

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

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

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

David S. Whitlow  
*City Manager*

**AGENDA**  
**MOREHEAD CITY TOWN COUNCIL**  
**Tuesday, December 9, 2014 at 5:30 p.m.**  
**Municipal Chambers**  
**202 South 8<sup>th</sup> Street**

- I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance
- II. Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014 – Representative from McGladrey, LLP
- III. Adoption of the CONSENT AGENDA:
  - A. Approval of Minutes: Wednesday, November 12, 2014 – Regular Meeting
  - B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for November 2014, in the amount of \$465.88 and Accept the Tax Collector and Finance Director Reports for November 2014
  - C. Adopt Resolution 2014-46 Authorizing the Issuance of Morehead City's \$4,932,000 Water and Sewer System Revenue Bond Anticipation Note, Series 2013 and Modifying Said Note in Order to Extend the Term of Said Note to April 23, 2015
  - D. Adopt Resolution 2014-47 Declaring the Service Weapon and Badge carried by Police Chief Wrenn Johnson as Surplus and Authorize Award to her upon Retirement
  - E. Adopt Resolution 2014-48 to Rename the Wallace School Property Acquisition/Improvement Capital Fund to the Morehead City Municipal Campus Capital Project Fund
  - F. Adopt Resolution 2014-49 Approving Local Water Supply Plan
  - G. Approve the Annual Certification of Firemen for 2014 for North Carolina State Firemen's Association
  - H. Adopt Three [3] Resolutions:
    - 2014-51 Supporting Beneficial Use Standard for Proposed State Ports Inlet Management Area of Environmental Concern (AEC)

- **2014-52 Requesting Emergency Dredging Funds for Morehead City State Port**
- **2014-53 Supporting Search and Rescue Services at Marine Corps Air Station Cherry Point, N.C.**

**IV. New Business: Adopt Resolution of Intent 2014- to Consider an Ordinance Amending the Charter of the Town of Morehead City to Provide for Election of the Office of Mayor for a term of Four [4] Years and Setting the Date for the Public Hearing for Tuesday, January 13, 2015 at 5:30 p.m.**

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

**VI. City Manager's Report:**

- A. Extension of Lease Agreement with Robert Purifoy for the Easternmost 30 Feet of the South 8<sup>th</sup> Street Riparian Area Immediately Adjacent to Morehead City's 8<sup>th</sup> Street Dock**
- B. Sale of 101 North 5<sup>th</sup> Street Surplus Property**
- C. Approve the Merging of Public Works and Public Utilities Departments under a Single Director**

**VII. Council Requests/Comments**

**VIII. Approve the CLOSED SESSION Minutes of Tuesday, September 9, 2014**

**IX. Adjournment**

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: II.  
DATE: December 9, 2014

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014 –Representative from McGladrey, LLP

Background Information Attached: Yes X No

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A representative from McGladrey, LLP will present the Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2014. The Report is on the City's website at [www.moreheadcity.nc.gov](http://www.moreheadcity.nc.gov) under the Finance Department.

***Recommended Action: Approve the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.***

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

TOWN OF MOREHEAD CITY

AGENDA ITEM: III.

REQUEST FOR TOWN COUNCIL ACTION

DATE: December 9, 2014

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Adoption of the CONSENT AGENDA

Background Information Attached: Yes X No

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**III.A. Approval of Minutes: Wednesday, November 12, 2014 – Regular Meeting**

*Approve the Minutes of Wednesday, November 12, 2014, Regular Meeting and dispense with the reading.*

**III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for November 2014, in the amount of \$465.88 and Accept the Tax Collector and Finance Director Reports for November 2014**

*Approve the requests for release of overpayment of Ad Valorem Taxes for November 2014, in the amount of \$465.88 and accept the Tax Collector and Finance Director Reports for November 2014.*

**III.C. Adopt Resolution 2014-46 Authorizing the Issuance of Morehead City's \$4,932,000 Water and Sewer System Revenue Bond Anticipation Note, Series 2013 and Modifying Said Note in Order to Extend the Term of Said Note to April 23, 2015**

The proposed Resolution 2014-46 modifies the maturity date of the January 2013, \$4,932,000 Water/Sewer System Bond Anticipation Note to April 23, 2015. The Local Government Commission [LGC] would certify the new maturity date that would be given to the Bank of America in substitute of the current note. No money will change hands in connection with the delivery of the modified note. The City's legal counsel, Womble Carlye of Raleigh, N.C., would render an opinion similar to the opinion rendered at the issuance of the original note. The Public Utilities Committee reviewed the request.

*Adopt Resolution 2014-46 Authorizing the Issuance of Morehead City's \$4,932,000 Water and Sewer System Revenue Bond Anticipation Note, Series 201, and modifying said note in order to extend the term to April 23, 2015.*

**III.D. Adopt Resolution 2014-47 Declaring the Service Weapon and Badge carried by Morehead City Police Chief Wrenn Johnson as Surplus and Authorize Award to her upon Retirement**

North Carolina General Statute 20-187.2 authorizes governing boards of law enforcement agencies to declare the badge and service weapon of a retiring member as surplus and be awarded to them upon their retirement.

*Adopt Resolution 2014-47 Declaring the service weapon and badge carried by Morehead City Police Chief Wrenn Johnson as surplus and authorize award to her upon retirement.*

**III.E. Adopt Resolution 2014-48 to Rename the Wallace School Property Acquisition/Improvement Capital Project Fund to the Morehead City Municipal Campus Capital Project Fund**

At the November 5, 2014 Finance and Administration Committee of the Council Meeting, Mayor Jones requested that the Wallace School Property Acquisition /Improvement Capital Project Fund be renamed the Morehead City Municipal Campus Capital Project Fund to more aptly describe the financial transactions currently and in the future for this project. The Finance and Administration Committee concurred with the name change.

*Adopt Resolution 2014-48 to Rename the Wallace School Property Acquisition/Improvement Capital Project Fund to the Morehead City Municipal Campus Capital Project Fund.*

**III.F. Adopt Resolution 2014-49 Approving Local Water Supply Plan Dated 2012**

The adoption of the Resolution 2014-49 is a formality required by General Statute 143.355 [I] to submit the City's Local Water Supply Plan dated 2012 to the North Carolina Department of Environment and Natural Resources to aid in the development of a state water supply plan. The last such resolution was adopted in September 2012 for the 2007 Water Supply Plan. The Public Utilities Committee reviewed the Resolution.

*Adopt Resolution 2014-49 Approving Local Water Supply Plan dated 2012.*

**III.G. Approve the Annual Certification of Firemen for 2014 for North Carolina State Firemen's Association**

This is a routine procedure under NCGS 58-86-25 that requires all certified fire departments to submit a complete roster of eligible firemen annually. This certified list determines eligibility for the \$50,000 line of duty death benefit as well as eligibility for the pension fund credit.

*Approve the Annual Certification of Firemen for 2014 for North Carolina State Firemen's Association.*

**III.H. Adopt Three [3] Resolutions:**

- **2014-51 Supporting Beneficial Use Standard for Proposed State Ports Inlet Management Area of Environmental Concern (AEC)**
- **2014-52 Requesting Emergency Dredging Funds for Morehead City State Port**
- **2014-53 Supporting Search and Rescue Services at Marine Corps Air Station Cherry Point, N.C.**

The above three [3] resolutions were recently adopted by the Carteret County Commissioners and the Carteret County Chamber of Commerce Board of Directors. Resolution 2014-52 requests that dredging material from the Beaufort Inlet be placed on Carteret County beaches, while Resolution 2014-53 seeks funding for that dredging. With

the recent announcement that Pedro Rescue Services by the Marine Corps at Cherry Point would be discontinued in the near future, Resolution 2014-53 requests that this service not be terminated until such time that a satisfactory and seamless replacement plan be developed and implemented.

*Adopt Resolution 2014-51 Supporting Beneficial Use Standard for Proposed State Ports Inlet Management Area of Environmental Concern (AEC); Resolution 2014-52 Requesting Emergency Dredging Funds for Morehead City State Port; and Resolution 2014-53 Supporting Search and Rescue Services at Marine Corps Air Station Cherry Point, N.C.*

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

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

**A.**

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

**Wednesday, November 12, 2014**

The Honorable Council of the Town of Morehead City met in Regular Session on Wednesday, November 12, 2014, at 5:30 p.m., in the Municipal Chambers located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Diane C. Warrender
	Councilman Demus Thompson-Absent
	Councilman Harvey Walker-Absent
CITY MANAGER:	David S. Whitlow
DEPUTY CLERK:	Janet Hill
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor;
OTHERS:	Mark Hibbs, Carteret News Times; Curtis Fleshman; Myles Stempin, EDC Director; Chuck and Jane Sewell; Linda Staab, Planning Director; Sally Lumpkin; Holly Fletcher; Eric Broyles; Lee Padrick, Planner of the Division of Community Assistance; Tom Kies, Director of Morehead City Downtown Revitalization.

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

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

**II. Adoption of the CONSENT AGENDA**

**II.A. Approval of Minutes: Wednesday, October 20, 2014 – Regular Meeting**

*Approved the minutes of Wednesday, October 20, 2014, Regular Meeting and dispensed with the reading.*

**II.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for October 2014 in the amount of \$1,965.67 and accept the Tax Collector and Finance Director Reports for October 2014**

*Approved the requests for release of overpayment of Ad Valorem Taxes for October 2014 in the amount of \$1,965.67 and accepted the Tax Collector and Finance Director Reports for October 2014. [The financial documents are attached to and made a part of these minutes herein by reference.]*

**II.C. Award Construction of Restrooms at the Newport River Boat Ramp on Radio Island to the Low Bidder, Brydge & Lee of New Bern, N.C., in the amount of \$104,000.00**

On September 25, 2014, the bids [Attached] for the construction of the restrooms at the boat ramp on Radio Island were received. The purpose of these restrooms is to provide a more convenient location than the existing restrooms located on the boardwalk at the fishing pier for our ramp users. Nine [9] bids were received with the apparent low bidder being Brydge & Lee of New Bern in the amount of \$149,500. The construction budget for this project was just over \$118,000.

The Architect and the contractor have identified ways to cut expenses to bring the project within the budget. This has been accomplished primarily through a reduction in the porch area on the front of the building and a change in the type of handrail used. Other changes involved the plumbing fixtures and a shorter access ramp to the building. It was also recognized the project would not need performance or payment bonds which have also been deducted. These changes brought the project cost to \$104,000 as indicated in the attached letter from Brydge & Lee. This project is funded entirely through grants administered by Marine Fisheries to the City.

After review and discussion the Public Works Committee of the Council agreed to recommend to the City Council the award the construction of the restrooms to the low bidder, Brydge & Lee Inc. in the amount of \$104,000.00.

*Awarded the construction of restrooms at the Newport River Boat Ramp on Radio Island to the low bidder, Brydge & Lee of New Bern, N.C., in the amount of \$104,000.00. [The bid sheet is attached to and made a part of these minutes herein by reference.]*

#### **II.D. Adopt Resolution 2014-44 Endorsing the 4<sup>th</sup> Annual Crystal Coast Countdown Celebration and Authorizing Action Necessary for the Events to be Held on December 31, 2014 and January 1, 2015 on the Morehead City Waterfront**

The Fourth Annual Crystal Coast Countdown is a series of special events held across the various towns on the Crystal Coast and culminates in a “Crab Pot Drop” and fireworks display on the Morehead City Waterfront on December 31<sup>st</sup>. The “Crab Pot Drop” will take place in Katherine Davis Park from 9:00 p.m. to just after midnight. The Crystal Coast Countdown Committee is requesting various street and sidewalk closures and ancillary services in order to make this event a success. The Public Works Committee of the Council reviewed the request and recommended adoption.

*Adopted Resolution 2014-44 Endorsing the Fourth Annual Crystal Coast Countdown Celebration and Authorizing Action Necessary for Events to be held December 31, 2014 and January 1, 2015 on the Morehead City Waterfront. [Resolution 2014-44 is attached to and made a part of these minutes herein by reference.]*

#### **II.E. Adoption of the 2015 Town Council Regular Meeting Schedule**

As per G.S. 143.318.12, the proposed 2015 Town Council Schedule of Regular Meetings is presented for Council approval. Because of the dates of the North Carolina League of Municipalities Annual Conference there is a conflict with the regularly scheduled meeting date in October. The schedule as adjusted sets the October Meeting date on Monday, October 19, 2015. The Finance and Administration Committee of the Council reviewed the proposed schedule and recommended adoption.

