 159 of the General Statutes of North Carolina, as amended, a bond order adopted by the Town Council (the "Town Council") of the Town of Morehead City, North Carolina (the "Town") on January 7, 2013 (the "Bond Order"), and a series resolution adopted by the Town Council on April 14, 2015 (the "Series Resolution"). The proceeds of this Bond shall be used to pay a portion of the cost of the Project (as defined in the Bond Order).

This Bond is a special obligation of the Town payable solely from the Net Revenues (as defined in the Bond Order). Neither the credit nor the taxing power of the Town is pledged for the payment of this Bond and no holder of this Bond has the right to compel the exercise of the taxing power by the Town or the forfeiture of any of the Town's property in connection with any default thereon, and the Town is not obligated to pay the principal of or interest on this Bond except from Net Revenues. Reference is hereby made to the Bond Order and the Series Resolution and to all amendments and supplements thereto for a description of the provisions,

among others, respecting the nature and extent of the security, the rights, duties and obligations of the Town, the rights of the holder of this Bond and the terms upon which this Bond is issued and secured.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Series Resolution, this bond may be exchanged for an equal aggregate principal amount of bonds having maturities corresponding to the maturities of the installments of principal of this bond then unpaid, issuable in fully registered form in the denomination of \$1,000 or any integral multiple thereof and bearing interest at the same rate.

Initially, this bond is registered as to both principal and interest in the name of the United States of America, United States Department of Agriculture, Rural Development on books of said Town kept by the Finance Director of said Town, as Bond Registrar, and the transfer hereof may hereafter be registered by the registered owner hereof only upon an execution of an assignment hereon duly executed by such registered owner or his attorney or legal representative. Notice of such assignment shall be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as shall be satisfactory to the Bond Registrar, and upon receipt of such notice this bond shall be registered as to both principal and interest on such registration books in the name of the assignee named in such notice.

As long as USDA is the registered owner of the bond, this bond may be redeemed, at the option of the Town, at any time prior to the maturity of any installment of the principal thereof, either in whole or in part in the inverse order of the maturity dates of the installments of principal, from any moneys that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date fixed for redemption, but without any premium. During any time as an assignee of USDA is the owner of this bond, the principal installments of the bond maturing

on or after June 1, 2026 may be redeemed in whole or in part on any date on or after June 1, 2025, from any moneys that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date fixed for redemption, but without any premium.

On the date designated for redemption, notice having been given and moneys for payment of the redemption price being held in trust for such purpose, all as provided in the Series Resolution, this bond or part hereof shall become and be due and payable, and the interest on this bond or part hereof so redeemed shall cease to accrue.

The Bond Registrar shall not be required to exchange or register any transfer of (a) any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or (b) any bond called for redemption in whole or in part pursuant to the Series Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required.

IN WITNESS WHEREOF, the Town of Morehead City, North Carolina, by resolution duly passed by the Town Council of said Town, has caused this bond to be manually signed by its Mayor and its Town Clerk and its official seal to be impressed hereon, all as of the ____ day of April, 2015.

[Do not sign] _____
Mayor

[SEAL]

[Do not sign] _____

Town Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Finance Act of North Carolina.

GREGORY C. GASKINS
Secretary of the Local Government Commission

By: [Do not sign]
Designated Assistant

CERTIFICATE OF AUTHENTICATION

This bond is issued under the provisions of the within-mentioned Series Resolution.

Finance Director of the Town of Morehead City,
North Carolina, as Bond Registrar

[Do not sign]
Bond Registrar

Date of Authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

Section 6. The Town covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time (the "Code"), and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the bond will not be included in gross income of the owners of the bond for purposes of federal income tax.

Section 7. The Local Government Commission of North Carolina is hereby requested to sell the bond at private sale pursuant to G.S.159-123 to USDA, subject to the approval of the Mayor of the Town; provided, however, that the purchase price of the bond is at least \$4,932,000 plus 100% of accrued interest, if any.

Section 8. The Mayor of the Town is hereby authorized to approve the purchase price of the bond and the rate of interest on the bond in connection with the private sale of the bond, subject to the provisions of Section 7 of this resolution.

Section 9. This resolution shall take effect upon its passage.

Upon motion of Council Member _____, seconded by Council Member _____, the-foregoing resolution entitled "SERIES RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$4,932,000 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 2015" was passed by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Jeanne M. Giblin, Town Clerk of the Town of Morehead City, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the Town Council of said Town, at a regular meeting held on April 14, 2015, the record having been made in the minutes of said Town Council, and is a true copy of so much of said minutes as relates in any way to the passage of the foregoing resolution providing for the issuance of a \$4,932,000 Water and Sewer System Revenue Bond, Series 2015 of said Town.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said Town this 14th day of April, 2015.