*Adopted the 2015 Council Schedule of Regular Meetings as presented. [The 2015 Council Schedule of Regular Meetings is attached to and made a part of these minutes herein by reference.]*

**II.F. Adopt Budget Ordinance Amendment 2014-40 to Adjust the General Fund Due to a Decrease in Privilege License Revenue, Recognize a Donation to the Police After School Program and for Software Expenditures**

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

- To reduce Other Taxes by \$17,000 for the estimated decrease in Privilege License revenue due to changes in the NC General Statutes governing this revenue source.
- To increase Miscellaneous Revenue and Expenditures in the Police Department to recognize a donation from St. Egbert's School to be utilized for the Police Department After School Program.
- To increase Central Services Expenditures for the estimated cost of financial transparency software for the Town's web page.
- To decrease Contingency by \$23,500 as follows:
  - Offset the estimated reduction in Privilege License revenue
  - Offset increase in Central Service expenditures for estimated cost of financial transparency software for the Town's web page.

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

*Adopted Budget Ordinance Amendment 2014-40 to adjust the General Fund due to a decrease in Privilege License revenue, to recognize a donation to the Police After School Program and for software expenditures. [Budget Ordinance Amendment 2014-40 is attached to Ordinance Book #7 in the vault.]*

**II.G. Adopt Budget Ordinance Amendment 2014-41 Water Treatment Capital Project Fund to Account for Interim Financing**

The purpose of this amendment is to update the budget to increase revenue \$4,932,000 from the bond anticipation note which provided interim financing for the project and to increase expenditures in the same amount for the payoff of the interim financing. Note: Permanent financing for the project has been approved by USDA. The Finance and Administration Committee of the Council reviewed the proposed ordinance and recommended adoption.

*Adopted Budget Ordinance Amendment 2014-41 Water Treatment Capital Project Fund to account for interim financing. [Budget Ordinance Amendment 2014-41 is attached to Ordinance Book #7 in the vault.]*

***Councilman George Ballou MOVED, seconded by Councilman Bill Taylor, and carried unanimously [Councilman Demus Thompson and Councilman Harvey Walker absent], to adopt the CONSENT AGENDA with one [1] motion.***

**III. Public Hearing: Request Submitted by David Horton to Rezone Property Located at 133 Gloria Dawn Road [PIN #636601278765000] from I [Industrial] to CH [Highway Commercial] – Adopt Resolution of Plan Consistency 2014-45 and Ordinance 2014-39**

Planning Director Linda Staab reported that Mr. Horton submitted a request to rezone a 0.71 acre parcel located at 133 Gloria Dawn Road from I [Industrial District] to CH [Highway Commercial District]. The zoning classification of surrounding properties includes CH to the east and west, I to the south, and R15M [Single-Family Residential/Manufactured Home District] to the north and across Gloria Dawn Road to the east. Surrounding development includes manufactured homes to the north, single-family residential and storage to the south, agricultural land to the west, a storage building on the adjacent property to the east, and a manufactured home park and a single-family manufactured home across Gloria Dawn Road. The subject property is currently vacant.

The property is located in Neighborhood 8 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. The property has been posted. At the Planning Board Meeting on October 21, 2014, Tom Saunders made the motion, which was seconded by Gordon Thayer and carried unanimously, to recommend approval of the rezoning request. The Planning Committee of the Council reviewed the request and recommended approval.

Mayor Jones opened the public hearing. No one spoke for or against the rezoning request at the property located at 133 Gloria Dawn Road.

Mayor Jones closed the public hearing.

***Councilman Bill Taylor MOVED, seconded by Councilwoman Diane Warrender and carried unanimously [Council Demus Thompson and Councilman Harvey Walker absent], to rezone property located at 133 Gloria Dawn Road [Pin #63660127876500] from I [Industrial] to CH [Highway Commercial] and adopt the Resolution of Plan Consistency 2014-45 and Ordinance 2014-39. [Resolution 2014-45 is attached to and made a part of these minutes herein by reference. Ordinance 2014-39 is attached to Ordinance Book #7 in the vault.]***

**IV. New Business: Presentation of the Morehead City Economic Development Strategic Plan 2014 -- Lee Padrick, Project Manager**

In December 2013, Morehead City along with the other towns in Carteret County, participated in the Municipal Initiative Program through the Carteret Economic Development Council. A Steering Committee was appointed consisting of citizens with various economic interests in Morehead City to develop a strategic plan for the continued development of the local economy. The focus of the plan included:

- Creation of jobs
- Expansion of existing business
- Encouraging new business investment
- Development of small business opportunities

- Enhancing the quality of life
- Reducing the loss of business to other communities
- Increasing retail sales
- Identifying new business sites, buildings and spaces.

Lee Padrick, Chief Planner from the Division of Community Assistance presented the results to the Town Council Members and delivered a power point presentation. The purpose of the plan of the study was to create an action plan with each town and implement a larger plan for Carteret County. The facilitator's committee had interviewed stakeholders, (those considered) representatives of the various businesses and economic interest present in Morehead City, to get their sense of current conditions.

- 29 stakeholders were interviewed
- Town is business friendly, but there is a perception that regulations are burdensome (stronger with long-term residents than short term residents)
- Cultural arts need expansion
- Gateways need aesthetic improvement
- Town should consider hiring an Economic Development person
- More communication is needed between the Town and businesses

Mr. Padrick, stated that the committee had distributed an on-line survey to business owners and those involved in the local community and received 138 responses. Of the 138 responses, there were 66% residents who live in Town full time; 8% are second homeowners; 40% work in Town; 39% are business owners/managers and 16% plan to purchase, expand or develop a business in Morehead City over the next five [5] years.

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

Mr. Padrick pointed out to the Council Members that Morehead City has grown over 13% in the past 10 years and this is currently in line with the County growth. He also stated each municipality would be handling their plans and studies differently by placing their Planning Board in charge, their Town Council Members and others would appoint a special committee to implement the strategic plan.

Councilman Ballou stated as the governing body, to have more control and be involved with the implementation of the study.

Councilman Bill Taylor asked Mr. Padrick if the County Commissioners approval was needed before the City moved forward with the plan.

Myles Stempin, Economic Development Director stated it was a good idea to have the plans approved before addressing the County Commissioners. He said the County will also be conducting a strategic study.

Councilwoman Diane Warrender noted a weakness in the low response to the survey and stated the county had previously worked on a five [5] year plan which no one ever looked at. She stated that everyone needed to look at the plan for it to be a success instead of individual plans with the needs being different in each area. She also asked if the Economic Development Council had time to contribute to Morehead City and all other towns and county with these actions.

Mr. Myles Stempin with the Economic Development Council stated the main focus of the study was to see what is important for the county's plan and to take into consideration from each municipality to find what the objectives are and focus on these goals. This would be valuable information county-wide and the information gathered would help with grants and assistance to move forward.

Mayor Jones stated that this was the first time in history a Strategic Economic Plan study had ever been attempted with Morehead City and all of Carteret County and this would move us in the right direction.

Councilman Bill Taylor requested a joint meeting with the Planning Board and Council to discuss the plan.

David Whitlow, City Manager stated the strategic plan was to set out and develop goals and objectives with the efforts of each town throughout the county and to work together as a whole rather than on an individual municipality level.

Mr. Padrick stated the next step would be to consider adopting the plan following the joint meeting between the Planning Board and the Council to determine how the plan would be implemented.

Council Members thanked Mr. Lee Padrick and Mr. Myles Stempin for doing a great job and conducting the Morehead City Strategic Economic Study Plan.

***Recommended Action: To have a joint meeting with the Planning Board to discuss the plan prior to Adoption.***

## **V. Citizen Requests/Comments**

Eric Broyles of Morehead City spoke on behalf of his concerns with the Morehead City Economic Development Strategic Plan and stated that there should have been more citizen involvement and input.

Sally Lumpkin stated she served on the Morehead City Economic Strategic Planning Committee and the survey was distributed and sent by e-mail to the membership and mailing list of the Chamber of Commerce, Arts Council, Town of Morehead City Sunshine List and the Economic Development Council. She said the survey was sent numerous times and the committee was disappointed in the low response which was gathered.

Bill Price of Pine Knoll Shores and who owns a business in Morehead City wanted to thank the Town removing the trash on the street near the foot of the Atlantic Beach Bridge and the entrance of the Morehead City stop lights. He also stated he was working on a new business concept called "Digital Coast" to focus on the growing industry with providing technical marketing access and resources to promote jobs and growth in Carteret County.

## **VI. City Manager's Report**

David Whitlow, City Manager reported to Council Members regarding a bid offer on the 5<sup>th</sup> Street property and also the interest which was expressed on the 25<sup>th</sup> Street property. He stated there had been a lawsuit filed against the City and the North Carolina League of Municipalities is providing legal defense and the City will be meeting with an appointed attorney. He also met with the Secretary of Administration on the railroad properties in Morehead City. He was very pleased with all the progress and stated the City is moving in the right direction.

## **VII. Council Requests/Comments**

Councilman George Ballou wished everyone a Happy Thanksgiving and safe travels.

Councilman Taylor wanted to thank Mr. Myles Stempin and his leadership with the Morehead City Economic Strategic Development Strategic Plan and what a great job he had done.

Councilwoman Diane Warrender stated the Economic Strategic Plan has offered some very good information for the City to start with.

## **VIII. Adjournment**

There being no further business, the meeting was adjourned at 6:26 p.m.

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

Attest:

\_\_\_\_\_  
Janet Hill, Deputy Clerk

**B.**

TOWN OF MOREHEAD CITY  
 REQUESTED REFUNDS  
 AS OF 11/30/2014  
 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	DAVID K BAREFIELD ETUX ALICIA	5044	DAVID K BAREFIELD ETUX ALICIA 394 YACHT CLUB DR NEWPORT, NC 28570	25.26		25.26	2013 TX PD BY NEW OWNER ATTY. WAS IN BANKRUPTCY. PYMT POSTED TO 10-3839-890. SARAH PLEASE DEBIT THAT ACCT.
2013	BDDFC PROPERTIES LLC	446234	BDDFC PROPERTIES LLC PO BOX 1762 MOREHEAD CITY, NC 28557	6.61		6.61	DISCOUNT
2013	JOYCE SULLIVAN	144486	JOYCE SULLIVAN 1005 EDGEWATER PL MOREHEAD CITY, NC 28557	11.01		11.01	DISCOUNT
2013	BRENDA KINTZ	26943	BRENDA KINTZ 4323 CORAL POINT RD MOREHEAD CITY, NC 28557	48.97		48.97	DISCOUNT
2013	KRISTI TRUESDALE	485695	KRISTI TRUESDALE PO BOX 1481 NEW BERN, NC 28563	5.19		5.19	DISCOUNT
2013	MIRIAM VANDERSEA	329251	MIRIAM VANDERSEA 204 ROCHELLE DR MOREHEAD CITY, NC 28557	12.71		12.71	DISCOUNT
2013	HOME EXTERIORS OF MOREHEAD CITY	8126	HOME EXTERIORS OF MOREHEAD CITY PO BOX 42905 FAYETTEVILLE, NC 28309	2.50		2.50	PRIVILEGE LICENSE OVERPAYMENT SARAH: DEBIT 10-2132-007
2013	PAUL F GETTY DDS	244023	PAUL F GETTY 409 N 35TH ST MOREHEAD CITY, NC 28557	6.56		6.56	DISCOUNT
2013	PAUL F GETTY DDS	244023	PAUL F GETTY 409 N 35TH ST MOREHEAD CITY, NC 28557	21.31		21.31	DISCOUNT
2013	MICHAEL TOLER	300384	MICHAEL TOLER PO BOX 989 MOREHEAD CITY, NC 28557	1.45		1.45	DISCOUNT
2013	BRUCE RITTENHOUSE	24286	BRUCE RITTENHOUSE 1001 N YAUPON TER MOREHEAD CITY, NC 28557	5.78		5.78	DISCOUNT
2013	MATT LARA	384417	MATT LARA 3314 BRIDGES ST-81 MOREHEAD CITY, NC 28557	1.16		1.16	DISCOUNT
2013	TD INVESTMENTS LLC	438662	TD INVESTMENTS LLC 3201 BRASSFIELD RD STE 300 GREENSBORO, NC 27410	24.26		24.26	DISCOUNT
2013	RICHARD DEMENT	483615	RICHARD DEMENT 2429 POOL ROCK RD	3.16		3.16	DISCOUNT

HENDERSON, NC 27537					
2013	CAROL ARNOLD	230760	CAROL ARNOLD 208 N 19TH ST MOREHEAD CITY, NC 28557	2.17	2.17 DISCOUNT
2013	WILLIAM PAGE JR	26904	WILLIAM PAGE JR 3427 LAKEVIEW TRAIL KINSTON, NC 28504	69.00	69.00 DISCOUNT
2013	KENNETH HILLMAN	422516/42962	KENNETH HILLMAN 4425 ARENDELL ST UNIT 509 MOREHEAD CITY, NC 28557	28.88	28.88 DISCOUNT
2013	SEARS HOMETOWN #4828	19080	SEARS, ROEBUCK AND CO. DEPARTMENT 768TAX, BC-107A 3333 BEVERLY RD HOFFMAN ESTATES, IL 60179	50.00	50.00 PRIV LIC OVERPAYMENT SARAH: DEBIT 10-2132-007
2013	STATE EMPLOYEES FCU REF: LESLIE STRINGER ETUX PAMELA	449785	STATE EMPLOYEES FCU 5073 EXECUTIVE DR MOREHEAD CITY, NC 28557	9.34	9.34 DISCOUNT
2013	MICHELLE PITAMBERSINGH	358547	MICHELLE PITAMBERSINGH 182 NICKS AVE NEWPORT, NC 28570	1.99	1.99 DISCOUNT
2013	W STANLEY RULE M.D.	55734	W. STANLEY RULE 3604 MEDICAL PARK CT MOREHEAD CITY, NC 28557	4.12	4.12 DISCOUNT
2013	BMIL TECHNOLOGIES	457246	BMIL TECHNOLOGIES 4915 ARENDELL ST #313 MOREHEAD CITY, NC 28557	1.58	1.58 DISCOUNT
2013	JAMES MORRIS	489036	JAMES MORRIS 3521 WARWICK DR GREENVILLE, NC 27858	6.30	6.30 DISCOUNT
2013	JAMES MORRIS	454420	JAMES MORRIS 3521 WARWICK DR GREENVILLE, NC 27858	20.48	20.48 DISCOUNT
2013	CHERRYL A DAVIS	508168	CHERRYL A DAVIS 316 COMMERCE AVE MOREHEAD CITY, NC 28557	4.37	4.37 DISCOUNT
2013	CRYSTAL COAST DERMATOLOGY	239210	CRYSTAL COAST DERMATOLOGY 3610 MEDICAL PARK CT MOREHEAD CITY, NC 28557	2.73	2.73 DISCOUNT
2013	OCEANSIDE PEDS PARTNERS LLC	480000	OCEANSIDE PEDS PARTNERS LLC 3701 JOHN PLATT DR MOREHEAD CITY, NC 28557	35.25	35.25 DISCOUNT
2013	SANDRA SMITH	24332	SANDRA SMITH 810 S YAUPON TERR MOREHEAD CITY, NC 28557	10.43	10.43 DISCOUNT
2013	HARRIS LAW FIRM REF: HAROLD G WILLARD ETUX	299989	HARRIS LAW FIRM PO BOX 712 MOREHEAD CITY, NC 28557	10.00	10.00 DISCOUNT

2013	CHARLES MECKLEY	131697 CHARLES MECKLEY 501 WORTH DR MOREHEAD CITY, NC 28557	11.70	11.70 DISCOUNT
2013	M. KEVIN BALANCE	38034 M. KEVIN BALANCE 1905 ROLLING PINES DR COLUMBIA, SC 29206-1469	6.96	6.96 DISCOUNT
2013	PEARL HUMBLE	425606 PEARL HUMBLE 131 VIVIAN LN GREENSBORO, NC 27406	14.65	14.65 DISCOUNT

465.88

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: December 1<sup>st</sup>, 2014

**TOWN LEVIED TAXES:**

The following taxes were collected for the month of November 2014:

2014	\$ 159,462.28	2009	\$ 0.00	2004	\$ 0.00
2013	\$ 476.88	2008	\$ 0.00	2003	\$ 0.00
2012	\$ 0.00	2007	\$ 0.00		
2011	\$ 0.00	2006	\$ 0.00	OTHER	
2010	\$ 0.00	2005	\$ 0.00	PENALTIES	\$ 87.59

The following is fiscal year to date tax information through November 30<sup>th</sup>, 2014 with comparatives to 2013:

	<u>2014</u>	<u>2013</u>
Tax Scroll (Net Levy)	6,137,966.77	5,866,860.10
Taxes collected (incl. discounts, net of refunds)	4,175,288.05	3,944,116.72
Balance due on taxes	1,962,678.72	1,922,743.38
Percentage of tax collected to date	68.02%	67.23%
Prior year taxes collected to date (net of refunds)	39,207.87	33,272.61
Prior year taxes outstanding	48,619.53	48,809.45
Interest and penalties collected to date (net of refunds)	4,450.14	5,477.05

**Notes:**

1. Overpayments for November 2014 totaled \$440.92. Refunds requested totaled \$465.88.
2. Attachments and garnishments are used as a means of collection on delinquent taxes.

MOTOR VEHICLE TAXES:

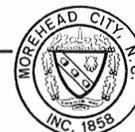
Carteret County collected the following taxes for the fiscal year through October 31<sup>st</sup>, 2014 with comparative information for 2013. The County collects and remits these taxes to the Town, net of a collection fee.

	<u>10/31/14</u>	<u>10/31/13</u>	
Fiscal year to date tax levy	82,670.35	95,576.55	A
Interest billed on taxes	267.57	394.38	B
Total billed	82,937.92	95,970.93	C
Current year taxes collected	83,677.66	48,545.62	D
Prior year taxes collected	5,137.50	13,806.94	E
Interest collected	1,296.49	1,312.52	F
Collection fee charged (Both sys)	5,194.61	954.99	G
Percentage of tax collected to date	101.22%	62.54%	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: December 2, 2014

Reported below are cash and investment balances and interest rates for the Town of Morehead City for November, 2014. Also, reported are prior year comparative balances for the same period:

<b>Central Depository Funds</b>	<u>Nov. 2014</u>	<u>Nov. 2013</u>
<u>Unrestricted Funds</u>		
Branch Bank & Trust-General disb. acct. (A)	\$ 3,144,688.07	\$ 34,698.62
Branch Bank & Trust-Money Rate acct. (.10%)	5,966,385.94	7,301,329.88
Branch Bank & Trust Cert. Of Deposit	-0-	900,000.00
Branch Bank & Trust Cert. Of Deposit (various rates)	-0-	1,000,000.00
North Carolina Capital Mgmt. Trust-		
Cash Account (.01%)	202,440.82	155,628.24
Term Account (.06%)	5,876,562.36	3,502,732.55
Finistar (.17%)	<u>2,159,928.52</u>	<u>2,156,084.67</u>
Total-unrestricted cash and investments	17,350,005.71	15,050,473.96
<u>Restricted Funds</u>		
Branch Bank & Trust-Employee reimb. acct.	28,121.40	32,433.92
Branch Bank & Trust-USDA required restricted accts.	130,674.19	-0-
Branch Bank & Trust-USDA required restricted CD(s)	<u>22,139.00</u>	<u>117,587.00</u>
Total-restricted cash and investments	180,934.59	150,020.92
 Total cash and investments-Nov. 30	 17,530,940.30	 15,200,494.88
Total cash and investments-Oct. 31	17,054,322.57	15,319,817.23
Increase (decrease)	476,617.73	(119,322.35)
Interest received Nov.	901.95	1,517.98
Interest received fiscal year to date	\$ 5,747.77	\$ 8,046.85

Loan Escrow Funds

Branch Bank & Trust-Water Treatment		
Capital Project Fund interim loan proceeds (B)	\$ -0-	\$ 1,933,400.41

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

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

C.

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow  
*City Manager*

TOWN OF MOREHEAD CITY

RESOLUTION 2014-46

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 8<sup>th</sup> Street in Morehead City, North Carolina, the regular place of meeting, at 5:30 p.m. on December 9, 2014.

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:

**RESOLUTION 2014-46 AMENDING THE RESOLUTION AUTHORIZING THE ISSUANCE OF THE TOWN'S \$4,932,000 WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2013 AND MODIFYING SAID NOTE IN ORDER TO EXTEND THE TERM OF SAID NOTE TO APRIL 23, 2015**

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

Section 1. The Town Council has determined and does hereby find, declare and represent:

(a) That, pursuant to The State and Local Government Revenue Bond Act, as amended (the "Act"), an order (the "Bond Order") authorizing not exceeding \$4,932,000 Water and Sewer System Revenue Bonds of the Town (the "Bonds") was adopted by the Town Council on January 7, 2013, and that the Bond Order is in force and effect.

(b) That pursuant to a resolution entitled "RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$4,932,000 WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2013," adopted by the Town Council of the Town on January 7, 2013 (the "Original Note Resolution"), the Town issued a \$4,932,000 Water and Sewer System Revenue Bond Anticipation Note, Series 2013 (the "Series 2013 Note") of the Town, dated January 15, 2013, stated to mature January 7, 2015, and bearing interest at a rate of 0.97% per annum, issued in anticipation of the proceeds of a like amount of said Bonds.

(c) That the Town and Bank of America, N.A., the sole holder of the Series 2013 Note (the "Purchaser") have agreed to extend the maturity of the Series 2013 Note from January 7, 2015 to April 23, 2015.

Section 2. The maturity date of the Series 2013 Note is hereby extended from January 7, 2015 to April 23, 2015. Section 2 of the Original Note Resolution is hereby amended to change the date appearing therein as January 7, 2015 to April 23, 2015. Section 3 of the Original Note Resolution is hereby amended to change the date appearing therein as January 7, 2015 to April 23, 2015. Except as amended hereby, the Original Note Resolution and the Series 2013 Note shall remain in full force and affect. The Series 2013 Note shall continue to bear interest at the

rate of 0.97% per annum, with principal and interest on the Series 2013 Note (such interest payable from January 15, 2014) payable at maturity.

Section 3. The Mayor, Town Manager and the Finance Director of the Town are each hereby authorized and directed to execute and deliver a modified Series 2013 Note, containing the new maturity date, in substitution for the original Series 2013 Note.

Section 4. The officers, attorneys, employees and other agents of the Town are hereby authorized to sign all certificates and instruments and to do all acts and things required of them in connection with the extension of the maturity of the Series 2013 Note as contemplated by this resolution.

Section 5. The consent and approval of Bank or America, N.A. to the amendment of the Original Note Resolution and the modification of the Series 2013 Note shall be evidenced by the acceptance by Bank of America, N.A. of the modified Series 2013 Note and the surrender to the Town of the original Series 2013 Note.

Section 6. This resolution shall take effect upon its passage.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION AMENDING THE RESOLUTION AUTHORIZING THE ISSUANCE OF THE TOWN'S \$4,932,000 WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2013 AND MODIFYING SAID NOTE IN ORDER TO EXTEND THE TERM OF SAID NOTE TO APRIL 23, 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 meeting held on December 9, 2014, 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.

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

WITNESS my hand and the official seal of said Town this 9<sup>th</sup> day of December, 2014.