Town Clerk

[SEAL]

TOWN OF MOREHEAD CITY

AGENDA ITEM: IV.B.

DATE: April 14, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: New Business: Adopt Ordinance 2015-13 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 – 174, Schedule VIII – One Way Streets; Section 9 – 176 [c], Schedule X – Stop Intersections; and Adding Section 9 – 175 [b], Schedule IX – No-Through Streets

Background Information Attached: Yes X No

With the advent of the Big Rock Landing/Jibb Plaza being completed and the use of this site for not only the Big Rock/Blue Marlin Fishing Tournament, but also many of the Downtown Morehead City Fishing Tournaments, it is proposed that Ordinance 2015-13 be adopted. The designation of Shepard Street between South 8th Street on the west and Evans Street on the east as a “No through street” will allow for more efficient crowd control and provide a more stable, safe pedestrian access to the Jib site.

At the same time by making South 8th Street between Shepard Street and Evans Street [in front of the Municipal Building] a one-way street only traveling north will improve traffic flow around the Municipal Building. The intersection of South 8th and Evans Streets will become an all-way stop intersection.

The Public Works Committee of the Council reviewed the proposed ordinance and recommended its presentation to the entire Council.

Recommended Action: Adopt Ordinance 2015-13 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 – 174, Schedule VIII – One Way Streets; Section 9 – 176 [c], Schedule X – Stop Intersections; and Adding Section 9 – 175 [b], Schedule IX – No-Through Streets.

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____

**TOWN OF MOREHEAD CITY
ORDINANCE 2015-13**

An Ordinance Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 – 174, Schedule VIII – One Way Streets; Section 9 – 176 [c], Schedule X – Stop Intersections; and Adding Section 9 – 175 [b], Schedule IX – No-Through Streets

BE IT ORDAINED, by the Council of the Town of Morehead City that Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 -174, Schedule VIII. – One-way streets, be amended by the following:

Add: South 8th Street, between Shepard Street and Evans Street, traveling north.

BE IT FURTHER ORDAINED, by the Council of the Town of Morehead City that Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9 – 176 [c], Schedule X – Stop Intersections, be amended by the following:

Add: South 8th Street and Evans Street.

BE IT FURTHER ORDAINED, by the Council of the Town of Morehead City that Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, be amended by the following:

Add: Section 9 – 175 [b]. Schedule IX – No-through streets.

The following shall be designated as no-through streets:

Shepard Street between South 8th Street on the west and Evans Street on the east.

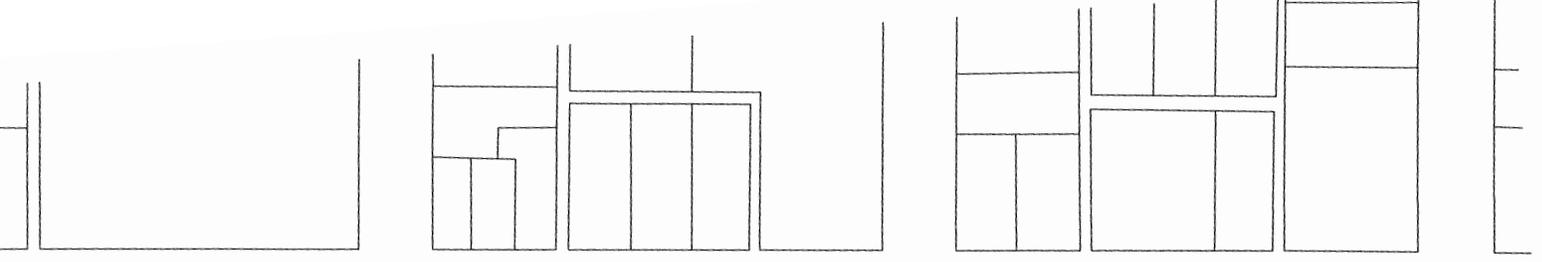
This Ordinance will become effective upon adoption.

Adopted this the 14th day of April, 2015.