---

Town Clerk

[SEAL]

**THIS NOTE IS ISSUED IN SUBSTITUTION FOR THE NOTE ISSUED BY THE TOWN OF MOREHEAD CITY ON JANUARY 15, 2013 IN ORDER TO REFLECT THE MODIFICATION OF THE MATURITY DATE OF THE ORIGINAL NOTE TO APRIL 23, 2015. THIS NOTE REPRESENTS THE SAME DEBT AS THE ORIGINAL NOTE.**

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 ANTICIPATION NOTE, SERIES 2013

The Town of Morehead City, North Carolina (the "Town"), a municipal corporation duly organized and validly existing in the County of Carteret, North Carolina, is justly indebted and for value received hereby promises to pay, solely from the sources and as hereinafter provided, to Bank of America, N.A. or its registered assigns, on the 23rd day of April, 2015, the principal sum of

FOUR MILLION NINE HUNDRED THIRTY-TWO THOUSAND DOLLARS

and to pay interest thereon from January 15, 2014 (interest to such date being paid on such date), calculated on the basis of a 360-day year consisting of twelve 30-day months, solely from such sources, at the rate of ninety-seven one hundredths per centum (0.97%) per annum, payable upon the presentation and surrender of this Note at its maturity. Both the principal of and the interest on this Note are payable at Bank of America, N.A. in Charlotte, North Carolina in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. This Note is issued pursuant to and in accordance with Article 5 and Article 9 of Chapter 159 of the General Statutes of North Carolina, both as amended, a bond order adopted by the Town Council (the "Town Council") of the Town on

January 7, 2013 (the “Bond Order”), and a resolution adopted by the Town Council on January 7, 2013 (the “Note Resolution”). This Note is issued in anticipation of the receipt of the proceeds of the sale of a like amount of the Town’s Water and Sewer System Revenue Bonds, and the proceeds hereof shall be used to pay a portion of the cost of the Project (as defined in the Bond Order).

This Note is a special obligation of the Town payable solely from the Net Revenues (as defined in the Bond Order) and from the proceeds of said Water and Sewer System Revenue Bonds of the Town. Neither the credit nor the taxing power of the Town is pledged for the payment of this Note and no holder of this Note 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 hereon. Reference is hereby made to the Bond Order and the Note 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 Note and the terms upon which this Note is issued and secured.

The principal balance of this Note is subject to prepayment in whole on any date after January 15, 2014 without penalty with funds provided by the United States Department of Agriculture – Rural Development.

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 Note have happened, exist and have been performed in regular and due form and time as so required.

IN WITNESS WHEREOF, the Town, pursuant to a resolution of the Town Council, has caused this Note to be signed by the Mayor and the Town Clerk of the Town and the official seal of the Town to be impressed hereon, all as of the 15th day of January, 2013.

\_\_\_\_\_  
Mayor

[SEAL]

\_\_\_\_\_  
Town Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Note has been approved under the provisions of The State and Local Government Revenue Bond Act of North Carolina, as amended.

T. VANCE HOLLOMAN  
Secretary, Local Government Commission

\_\_\_\_\_  
L.G.C. No.:

CERTIFICATE OF AUTHENTICATION

This Note is issued under the provisions of the within mentioned Bond Order and Note Resolution.

By: \_\_\_\_\_  
Finance Director, as Bond Registrar

Date of authentication: December \_\_, 2014

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
\_\_\_\_\_  
PLEASE INSERT SOCIAL SECURITY NUMBER  
OR OTHER IDENTIFYING NUMBER OF ASSIGNEE  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS OF TRANSFEREE \_\_\_\_\_  
\_\_\_\_\_ the within note

and all right thereunder, and hereby irrevocably constitutes and appoints  
\_\_\_\_\_, attorney, to transfer the within note on the  
books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

In the presence of:

\_\_\_\_\_  
NOTICE: 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 upon  
the face of the within note in every particular,  
without alteration or enlargement or any  
change whatever.

**D.**

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL  
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David S. Whitlow  
*City Manager*

**TOWN OF MOREHEAD CITY  
RESOLUTION 2014-47  
DECLARING THE SERVICE WEAPON AND BADGE CARRIED BY  
MOREHEAD CITY POLICE CHIEF WRENN JOHNSON  
AS SURPLUS AND AUTHORIZE AWARD TO HER UPON RETIREMENT**

**WHEREAS**, Chief Wrenn Johnson will retire from an active career in law enforcement with the Town of Morehead City Police Department on February 1, 2015; and

**WHEREAS**, North Carolina General Statute Chapter 20, Article 187.2 authorizes governing boards of law enforcement agencies to award to a retiring member the badge worn by her, as well as her service weapon;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Morehead City, North Carolina, that the badge and service weapon described as a Smith & Wesson 9 MM Handgun, Service #YJA1192 carried by Police Chief Wrenn Johnson be declared as surplus and of no longer use to the Town of Morehead City and be awarded to her upon her retirement.

**BE IT FURTHER RESOLVED**, the Council of the Town of Morehead City authorizes the Deputy Police Chief to proceed with the procedures outlined in General Statute 20-187.2 regarding the service side arms of retiring members of municipal law enforcement agencies.

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

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

Attest:

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

**E.**

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor

COUNCIL  
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David S. Whitlow  
City Manager

**TOWN OF MOREHEAD CITY  
Resolution 2014-48**

**To Rename the Wallace School Property Acquisition/Improvement Capital Fund  
[Charles Wallace School Property]  
to the Morehead City Municipal Campus Capital Project Fund**

**WHEREAS**, the Wallace School Property Acquisition/Improvement Capital Project Fund was established on August 8, 2016, to record financial activity for the initial acquisition and improvements to the Charles Wallace School Property located at 1100 Bridges Street, Morehead City, North Carolina; and

**WHEREAS**, to more aptly define and describe the current and future status of this capital project it was requested that the name be changed to the Morehead City Municipal Campus Capital Project Fund;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Morehead City that heretofore the Wallace School Property Acquisition/Improvement Capital Project Fund will be known as the Morehead City Municipal Campus Capital Project Fund and any future financial transactions for this project will be recorded under that account.

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

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

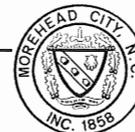
Attest:

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

**F.**

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

George W. Ballou, *Mayor Pro Tem*  
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David S. Whitlow  
*City Manager*

**TOWN OF MOREHEAD CITY  
RESOLUTION 2014-49  
APPROVING LOCAL WATER SUPPLY PLAN DATED 2012**

**WHEREAS**, North Carolina General Statute 143-355 [I] requires that each unit of local government that provides public water services or plans to provide such services, shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

**WHEREAS**, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Morehead City has been developed and submitted to the Council of the Town of Morehead City for approval; and

**WHEREAS**, the Council of the Town of Morehead City finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 [I] and that it will provide appropriate guidance for the future management of water supplies for the Town of Morehead City, as well as useful information to the Department of Environment and Natural Resources for the development of a State Water Supply Plan as required by statute;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Town of Morehead City that the Local Water Supply Plan entitled, Local Water Supply Plan dated 2012, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

**BE IT FURTHER RESOLVED**, that the Council of the Town of Morehead City intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five [5] years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

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

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

Attest:

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

person, firm or corporation shall report any tests made of each such well including the method of testing, length of test, draw-down in feet and yield in gallons per minute. The person, firm or corporation making such report to the Department shall at the time such report is made also furnish a copy thereof to the owner of the property on which the well was constructed.

(h) **Drilling for Petroleum and Minerals Excepted.** — The provisions of this Article shall not apply to drillings for petroleum and minerals.

(i) **Penalty for Violation.** — Any person violating the provisions of subsections (e), (f) and (g) of G.S. 143-355 shall be guilty of a Class 3 misdemeanor and, upon conviction, shall only be punished by a fine of fifty dollars (\$50.00). Each violation shall constitute a separate offense.

(j) **Miscellaneous Duties.** — The Department shall make investigations of water supplies and water powers, prepare and maintain a general inventory of the water resources of the State and take such measures as it may consider necessary to promote their development; and to supervise, guide, and control the performance of the duties set forth in subsection (b) of this section and to hold hearings with regard thereto. In connection with administration of the well-drilling law the Department may prepare analyses of well cuttings for mineral and petroleum content.

(k) **Water Use Information.** — Any person using, withdrawing, diverting or obtaining water from surface streams, lakes and underground water sources shall, upon the request of the Department, file a monthly report with the Department showing the amount of water used, withdrawn, diverted or obtained from such sources. Such report shall be on a form supplied by the Department and shall show the identification of the water well or other withdrawal facility, location, withdrawal rate (measured in gallons per minute), and total gallons withdrawn during the month. Reports required to be filed under this subsection shall be filed on or before the fifteenth day of the month succeeding the month during which the using, withdrawing, diverting or obtaining water required to be reported occurred. This subsection does not apply to withdrawals or uses by individuals or families for household, livestock, or gardens. All reports required under this subsection are provided solely for the purpose of the Department. Within the meaning of this subsection the term "person" means any and all persons, including individuals, firms, partnerships, associations, public or private institutions, municipalities or political subdivisions, governmental agencies, and private or public corporations organized or existing under the laws of this State or any other state or country. In the event of extreme or exceptional drought or other water shortage, the Department may require each local government water system and each large community water system in the affected area to report the amount of water used, withdrawn, diverted, or obtained on a weekly basis and may require the reporting of additional information necessary to assess and manage the drought or water shortage.

(l) **Local Water Supply Plans.** — Local Water Supply Plans. — Each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either

individually or together with other units of local government and large community water systems, prepare a local water supply plan and submit it to the Department for approval. The Department shall provide technical assistance with the preparation of plans to units of local government and large community water systems upon request and to the extent that the Department has resources available to provide assistance. At a minimum, each unit of local government and large community water system shall include in local water supply plans all information that is readily available to it. Plans shall include present and projected population, industrial development, and water use within the service area; present and future water supplies; an estimate of the technical assistance that may be needed at the local level to address projected water needs; current and future water conservation and water reuse programs, including a plan for the reduction of long-term per capita demand for potable water; a description of how the local government or large community water system will respond to drought and other water shortage emergencies and continue to meet essential public water supply needs during the emergency; and any other related information as the Department may require in the preparation of a State water supply plan. A unit of local government or large community water system shall submit a revised plan that specifies how the water system intends to address foreseeable future water needs when eighty percent (80%) of the water system's available water supply based on calendar year average daily demand has been allocated to current or prospective water users or the seasonal demand exceeds ninety percent (90%). Local plans shall be revised to reflect changes in relevant data and projections at least once each five years unless the Department requests more frequent revisions. The revised plan shall include the current and anticipated reliance by the local government unit or large community water system on surface water transfers as defined by G.S. 143-215.22G. Local plans and revised plans shall be submitted to the Department once they have been approved by each unit of local government and large community water system that participated in the preparation of the plan.

(m) In order to assure the availability of adequate supplies of good quality water to protect the public health and to support desirable economic growth, the Department shall develop a State water supply plan. The State water supply plan shall include the information and projections required to be included in local plans, a summary of water conservation and water reuse programs described in local plans, a summary of the technical assistance needs indicated by local plans, and shall indicate the extent to which the various local plans are compatible. The State plan shall identify potential conflicts among the various local plans and ways in which local water supply programs could be better coordinated.

(n) The Department of Environment and Natural Resources shall report to the Environmental Review Commission on the implementation of this section and the development of the State water supply plan on or before 1 September of each year.

(o) **Basinwide Hydrologic Models.** — The Department shall develop a

**G.**



**2014 Fire Department Roster**  
**Morehead City Fire Department**

*12/03/14*  
*SO*

NC State Fireman's Association  
 323 West Jones Street, Suite 401  
 Raleigh, NC 27603  
 800-253-4733  
 919-821-9382

This Roster was last updated on 12/1/2014 10:38:46 AM

**Morehead City Fire Department**

706 Arendell Street  
 Morehead City, NC 28557

Day Phone (910) 515-6232  
 Email jfulk@bizec.rr.com

Member Id: 101010  
 Member Type: FDC / Fire Dept Combo  
 Department Chief: Jamie Fulk  
 Paid thru: 12/31/2014  
 NCSFA Member Y Last Submitted 2013

Paid	<u><del>72</del> 71</u>	Ret-Active	<u>0</u>
Vol	<u>0</u>	Life-Active	<u>0</u>
NM-FF	<u>0</u>	Active FF	<u><del>72</del> 71</u>
Ret-Inact	<u>0</u>	Life-Inact	<u>0</u>
Non-mem	<u>1</u>		
Roster	<u><del>73</del> 72</u>	Vacant	<u>0</u>
County:	Carteret		

Name on Credit Card _____	Credit Card _____
Expiration Date _____	Signature _____

	SSN	ID	Name/DOB	Address	PHONE/Email	GEN	MAR	P/V/R	CERT
1	XXXX-XX-████	████	Nathan Awalt ████	3623 Sunny Dr Morehead City, NC 28557	████████████████████ ████████████████████	M	M	P	Y
2	XXXX-XX-████	████	Dykeman Baily ████	1015 Oak Dr Morehead City, NC 28557 UNITED STATES	████████████████████ ████████████████████	M	M	P	Y
3	XXXX-XX-████	████	Billy G. Beck ████	106 Pearl Dr. Beaufort, NC 28516	████████████████████ ████████████████████	M	M	P	Y
4	XXXX-XX-████	████	Brian Beck ████	315 McDaniels Drive Beaufort, NC 28516	████████████████████ ████████████████████	M	M	P	Y
5	XXXX-XX-████	████	Richard Blaine ████	3401 Snead St. Morehead City, NC 28557	████████████████████ ████████████████████	M	M	P	Y
6	XXXX-XX-████	████	Harold Arthur Booth, Jr. ████	401 Mallard Court Beaufort, NC 28516	████████████████████ ████████████████████	M	M	P	Y
7	XXXX-XX-████	████	Christopher Brock ████	301 Heron Court Beaufort, NC 28516	████████████████████ ████████████████████	M	M	P	Y

8	XXXX-XX-██████████	██████████ 23622	Josh Cannon	3604 Country Club Road Morehead City, NC 28557	██████████ ██████████	M	S	P	Y
9	XXXX-XX-██████████	██████████ 25422	Joshua Carroll	706 Arendell Street Morehead City, NC 28557	██████████ ██████████	M	S	P	Y
10	XXXX-XX-██████████	██████████ 25522	Brandon Carter	28557	██████████	M	S	P	N
11	XXXX-XX-██████████	██████████ 27033	Eason Graham Clark, III	255 Cottontail Run Newport, NC 28570	██████████ ██████████	M	S	P	Y
12	XXXX-XX-██████████	██████████ 28127	Jesse Colosimo	44 Jackson Street Bayboro 28515	██████████ ██████████	M	S	P	Y
13	XXXX-XX-██████████	██████████ 29502	Dana Ashley Cox	35 Whispering Pines Newport, NC 28570	██████████ ██████████	F	S	P	Y
14	XXXX-XX-██████████	██████████ 29533	Thomas Daly	2713 Mayberry Loop Road 227 Copeland Rd Morehead City, NC 28557	██████████ ██████████	M	S	P	Y
15	XXXX-XX-██████████	██████████ 33522	Kristen Janelle Davis	4600 Country Club Rd. 107-F Morehead City, NC 28557	██████████ ██████████	F	S	P	Y
16	XXXX-XX-██████████	██████████ 33522	Mike Dixon	3816 Grifton Hugo Rd Grifton, NC 28530	██████████ ██████████	M	M	P	Y
17	XXXX-XX-██████████	██████████ 33522	Brandon Doshier	110 Green Tree Lane Newport, NC 28570	██████████ ██████████	M	S	P	Y
18	XXXX-XX-██████████	██████████ 33533	Richard L. Evans	215 Seven Seas Dr Havelock, NC 28532	██████████ ██████████	M	S	P	Y
19	XXXX-XX-██████████	██████████ 33537	Paul Foisy	700 Old Deer Trail Newport, NC 28570 UNITED STATES	██████████ ██████████	M	M	P	Y
20	XXXX-XX-██████████	██████████ 33537	Jada Forcier	818 S. Yaupon Terrace Morehead City, NC 28557	██████████ ██████████	F	M	P	Y
21	XXXX-XX-██████████	██████████ 33537	Thomas Forcier	818 S. Yaupon Terrace Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
22	XXXX-XX-██████████	██████████ 33537	Crystal M. Foster	1815 Paulette Rd Morehead City, NC 28557	██████████ ██████████	F	M	P	Y
23	XXXX-XX-██████████	██████████ 33537	Lester Dell Foster	1815 Paulette Rd Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
24	XXXX-XX-██████████	██████████ 33537	Joseph M. Fulcher, Jr.	911 N. 20th St Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
25	XXXX-XX-██████████	██████████ 33537	Jamie Fulk	1100 Palmer Way Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
26	XXXX-XX-██████████	██████████ 33537	Kevin Rae Fuller	706 Arendell Street Morehead City, NC 28557	██████████ ██████████	M	S	P	Y
27	XXXX-XX-██████████	██████████ 33537	Michelle S. Fuller	4600 Country Club Rd #116F Morehead City, NC 28557	██████████ ██████████	F	M	P	Y
28	XXXX-XX-██████████	██████████ 33537	Larry Reis Fulp	320 Adams Creek Rd. Havelock, NC 28532	██████████ ██████████	M	M	P	Y
29	XXXX-XX-██████████	██████████ 33537	F. Arthur Gill	3716 Arendell St Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
30	XXXX-XX-██████████	██████████ 33537	Harrison Hardt	900 Old Fashioned Way #638 Newport, NC 28570	██████████ ██████████	M	S	P	Y
31	XXXX-XX-██████████	██████████ 33537	Logan Hardy	2062 Tulls Mill Road Deep Run, NC 28525	██████████ ██████████	M	S	P	Y
32	XXXX-XX-██████████	██████████ 33537	Joshua Hassell	3602 Sunny Drive Morehead City, NC 28557	██████████ ██████████	M	M	P	Y
33	XXXX-XX-██████████	██████████ 33537	Chad Howey	3905 Guardian Ave. H-32 Morehead City, NC 28557	██████████ ██████████	M	S	P	Y

34	XXXX-XX-██████████	██████████	James W. Hunnings ██████████5	PO Box 2392 Beaufort, NC 28516	██████████@██████████.com	M	M	P	Y
35	<del>XXXX-XX-██████████</del>	<del>██████████</del>	<del>David Jones</del> <del>04/25/1981</del>	<del>104 Travist Dr.</del> <del>Beaufort, NC 28516</del>	<del>██████████@small.com</del>	<del>M</del>	<del>S</del>	<del>P</del>	<del>Y</del>
36	XXXX-XX-██████████	██████████	Michael Joyce ██████████2	192 Sam Garner Road Newport, NC 28570	██████████@██████████.com	M	M	P	Y
37	XXXX-XX-██████████1	██████████	Christopher Judy 08/01/1989	PO Box 165 Gloucester, NC 28528	██████████@██████████.com	M	M	P	Y
38	XXXX-XX-██████████	██████████	Dylan Judy ██████████2	PO Box 165 Gloucester, NC 28528	██████████@██████████.com	M	S	P	Y
39	XXXX-XX-██████████	██████████	Donald Kline ██████████0	3818 Bridges Street Morehead City, NC 28557 UNITED STATES	██████████@moreheadcity.com	M	S	P	Y
40	XXXX-XX-██████████8	██████████	William Kratky ██████████7	147 Lydia Road Newport, NC 28570	██████████@██████████.com	M	M	P	Y
41	XXXX-XX-██████████4	██████████	Richard Andrew Lanier ██████████3	302 Cedar Street Emerald Isle, NC 28594	██████████@emeraldisle.com	M	S	P	Y
42	XXXX-XX-██████████	██████████	Chris Lewis 04/05/1983	PO Box 164 Salter Path, NC 28575	██████████@██████████.com	M	S	P	Y
43	XXXX-XX-██████████0	██████████	Justin Lewis ██████████4	3007 Fairway Road Morehead City, NC 28557	██████████@moreheadcity.com	M	M	P	Y
44	XXXX-XX-██████████	██████████	Tim P. Lewis ██████████0	701 Hedrick Blvd Morehead City, NC 28557	██████████@moreheadcity.com	M	M	P	Y
45	XXXX-XX-██████████	██████████	Terrence MacMahon 10/15/1984	145 Alston Ave Newport, NC 28570 UNITED STATES	██████████@newportnc.com	M	M	P	Y
46	XXXX-XX-██████████2	██████████	John Mancini ██████████3	228A Old Causeway Road Atlantic Beach, NC 28512	██████████@atlanticbeach.com	M	S	P	Y
47	XXXX-XX-██████████	██████████	Jack Manley ██████████0	246 Salty Shores Rd Newport, NC 28570	██████████@newportnc.com	M	M	P	Y
48	XXXX-XX-██████████0	██████████	William Matthias ██████████5	290 Parkertown Rd Hubert, NC 28539 UNITED STATES	██████████@hubertnc.com	M	M	P	Y
49	XXXX-XX-██████████	██████████	Kevin Lee Miller, Jr. 02/10/1987	706 Arendell Street Morehead City, NC 28557	██████████@moreheadcity.com	M	S	P	Y
50	XXXX-XX-██████████5	██████████	Helena Nelson ██████████	240 Channel Rock Rd Beaufort, NC 28516 UNITED STATES	██████████@beaufortnc.com	F	M	P	Y
51	XXXX-XX-██████████	██████████	Nathaniel Nelson 08/11/1980	303 Franklin Street Beaufort, NC 28516	██████████@beaufortnc.com	M	M	P	Y
52	XXXX-XX-██████████6	██████████	Jamie Lee Norman ██████████9	706 Arendell Street Morehead City, NC 28557	██████████@moreheadcity.com	M	S	P	Y
53	XXXX-XX-██████████	██████████	John W. Orr, II ██████████	3600 Mandy Lane Morehead City, NC 28557	██████████@moreheadcity.com	M	S	P	Y
54	XXXX-XX-██████████	██████████	Thomas Pace ██████████2	410 Windermere Circle Tarboro, NC 27886	██████████@tarboro.com	M	S	P	Y
55	XXXX-XX-██████████	██████████	Mario T. Rebello, Jr. ██████████0	903 Firefly Court New Bern, NC 28560	██████████@newbern.com	M	M	P	Y
56	XXXX-XX-██████████	██████████	Matthew Riddle 01/20/1987	102 South 11th Street Morehead City, NC 28557	██████████@moreheadcity.com	M	S	P	Y
57	XXXX-XX-██████████	██████████	Todd Ross ██████████	1200 N. 20th Street Lot 40 Morehead City, NC 28557	██████████@moreheadcity.com	M	M	P	Y

58	XXXX-XX	131727	Jesse Shackelford 1/10/1988	127 Firefighters Lane Kinston, NC 28501	(252) 247-4143 jshack1988@yahoo.com	M	M	P	Y
59	XXXX-XX	123038	John L. Smith 05/08/1985	4310 Ward Dr Morehead City, NC 28557	(252) 247-4143 johnl.smith1@navy.mil	M	M	P	Y
60	XXXX-XX	123350	Randy Smith 07/09/1978	169 Stella Road Stella, NC 28582 UNITED STATES	(252) 247-4143 rsmith214@yahoo.com	M	S	P	Y
61	XXXX-XX	137720	Chris Spaziant 10/07/1972	2305 Tram Road New Bern, NC 28562	(252) 514-0222 cspaz@hotmail.com	M	S	P	Y
62	XXXX-XX	111297	Robert N. Stephens, Jr. 09/09/1984	2356 Hwy 101 Beaufort, NC 28516	(252) 247-4143 rstephens@biznet.com	M	M	P	Y
63	XXXX-XX	121598	James W. Strickland 07/26/1985	105-A Dunes Ct Atlantic Beach, NC 28512	(252) 326-5489 stricklandjw @embarqmail.com	M	S	P	Y
64	XXXX-XX	123037	Edmund Strong 02/04/1988	106 Pinewood Dr Newport, NC 28570	(252) 247-4143 edstrong@biznet.com	M	M	P	Y
65	XXXX-XX	117038	Sherri Taylor 02/19/1986	1522 Hwy 24 East Newport, NC 28570	(252) 726-2522 sherri.taylor@cartercount ygaz.gov	F	M	P	Y
66	XXXX-XX	123038	Robert C. Terry 02/04/1988	3613 Sunny Dr Morehead City, NC 28557	(252) 726-7434 yamahad5012@yahoo.com	M	S	P	Y
67	XXXX-XX	123037	Kelly K. Urban 04/22/1978	154 Wooded Acres Dr. Newport, NC 28570	(252) 422-6551 kkelisurban@gmail.com	F	S	P	Y
68	XXXX-XX	123037	Jon Courtney Wade 10/10/1978	PO Box 246 Smyrna, NC 28579	(252) 726-0151 jonwade@ecnc.com	M	S	P	Y
69	XXXX-XX	113038	Terry Wadsley 05/04/1988	169 Arthur Farm Rd Newport, NC 28570	(252) 240-2545 terrywadsley@biznet.com	M	M	P	Y
70	XXXX-XX	123037	Scott Wilkinson 05/11/1988	3905 Guardian Ave #C-15 Morehead City, NC 28557	(252) 622-8787 scottwilson@yahoo.com	M	S	P	Y
71	XXXX-XX	123037	Edward R Willett 06/27/1978	2909 Newport Circle Newport, NC 28570	(252) 777-4092 edwardmangoeko@live.com	M	S	P	Y
72	XXXX-XX	123037	David Young 09/10/1987	1000 Live Oak Street Beaufort, NC 28516	(252) 614-1248 dyoung25215@gmail.com	M	S	P	Y

H.