Gerald A. Jones, Jr. Mayor

Attest:

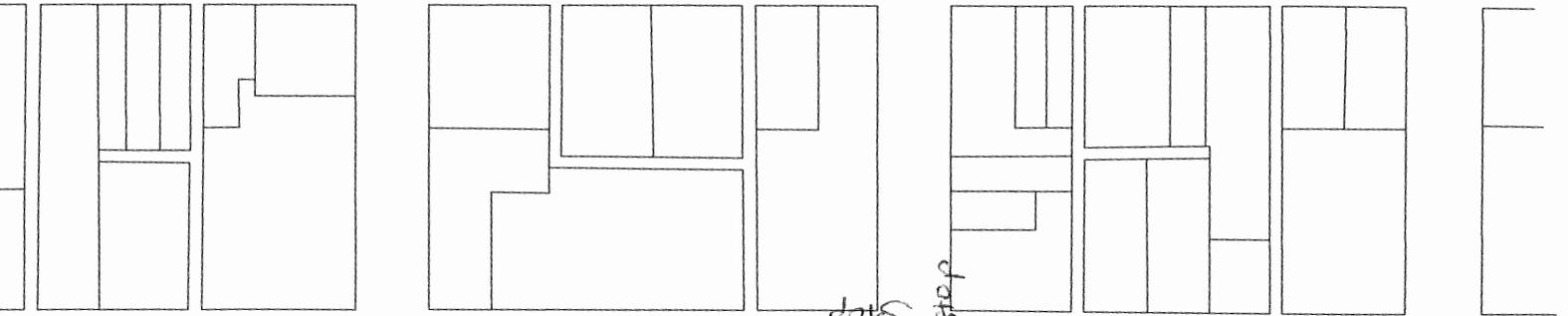
Jeanne M. Giblin, City Clerk



8TH

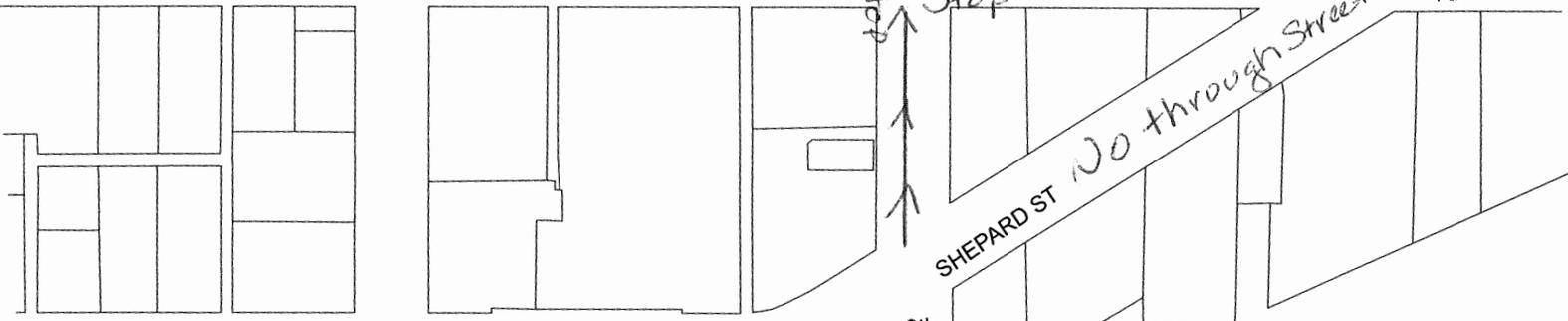
7TH

Arendell Street



Evans Street

lots
stop
stop

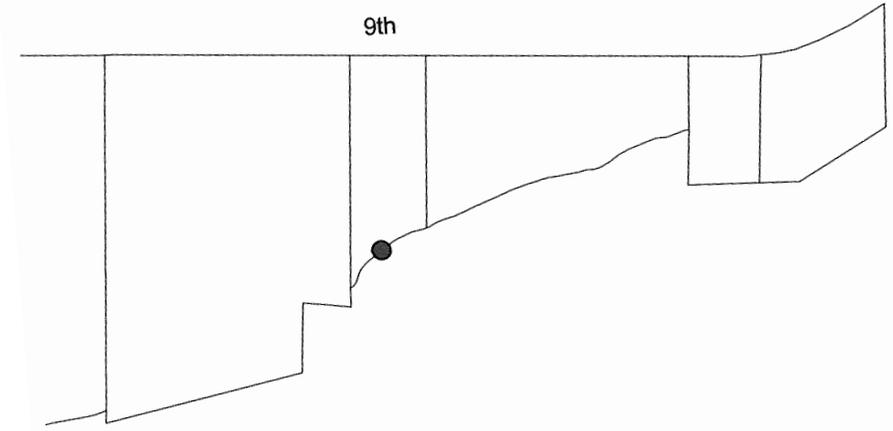


7th

SHEPARD ST No through Street

8th

9th



TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: V.
DATE: April 14, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Citizens Request/Comments: [2 minute time limit]

Background Information Attached: Yes No X

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____

TOWN OF MOREHEAD CITY

AGENDA ITEM: VI.
DATE: April 14, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: City Manager's Report: Webb Memorial Library – Membership in Craven/Pamlico/Carteret Regional Library System

Background Information Attached: Yes X No

The City Council has expressed interest in having the Webb Memorial Library become a part of the Craven/Pamlico/Carteret Region Library System [CPCRL]. Over the past two [2] months City Manager David Whitlow has had several conversations with Susan Simpson, CPCRL Director, regarding the process for becoming a member, the potential benefits and direction and administration of programs. The attached memorandum from Ms. Simpson answers some of the above questions.