## MEMORANDUM

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

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

**SUBJECT:** County Resolutions

**DATE:** December 4, 2014

Three resolutions are being circulated among the County and municipalities in Carteret County regarding matters of common concern, as follows:

- **Beneficial Use of Sand**  
This resolution requests that the U. S. Army Corps of Engineers utilize sand from channel dredging to nourish the beaches to the maximum extent possible instead of using off-shore disposal, as currently proposed.
- **Emergency Dredging of Morehead City Channel**  
This resolution requests immediate funding for dredging at the Morehead City Channel in order to handle the larger ships and correct the serious shoaling problem that has recurred at the Cutoff.
- **Helicopter Rescue**  
This resolution asks for the continuation of helicopter rescue services (Pedro) from Marine Corps Air Station Cherry Point rather than shifting that service to the Coast Guard station at Elizabeth City.

The importance of all of these resolutions seems self-explanatory. The Planning Committee has reviewed and recommended the beneficial use of sand resolution. The other resolutions have been discussed at a staff level. It is our recommendation that the Council adopt all three.

# 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  
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David S. Whitlow  
City Manager

## TOWN OF MOREHEAD CITY

### Resolution 2014-51

### Supporting Beneficial Use Standard for Proposed State Ports Inlet Management Area of Environmental Concern (AEC)

**Whereas**, the draft of the State Ports Inlet Management Area of Environmental Concern (AEC), released on October 7, 2014, by the North Carolina Division of Coastal Management (NCDCM) addresses concerns within the areas adjacent to and within Beaufort Inlet, which provides access to the Morehead City Port; and

**Whereas**, NCDCM's proposed beneficial use standard has some deficiencies, as pointed out by Carteret County government in comments to the NCDCM on October 17, 2014; and

**Whereas**, Carteret County seeks to have this beneficial use standard become the "Preferred Standard"

**"To the maximum extent practicable, clean, beach-quality material, as defined by 15A NCAC 07H .0312(3), dredged from navigation channels within State Ports Inlet Management Areas shall be placed on the adjacent ocean beaches where: (i) it is environmentally acceptable and compatible with other uses of the beach and (ii) in a manner that minimizes shoaling and replicates the natural littoral system and avoids detrimental changes in the littoral and sediment transport processes."** And;

**Whereas**, for the past century, the U.S. Army Corps of Engineers has administered a federally-authorized navigation project commonly known as the Morehead City Harbor Project (MCHP), which requires the Corps to perform regular dredging of Beaufort Inlet; and

**Whereas**, the Corps has historically dumped the vast majority of the dredged material offshore – essentially removing it from the active nearshore zone or littoral system (generally considered to extend from the upper beach to the seaward edge of the nearshore zone where sediment is actively transported by waves and currents); and

**Whereas**, this practice has caused a number of significant, adverse impacts to Bogue Banks, including accelerated beach erosion caused by removal of sand from the Bogue Banks littoral system, thereby jeopardizing homes, commercial development, infrastructure and Fort Macon State Park, an important historic landmark with national significance; and

**Whereas**, in December 2007, Carteret County filed a lawsuit against the Corps alleging its dredged material management practices associated with the MCHP violated the National Environmental Policy Act and the Coastal Zone Management Act; and

**Whereas**, Carteret County has sought to require the Corps to: (i) eliminate placement of beach-quality dredged material in the offshore disposal area; (ii) move the nearshore disposal area into shallower water where sand would be kept in the littoral system; (iii) place a greater quantity of beach-quality dredged material on the beaches of Bogue Banks; and (iv) place a sufficient quantity of dredged material west of the nodal point at Bogue Banks to offset impacts of the MCHP; and

**Whereas**, in December 2008, Carteret County entered into a settlement agreement with the Corps in which the Corps agreed to reevaluate its dredged material management practices and prepare a new Dredged Material Management Plan (DMMP) for the MCHP; and

**Whereas**, the Corps has released a draft DMMP and is in the process of developing the final DMMP; and

**Whereas**, the draft DMMP includes the following dredged material management options: beach placement and nearshore and offshore disposal areas; and

**Whereas**, placement of dredged material on the beaches of Bogue Banks offsets impacts of the MCHP and provides protection of valuable investments in infrastructure and development as well as recreational uses; and

**Whereas**, the Preferred Standard recommended by Carteret County will address the county's concerns with the Corps' dredged material management practices and provide the Corps adequate flexibility.

**Now, Therefore, Be It Resolved** that the Council of the Town of Morehead City fully supports placing dredged material from the MCHP on the beaches of Bogue Banks where it offsets impacts of the MCHP and provides protection of valuable investments in infrastructure and development as well as recreational uses.

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

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

Attest:

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

# MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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

## TOWN OF MOREHEAD CITY Resolution 2014-52

### Requesting Emergency Dredging Funds for the Morehead State City State Port

**Whereas**, the Morehead City State Port provides a significant economic impact to Carteret County and its citizens; and

**Whereas**, the North Carolina State Ports Authority (Morehead City and Wilmington) and are important to the economic well-being of the local communities, the region and the State of North Carolina, by generating more than \$14 billion to the state's economy and contributing more than \$700 million in state and local taxes; and

**Whereas**, the Morehead City State Port also serves U.S. military operations in eastern North Carolina and Tidewater Virginia; and

**Whereas**, shoaling is occurring in the Cutoff Channel to an extent that it is significantly impacting the movement of vessels in and out of the Morehead City State Port; and

**Whereas**, the Morehead City State Port's "Project" Draft (channel depth) is 45 feet, but based on the most recent soundings conducted by the U.S. Army Corps of Engineers dated October 1, 2014, vessels are restricted to a maximum arrival and departure draft of 36 feet MHW and a maximum arrival and departure draft of 33 feet MLW; and

**Whereas** the draft that the port pilots have in the past normally operated under was 45 feet MHW and 42 feet MLW; and

**Whereas**, in addition, the transiting of vessels entering or leaving the Morehead City State Port is being scheduled for "daylight hours only" at the pilot's discretion; and

**Whereas**, these restrictions and "light-loading" are resulting in a significant negative economic impact to not only the Morehead City State Port itself but also to all commercial marine interests who wish to enter and exit the Morehead City State Port because they are having to arrive and depart with less than their maximum allowable load;

**Now, Therefore Be It Resolved** the Council of the Town of Morehead City fully endorses the Resolution authorized by the Carteret County Board of Commissioners on November 17, 2014, to petition the U.S. Army Corps of Engineers to provide for immediate Emergency Dredging to the Morehead City State Port "Project" depth to protect the economic and military interests of all the parties involved; and

**Be It Further Resolved** the Council of the Town of Morehead City encourages federal and state elected and appointed officials to offer assistance in obtaining necessary funds to perform the emergency dredging requested.

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

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Gerald A. Jones, Jr., Mayor

Attest:

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Jeanne M. Giblin, City Clerk

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor

COUNCIL

George W. Ballou, *Mayor Pro Tem*  
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David S. Whitlow  
City Manager

**TOWN OF MOREHEAD CITY**  
**Resolution 2014-53**  
**Supporting Search and Rescue Services**  
**At Marine Corps Air Station Cherry Point, North Carolina**

**Whereas**, the 2015 Marine Aviation Plan calls for retirement of the Marine Corps Air Station Cherry Point Search and Rescue (SAR) Squadron, commonly referred to as "Pedro"; and

**Whereas**, this asset has been based at Cherry Point for many years, with the primary mission of Marine Transport Squadron 1 (VMR-1)/Pedro being to provide Search and Rescue support to MCAS Cherry Point-based pilots and aircraft as well as other critical logistics support to the Marine Corps and the U.S. Department of Defense; and

**Whereas**, all of eastern North Carolina has benefited from Pedro, as the squadron has been able to provide assistance to local communities, by way of search and rescue missions, medical transports when weather has hampered other aircraft, and support during large-scale natural disasters where the squadron has literally assisted hundreds or thousands of people and many of those missions have been of a lifesaving nature; and

**Whereas**, the pending retirement of Pedro coincides with the phase-out of the aging helicopter fleet, and the Marine Aviation Plan calls for the Marine Corps to rely on U.S. Coast Guard SAR capabilities; and

**Whereas**, there are uncertainties about how and when the Coast Guard will replace Pedro and provide SAR services to Marine Corps pilots while flying their training missions, thus potentially placing pilots and other military personnel in harm's way; and

**Whereas**, it is also unclear what role the Coast Guard will play, working in partnership with local communities, to provide SAR services and coverage;

**Now, Therefore, Be It Resolved** the Council of the Town of Morehead City does hereby formally request that the mission of Marine Transport Squadron 1 (VMR-1)/Pedro at MCAS Cherry Point not be terminated until such time that a satisfactory and seamless transition plan be developed and implemented to ensure that continuation of SAR services to military personnel and civilians; and

**Be It Further Resolved** the Council of the Town of Morehead City urges the General Assembly to monitor the activation of the Marine Aviation Plan and be prepared to intervene, if necessary, to assure that the Marine Corps and Coast Guard develop transition plans that ensure no gap in coverage and service.

**Adopted** this the 9th day of December, 2014.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

TOWN OF MOREHEAD CITY

AGENDA ITEM: IV.

REQUEST FOR TOWN COUNCIL ACTION

DATE: December 9, 2014

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: New Business: Adopt Resolution of Intent 2014-50 to Consider an Ordinance Amending the Charter of the Town of Morehead City to Provide for Election of the Office of Mayor for a term of Four [4] Years and Setting the Date for the Public Hearing for Tuesday, January 13, 2015 at 5:30 p.m.

Background Information Attached: Yes X No

North Carolina General Statutes 160A-101 and 160A-102 allow a city to modify their charter to change the terms of office of members of the council by ordinance. Members of council can serve terms of office of either two [2] years or four [4] years. All of the terms need not be the same length, and all of 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 must first adopt a Resolution of Intent to consider such an action. Upon the adoption of the Resolution of Intent 2014-50, the Council shall set a public hearing on the proposed charter amendment. Following the public hearing, but not earlier than the next regular meeting of the Council and not later than 60 days from the date of the hearing, the Council may adopt an ordinance amending the charter to implement the amendment proposed in the resolution of intent.

**Recommended Action: Adopt Resolution of Intent 2014-50 to Consider an Ordinance Amending the Charter of the Town of Morehead City to provide for Election of the Office of Mayor for a term of Four [4] Years and setting the date for the Public Hearing for Tuesday, January 13, 2015 at 5:30 p.m.**

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

MOREHEAD CITY  
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



David S. Whitlow  
City Manager

COUNCIL

George W. Ballou, *Mayor Pro Tem*  
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**Town of Morehead City  
Resolution of Intent 2014-50**

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

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

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

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

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

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

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

Attest:

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

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

§ 160A-87. Ethics education program required.

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

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

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

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

History. 2009-403, s. 1.

Editor's Note.

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

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

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

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

PART 4.

MODIFICATION OF FORM OF GOVERNMENT.

§ 160A-101. Optional forms.

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

(1) Name of the corporation:

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

(2) Style of the corporation:

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

(3) Style of the governing board:

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

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

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

(5) Number of members of the council:

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

(6) Mode of election of the council:

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

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

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

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

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

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

according to of the distri 160A-22 an apportioned number of drawing of districts sh:

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**History.**

1969, c. 629, s. 2; 1971, 1; 1973, c. 426, s. 19; c. 10 s. 64; c. 664, s. 6.

**Local Modification.**

(As to Part 4) Wiln County Consolidated Gov city of Bessemer City:

**Applied in** Disher v. W 614, 2004 U.S. Dist. L. 2004).

§ 160A-102. Amendment by ordinance.

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

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

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

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

History.

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

Local Modification.

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

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

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

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

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

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION                      AGENDA ITEM: V.  
DATE: December 9, 2014

TO:            The Honorable Mayor and Town Council

FROM:        David S. Whitlow, City Manager

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

Background Information Attached: Yes            No        X

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

## TOWN OF MOREHEAD CITY

AGENDA ITEM: VI.

REQUEST FOR TOWN COUNCIL ACTION

DATE: December 9, 2014

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: City Manager's Report

Background Information Attached: Yes  No

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### **VI.A. Extension of Lease Agreement with Robert Purifoy For the Easternmost 30 Feet of the South 8<sup>th</sup> Street Riparian Area Immediately Adjacent to Morehead City's 8<sup>th</sup> Street Dock**

The City for many years has provided a lease agreement to Robert Purifoy of Olympic Diving for the eastern most 30' of the South 8<sup>th</sup> Street riparian area immediately adjacent to the City's 8<sup>th</sup> Street dock. The lease is used for portions of their boat slips and access to the rear of their business and slips without having to go through their retail space. A small storage room is also located in the leased area. The current lease expires on December 31, 2014, and there is interest in extending the lease. Public Works Director David McCabe has negotiated a new lease with similar terms as the current lease, including a 2.5 percent rent adjustment annually. The Public Works Committee of the Council reviewed the terms of a new lease. It is recommended that the Council approve a new lease through December 31, 2018. The Public Works Committee reviewed the lease agreement.

***Recommended Action: Approve an extension of the lease agreement with Robert Purifoy of Olympic Diving for the easternmost 30 feet of the South 8<sup>th</sup> Street riparian area immediately adjacent to Morehead City's 8<sup>th</sup> Street dock.***

### **VI.B. Sale of 101 North 5<sup>th</sup> Street Surplus Property**

The City received an offer to purchase the property at 101 North 5<sup>th</sup> Street, also known as the former Utilities Department office, in the amount of \$45,000. This offer met the requirements of the General Statutes. The City advertised the offer and solicited upset bids with the date closing on November 24<sup>th</sup>. No upset bids were received. The Finance and Administration Committee reviewed the bid and recommended that the Council accept the bid and authorize the City Attorney to move this sale on to closing as soon as possible.

***Recommended Action: Accept the bid of \$45,000 received on November 7, 2014, for the former Utilities Department office located at 101 North 5<sup>th</sup> Street and authorize the City Attorney to move the sale to closing.***

### **VI.C. Approve the Merging of Public Works and Public Utilities Departments Under a Single Director**

With the recent notification that Public Works Director David McCabe would be retiring, the City Manager began discussions with staff and the Finance and Administration

Committee regarding the possible streamlining of the City's organizational structure to put Public Works and Public Utilities under a single director.

There are several reasons why this appears to be feasible, including:

- Similar field operations involving similar crew skills
- Redundancy of some equipment
- Existing overlapping administrative support
- Utilization of the same work order system
- Possibilities for development of cross training efforts to enhance response

The Finance Committee has recommended the creation of two [2] new positions to include a Director of Public Services and an Assistant Director of Public Services. The existing Director of Public Works and Assistant Director of Public Works would go unfilled.

The intention is to elevate the existing Public Utilities Director to this position as the Acting Director of Public Services in order to further develop this plan and to determine whether it is achieving what the City hopes to achieve. Work will begin immediately on filling the Assistant Director position, with this position being more heavily weighted toward a public works/civil engineering type of individual.

***Recommended Action: Approve the Merging of Public Works and Public Utilities Departments under a Single Director.***

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

**A.**

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

**LEASE EXTENSION**

THIS LEASE EXTENSION is made and entered into this the 1<sup>st</sup> day of January, 2015, by and between the TOWN OF MOREHEAD CITY, a municipal corporation of the State of North Carolina, hereinafter called "Landlord"; and ROBERT G. PURIFOY, of Olympus Dive Center, Morehead City, North Carolina, hereinafter called "Tenant".

WITNESSETH:

WHEREAS, Landlord is the owner in fee of those riparian and littoral rights appurtenant to the public right-of-way known as Eighth Street in the Town of Morehead City;

WHEREAS, Tenant desires to utilize the easternmost thirty (30) feet of the rights for purposes associated with the operation of a commercial enterprise on property immediately adjacent to and East thereof; and,

WHEREAS, the Tenant desires to lease said riparian and littoral rights, and all improvements situated thereon, from the Landlord, and the Landlord is willing to lease said premises to the Tenant, according to the following terms and conditions.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter contained, the Landlord does hereby let and extend the lease unto Tenant, and Tenant accepts as Tenant of Landlord, all of those riparian and littoral rights, in that thirty (30) feet wide area beginning at the center line of the Eighth and Shepard Streets right of way and running thence with the South right-of-way margin of Shepard Street thirty (30) feet to the northwest corner of the property of the Tenant and extending southwardly between parallel lines running from each end of this thirty (30) feet strip and perpendicular to the high water mark of Bogue Sound into the waters of Bogue Sound, to have and to hold for a term, and under the conditions and covenants hereinafter set forth:

1. TERM. The term of this Lease shall begin on January 1, 2015 and shall terminate on December 31, 2018, unless sooner terminated as herein provided.

2. RENT. Tenant shall pay to Landlord as rental the sum of Four Thousand Two Hundred Sixty Eight and 47/100 Dollars (\$4,268.47) per annum, in advance, to be due and payable on the date of execution of this Lease, and prior to December 31 of each successive calendar year thereafter during the term of this Lease. The rental for each lease year after the first lease year shall be increased as of January 1 of each calendar year during the lease term by multiplying the annual rent for the prior lease year by 102.5 percent (102.5%) as provided for in Exhibit A, hereby attached and incorporated herein by this reference and made a part of this agreement.

3. PREMISES DETACHMENT. Tenant may not in any manner or form attach or provide access between the Morehead City dock and Tenant's premises without prior written approval from Landlord.

4. PREMISES CONDITION. Tenant shall keep the lease premises and all improvements clean and in good and safe condition.

5. INDEMNIFICATION. Tenant, during the term hereof, and during any extension or renewal thereof, shall hold Landlord harmless from and against any and all claims for injury to the property or persons of others resulting from or arising out of the use of the premises by the Tenant, the conduct of Tenant's business, or any act of Tenant, the agents, employees or servants of Tenant. Further, Tenant, at its sole cost and expense, shall at all times maintain and keep in force a policy of general liability insurance covering bodily injury and property damage with combined liability limits in the amount of One Million and 00/100 dollars (\$1,000,000.00) per occurrence. Upon request, Tenant shall furnish an appropriate certification of insurance to evidence compliance with this provision.

6. ACTIVITIES PROHIBITED. Tenant shall make no unlawful or offensive use of the leased premises and shall comply with all statutes, ordinances, rules, order, regulations and requirements of federal, state, county and municipal governments.

7. INTENDED USE. It is understood and agreed that Tenant shall use the leased premises solely for piers or wharfs and access to waterborne vessels and the mooring thereof in connection with its business enterprise. Tenant shall not use the leased premises for any other purpose without the prior written approval of Landlord.

8. SUBLETTING PROHIBITED. Tenant may not assign or sublet these premises, this Lease, or any part of either without prior written notice of approval from Landlord.

9. LANDLORD'S RIGHT TO ENTER. Landlord shall have the right to enter and inspect the leased premises at all reasonable times.

10. REQUIRED UTILITIES. Tenant shall pay all charges for electricity, heat, water, air conditioning, sewer services, and any and all other utility services used on, in

or in connection with the lease premises. At that point in time when underground electrical service becomes available during the term of this lease, tenant hereby agrees to participate and convert to underground electrical service to his structures located at 713 Shepard St.

11. DAMAGE TO EIGHTH STREET. Tenant shall be responsible to accomplish any reasonably required repairs or maintenance to the leased riparian portion of S. Eighth Street which may be occasioned by the willful acts or negligence of the Tenant, its agents, servants, employees, licensees and invitees.

12. EASEMENT RESERVED. The Landlord reserves an easement to enter upon the demised premises for the purpose of conducting maintenance to the seawall located upon the Landlord's property as may be required to maintain the structural integrity or safety thereof. In regard to the seawall, it is agreed that the Tenant shall bear sole responsibility for any damage done to the seawall as a proximate result of Tenant's use of the leasehold, including, but not limited to:

(A) Erosion, wash-out, or loss of subjacent support caused by the movement of Tenant's vessels or those of Tenant's agents, servants, permittees, licensees or invitees in and out of the demised premises.

(B) Any collision with the seawall by any of Tenant's vessels or those of Tenant's permittees, licensees, invitees, agents or servants.

(C) Any other act constituting negligence committed by Tenant or Tenant's agents, servants, permittees, licensees or invitees.

(D) Damage caused by motor vehicles or when loading or unloading motor vehicles owned or used by Tenant or its agents, servants, licensees, invitees or permittees or making deliveries of persons or property to Tenant's place of business.

13. REQUIRED NOTICES. All required notices or permitted notices to be given by this Lease shall be deemed to be properly given if delivered in writing personally or sent by registered or certified mail, return receipt requested, postage pre-paid, to Landlord or Tenant as the case may be, at the addresses given following the respective signatures to this Lease, or to such other address as may be furnished by either party to the other in writing. The date of mailing shall be deemed the date of giving such notice.

14. ACTIONS CONSTITUTING BREACH. The happening of any one or more of the following listed events shall constitute a breach of this Lease agreement on the part of Tenant, namely:

(A) The final adjudication by any court of Tenant as a bankrupt, voluntary or involuntary, under any bankruptcy law or action.

(B) The final adjudication by any court of Tenant as an insolvent or unable to pay its debts.

(C) The failure of Tenant to pay any rent payable under this Lease agreement and the continued failure to pay the same for ten (10) days or more after written notice of such failure of payment given by Landlord to Tenant.

(D) The failure of Tenant to fully and promptly perform any act required of it in the performance of this Lease or to otherwise comply with any term or provision thereof. Tenant will be "promptly" performing any such act, if, within ten (10) days of written notice to it from Landlord, it commences and thereafter with due diligence proceeds to perform such act.

(E) The assignment by Tenant of all or part of its property or assets for the benefit of creditors.

(F) The levy of execution, attachment or other taking of property, assets or the leasehold interest of Tenant by process of law or otherwise in satisfaction of any judgment, debt or claim.

Upon the happening of any of the above events, Landlord, if it shall so elect, may:

(A) Terminate the term of this Lease agreement and Tenant's right of possession and thereupon have the right to enter the premises and to collect damages to be measured by the fair market value of the Lease for the remainder of the term or any authorized extension thereof, and the rental under any new Lease which Landlord by reasonable diligence is able to obtain; or,

(B) Terminate Tenant's right to possession of the premises and re-enter the premises without termination of the term of this Lease agreement and thereupon take possession for the benefit of Tenant and make every reasonable effort to re-let the premises, and Landlord shall have the right to collect damages measured by the difference in the rental of this Lease for the remainder of the term and such rental as Landlord is able to obtain upon such re-letting; or,

(C) Leave Tenant in possession of the premises without termination of the term of this Lease or Tenant's right of possession and recover damages to consist of the unpaid rent.

(D) Take any other action allowed by law.