City Manager Whitlow has proposed that Morehead City would continue to “own” the building and fixtures and be responsible for its ongoing maintenance and improvement. Staff and non-durable furnishings and the collection would transfer to the regional library system minus the historic volumes. It has been discussed in Morehead City’s separation of the budget into maintenance and capital items, and that the City would continue to maintain the budget and place the operating funds for staff, benefits and books into the regional system for use in the Webb Library.

It has also been discussed about the need to keep the “local flavor” and unique culture of the Webb Memorial Library and the need to keep the Friends of the Webb Library engaged.

City Manager Whitlow requests that the Council authorize him to submit a letter of interest to the Carteret County Public Library [CCPL] Board of Trustees and the CPCRL Board as the first step in this process.

Recommended Action: Authorize the City Manager to submit a letter of interest to the Carteret County Public Library [CCPL] Board of Trustees and the Craven/Pamlico/Carteret Regional Library System [CPCRL] as the first step in the process of the Webb Memorial Library becoming a member of the CPCRL.

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Naves _____ Postponed/Tabled _____

MEMORANDUM

TO: Honorable Mayor
Members of Council

FROM: David S. Whitlow, City Manager

SUBJECT: Membership in Craven—Pamlico—Carteret Regional Library System

DATE: April 9, 2015

With the departure of Sandra Bell from the Webb Library, I approached the Council to see if there was interest in becoming a part of the CPCRL. Council indicated that it did have an interest in this approach.

Over the past two months, I have had several conversations with Susan Simpson, CPCRL Director regarding the process for becoming a member, the potential benefits of membership and overall direction and administration of programs. The process of becoming a member library appears to be fairly straight forward and described in the attached memo from Susan.

What I have proposed to Susan is that Morehead City would continue to “own” the building and fixtures and be responsible for its ongoing maintenance and improvement. Staff and non-durable furnishings and the collection would transfer over to the regional library as it presently exists, minus the historic volumes.

I have talked in terms of our separating the budget into the maintenance and capital items, that we would continue to maintain in our budget and placing the operating funds for staff, benefits and books into the regional system for use in the Webb Library. This appears to be an acceptable approach to the CPCRL.

I have also talked at length about the need to continue to maintain the local flavor and unique culture of our library and Susan has received this with agreement, indicating that all of the libraries have differences in terms of certain programs and operations. We would very much like to keep the Friends of Webb Library engaged and involved as one way of assuring that the Webb continues to progress.

I request that the Council allow me to submit a letter of interest to the CCPL Board of Trustees and the CPCRL Board as the first step in moving toward this consolidation per the process laid out in the attached memo. It seems highly likely that we can complete the necessary processes by July 1, 2015 and make the consolidation coincide with the new fiscal year.

TO: Dave Whitlow, Morehead City Manager

FROM: Susan W. Simpson, Librarian and CPCRL Director

DATE: March 23, 2015

RE: Webb Memorial Library

Dave-

This memo is in 3 parts:

1. Benefits of Webb Library joining Craven-Pamlico-Carteret Regional Library (CPCRL) as a branch of Carteret County Public Library
2. Draft itinerary for the transfer of responsibility
3. Important questions and comments

1. Benefits of joining CPCRL:

- **Resources Sharing**- Webb Library patrons and all county library users will benefit; instead of one library's collection, patrons will have ten other libraries to draw on for materials. CPCRL has a courier service that travels to all the libraries twice a week delivering materials for the public; Webb Library would become part of that system which offers a real convenience for the public.
- **Purchasing Power**- If Webb Library joins CPCRL it will be joining a group of libraries that obtain quantity discounts on books, eBooks, audiovisual materials, supplies, and equipment. The ten libraries of CPCRL collaborate on purchasing and cost sharing.
- **Support and Staff Development**- CPCRL is strong on staff development and training. All employees are encouraged to participate in professional classes, webinars, or other training events to improve their skills and proficiencies especially with regard to computer technologies and software. If Webb Library joins CPCRL the employees would have access to such training free through State Library and other resources.
- **Opportunities for Grants**- CPCRL regularly applies for federal, state, and other grants for its libraries for programming, equipment, and materials. Webb Library would be included in this process.
- **Interlibrary Loans**- CPCRL libraries offer patrons Interlibrary Loan services to obtain materials from universities, colleges, and libraries beyond our regional library system. Webb Library patrons would receive these same advantages.
- **Branch Library or Standalone**- The Newport Public Library is a "standalone" library in the CPCRL, this means it has its own Library Board and its own librarian. The Carteret County Public Library System includes the Carteret County Public Library (Beaufort), Bogue Banks Public Library (Pine Knoll Shores), Western Carteret Public Library (Cape Carteret), and Down East Public Library (Otway); there is one Library Board of Trustees

and one Librarian who manages this “system”. Library employees can be used at any location if necessary; materials, supplies, and training are also easily shared.

- **Professional Standards**- If Webb Library joins CPCRL it will be operated by CPCRL as a public library adhering to State Library of North Carolina’s 2012 Public Library Standards (<http://statelibrary.ncdcr.gov/ld/aboutlibraries/plstandards.html>) and guidelines established by the American Library Association.

2. Draft itinerary for transferring responsibility for Webb Memorial Library to Carteret County Public Library and Craven-Pamlico-Carteret Regional Library:

- Morehead City submits a letter of interest to CCPL Board of Trustees and CPCRL Board.
- Approval by both Boards.
- Morehead City officially offers the Webb Library and assets to CPCRL, and determines annual appropriation and frequency of the appropriation. The City would also define its responsibilities, i.e. the building upkeep, insurance, etc.
- Agreement should also be received from Carteret County so county funds for Webb Library will continue.
- Agreement by the Carteret County Public Library Board of Trustees, and an operating budget for Webb Library is approved.
- A date is set for transfer of responsibility—should be the 16th of a month. At that time all bills for the library operation would be transferred to the library. Webb Library employees shifted over to CPCRL. The CPCRL courier would begin stopping at Webb Library—offering the public the convenience of returning CPCRL materials at that location.
- The next major step would be to bring Webb Library online with the Integrated Library System shared by all CPCRL libraries. This will require assistance from CPCRL’s Technology Coordinator. Webb Library will need a new router, switch, bar code scanners, and possibly new staff computers. Of course Webb Library employees will receive extensive training in the use of the new system. Technology protection measures (filters) will be installed on all public and staff computers that access the Internet.

3. Important questions and comments:

Budget-

How much would Morehead City annually appropriate to the Webb Library? I understand that the City now allocates \$160,000, but does this include funds for maintaining/repairing the building? If so, how much? Will the City deduct that amount from its library appropriation?

Staff-

CPCRL's pay period runs from the 16th of the month through the 15th; pay is once a month by direct deposit. We would want the Webb Library staff to complete necessary paperwork to put them on our payroll on the 16th of a month. We participate in NC State Retirement; I understand the Webb Library staff members as employees of Morehead City also have this retirement. CPCRL does not contribute to other retirement plans for employees, although employees can contribute to 401k or Roth accounts.

Webb Library staff cannot work over 29 hours per week when they become CPCRL employees. If they work 30+ hours a week they become eligible for our group health insurance which is very expensive for the library.

Building-

It will be necessary to determine the assets of the Webb Library as distinct from the Webb Civic Center.

Collection-

The library collection of books and other materials will need to be inventoried, evaluated, barcoded, and added to the CPCRL catalog. In the process, all materials get stamped with the CPCRL identifier.

Insurance-

CPCRL maintains General Liability insurance for all its libraries; Webb Library would be included. As owners of the Webb building, Morehead City would maintain property insurance.

Evacuation Plan-

Is there a current Evacuation Plan for the Webb building? Carteret County libraries have annual training in fire extinguisher operation and evacuation plans. We would include Webb Library in this practice.

Policies-

All CPCRL Policies will be implemented at Webb Library, including Patron Conduct, Child Safety, Conflict of Interest, Personnel, Registration of Patrons, Computer and Internet Use, etc.

I think this document should give a rough idea of how to proceed. Please call me when more questions or problems develop. Susan

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: VII.
DATE: April 14, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Council Requests/Comments

Background Information Attached: Yes No X

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: VIII.
DATE: April 14, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Approve CLOSED SESSION Minutes of Tuesday, March 10, 2015

Background Information Attached: Yes No X

Board Action: Approved: 1st: _____ 2nd: _____
VOTE: Ayes _____ Nays _____ Postponed/Tabled _____