Should Landlord, after the occurrence of any of these things, accept payment of rental, or do any other act as Landlord hereunder, such shall in no way waive Landlord's rights under this Article. If Landlord elects to proceed under paragraphs (A) or (B) immediately above, Landlord may take possession of the premises and all of its contents, including whatever property the Tenant may have therein, and Landlord will not

be responsible for the maintenance, protection, safety or disposition of such property of Tenant as may be on the leased premises at the time Landlord takes possession. Landlord is specifically appointed as Attorney-in-Fact for Tenant to dispose of said property of Tenant on such terms and conditions as Landlord may deem best in its sole discretion and to apply the proceeds thereof to any outstanding indebtedness due under the terms of this Lease, and Landlord shall pay the surplus remaining after the payment of the costs incurred by Landlord and all debts which arise under the provisions of this Lease, including, without limitation, all expenses of collection, court actions, reasonable attorney's fees, broker's commission, and other expenses of selling the said property, to Tenant. If Tenant is more than one person or entity, payment of such surplus to anyone shall be a full release and acquittal of Landlord to any further obligations to any other individuals or entities who are tenants under this Lease. If Landlord resorts to court action or collection procedures because of any default on the part of Tenant, Landlord shall be entitled to recover all expenses incurred in such action and procedures, including, without limitation, reasonable attorney's fees.

15. QUIET ENJOYMENT. Except as provided herein, the Tenant shall be entitled to the sole and exclusive rights of possession and use to the premises demised herein, and shall have all rights of quiet enjoyment with respect thereto as by law provided.

Wherever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

IN WITNESS WHEREOF, Landlord and Tenant have signed and sealed this Lease Extension in appropriate and lawful manner, the day and year first above written.

TOWN OF MOREHEAD CITY

ATTEST:

By: \_\_\_\_\_

Mayor  
Post Office Drawer M  
Morehead City, NC 28557

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Robert G. Purifoy  
713 Shepard Street  
Morehead City, NC 28557 (SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

I, \_\_\_\_\_, do certify that Jeanne Giblin, personally came before me, a Notary Public of said County and State, Jeanne Giblin, who being by me duly sworn, says that she knows the common seal of said Town of Morehead City, and is acquainted with Gerald A. Jones, who is the Mayor of said Town; and that she the said Jeanne Giblin, is the duly appointed and designated Town Clerk of said Town, and saw the said Mayor sign the foregoing instrument, and that she the said Clerk as aforesaid, affixed the said seal to said instrument, and that she the said Clerk signed her name in attestation of the execution of said instrument in the presence of said Mayor of said Town.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

My commission expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid do hereby certify that Robert G. Purifoy personally appeared before me this date and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

My commission expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**EXHIBIT A**  
**LEASE OF CITY PROPERTY**

Riparian area S. 8<sup>th</sup> St. [30']  
January 1, 2015 – December 31, 2018

YEAR	BASE RENT		ANNUAL AMOUNT DUE
	<u>JANUARY 1<sup>ST</sup>*</u>	<u>COMPOUNDED YEARLY</u> (+2.5% INCREASE)	
2014			\$4,164.37
2015	\$4,164.37	\$104.10	\$4,268.47
2016	\$4,268.47	\$106.71	\$4,375.18
2017	\$4,375.18	\$109.38	\$4,484.56
2018	\$4,484.56	\$112.11	\$4,596.67

\*NOTE: Rents are due in a lump sum annually in advance of January 1

**B.**

**MEMORANDUM**

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

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

**SUBJECT:** Sale of 101 N. 5<sup>th</sup> Street Property

**DATE:** December 4, 2014

On November 7, 2014, we received an offer to purchase the property at 101 N. 5<sup>th</sup> Street, also known as the former utilities department office, in the amount of \$45,000. This offer met the requirements of the General Statutes. We advertised the offer and solicited upset bids, with the bid date closing on November 24. No upset bids were received.

The Finance Committee has reviewed the bid and recommends that the Council accept the bid and authorize the City Attorney to move this sale on to closing as soon as possible.

C.

## MEMORANDUM

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

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

**SUBJECT:** Merging of Public Works and Public Utilities Under a Single Director

**DATE:** December 4, 2014

Upon receiving notification of David McCabe's retirement, I began discussions with staff and the Finance and Administration Committee regarding the possible streamlining of our organizational structure to put Public Works and Public Utilities under a single director.

There are several reasons why this appears to be feasible, including:

- Similar field operations involving similar crew skills
- Redundancy of some equipment
- Existing overlapping administrative support
- Utilization of the same work order system
- Possibilities for development of cross training efforts to enhance response

After discussing this matter with the Finance and Administration Committee over the past two months, the Finance Committee has recommended the creation of two new positions, to include a Director of Public Services and an Assistant Director of Public Services. The existing Director of Public Works and Assistant Director of Public Works would go unfilled.

My intention is to elevate the existing Public Utilities Director to this position as the Acting Director of Public Services in order to further develop this plan and to determine whether it is achieving what we hope to achieve. We will immediately begin to work on filling the Assistant Director position, with this position being more heavily weighted toward a public works/civil engineering type of person.

This is an exciting opportunity for the City to try to deliver services with a more efficient structure.

## Public Services Director

### General Definition of Work

Performs complex professional and administrative work planning, organizing, directing and administering the activities of the department including construction, maintenance and operation of storm drains, cemetery, streets, sidewalks, solid waste collection, fleet maintenance and building and grounds maintenance, repair and maintenance of water and sewer lines and pumping facilities, water and wastewater treatment and related public utilities operations, preparing and administering department budget, reviewing development plans, and related work as apparent or assigned. Work involves setting policies and goals under the direction of the City Manager. Departmental supervision is exercised over all personnel within the department.

### Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

### Essential Functions

Plans, organizes, directs and administers the activities of the Public Services Department including the construction, maintenance and operation of storm drains, cemetery, streets, sidewalks, fleet maintenance, building and ground maintenance, solid waste collection, installation, maintenance and repair of water and sewer lines and pumping facilities, water and wastewater treatment, ensures coordination with other departments.

Oversees project management for the construction of the municipal public works and utility projects; coordinates and monitors the work of contractors; makes field inspections of public works, public utilities and engineering projects to review progress, ensures completion and compliance with contract requirements.

Recruits and selects department personnel; assigns, directs, trains and inspect the work of staff; rewards, disciplines, coaches, counsels and evaluates staff performance; develops staff schedules; recommends transfers, promotions, suspensions, terminations, and demotions.

Ensures compliance with Federal, State and local environmental laws; ensures compliance with permit requirements.

Reviews proposed plans with developers, architects, engineers and others; reviews subdivision plats and private building construction plans.

Develops standards, policies and operating procedures; recommends operational changes to the City Manager.

Prepares requests for qualifications and requests for bids; conducts bid openings; evaluates responses and bids; recommends project awards.

Prepares and reviews departmental operating and capital budget; monitors and approves expenditures researches and prepares specifications for purchase of equipment; estimates the cost of construction.

Establishes scope of work and oversees the design and construction of water and sewer facilities; reviews plans and specifications for utilities projects, inspects work for compliance.

Prepares and submits grant applications; administers and monitors grant funding. Interacts with local, State and Federal elected officials to address issues, policies and procedures; interacts with citizens, media and special interest groups on a wide variety of issues.

Attends committee, Council and input meetings; reviews agenda items and minutes; prepares and presents reports and public presentations to various governing boards, citizen groups and other agencies.

Receives and responds to inquiries, complaints and explains department programs to citizens; investigates and takes necessary actions.

Meets with subordinate supervisors to resolve more complex problems; set deadlines and provides guidance and direction; develops, monitors, and enforces department procedures; researches and recommends operational changes to the City Manager.

Is routinely expected to be onsite or on-call during emergencies and special events.

### **Knowledge, Skills and Abilities**

Comprehensive knowledge of the principles and practices of municipal streets, drainage, garage, buildings and grounds operations; comprehensive knowledge of the principles and practices of civil and sanitary engineering, comprehensive knowledge of municipal public utilities administration, planning and design; thorough knowledge of equipment and materials used in the construction, maintenance and repair of streets, infrastructure and related public works facilities, thorough knowledge of mechanical systems, construction and heavy equipment; thorough knowledge of the installation and maintenance of water/sewer lines and water and wastewater treatment plants; general knowledge of the machines, tools, equipment and materials used in operation, maintenance and repair of water, sewer and wastewater systems; ability to review and analyze plans and specifications for the construction of public facilities and public utilities; through knowledge of hazards and safety precautions associated with type of work; ability to formulate comprehensive operational policies and procedures; ability to establish and maintain effective working relationships with elected officials, associates, contractors, vendors, regulatory agencies, engineers, developers and the general public; ability to communication effectively, both orally and in writing; ability to supervise a large staff.

### **Education and Experience**

Bachelor's degree with coursework in civil engineering, biology, chemistry, environmental engineering, or related field and extensive experience in civil engineering, public works services, utility construction,

water and wastewater treatment, maintenance and operations of a wide range of public works and utilities, or equivalent combination of education and experience.

### **Physical Requirements**

The work requires the frequent exertion of up to 10 pounds of force and occasional exertion of up to 50 pounds of force; work regularly requires speaking or hearing, frequently requires standing, walking, sitting, using hands to finger, handle or feel, reaching with hands and arms and repetitive motions and occasionally requires climbing or balancing, stooping, kneeling, crouching, crawling, tasting or smelling, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating machines, operating motor vehicles or equipment, and observing general surroundings and activities; work frequently requires exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals and customers, exposure to outdoor weather conditions, exposure to the risk of electrical shock and exposure to vibration; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic, treatment plant aerators, etc.).

### **Special Requirements**

Valid driver's license in the State of North Carolina.

Possession of Grade A Water Distribution, Grade A Well, Grade IV Wastewater Treatment, Grade IV Wastewater Collection, Grade I Physical/Chemical, Collections and Back Flow/Cross Connection, Land Application and Spray Irrigation certifications.

**MEMORANDUM**

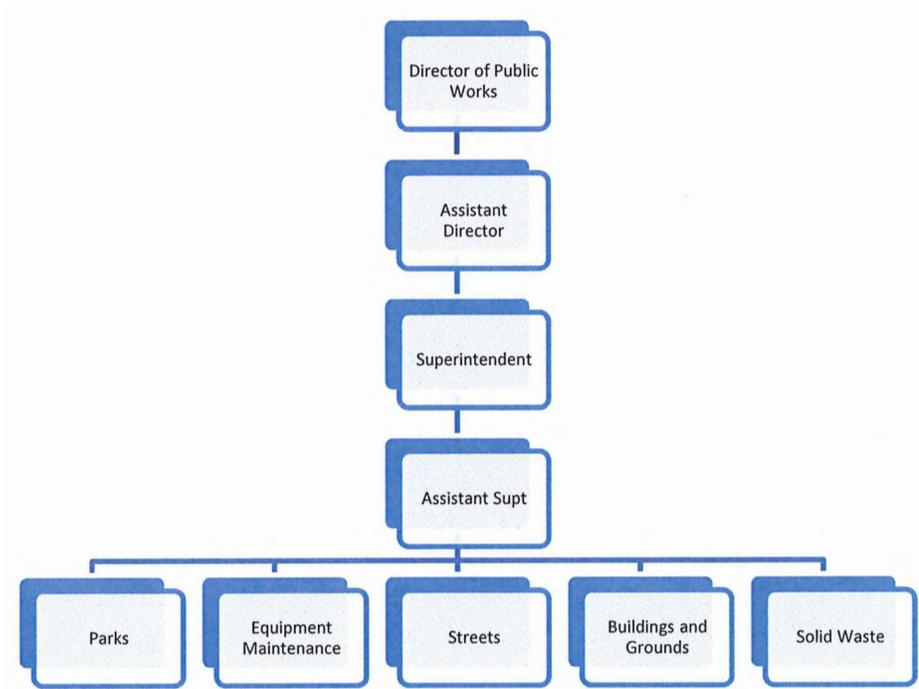
**TO:** Members of the Finance and Administration Committee  
**FROM:** David S. Whitlow, City Manager  
**SUBJECT:** Reorganization of Public Works and Public Utilities Departments  
**DATE:** November 21, 2014

After considerable discussion and deliberation, I am convinced that we should take advantage of David McCabe’s retirement to undertake some reorganization of Public Works and Public Utilities in order to capture some efficiencies and some cost savings. There are similarities in these departments that make it possible for a merger to occur with advantages to both departments.

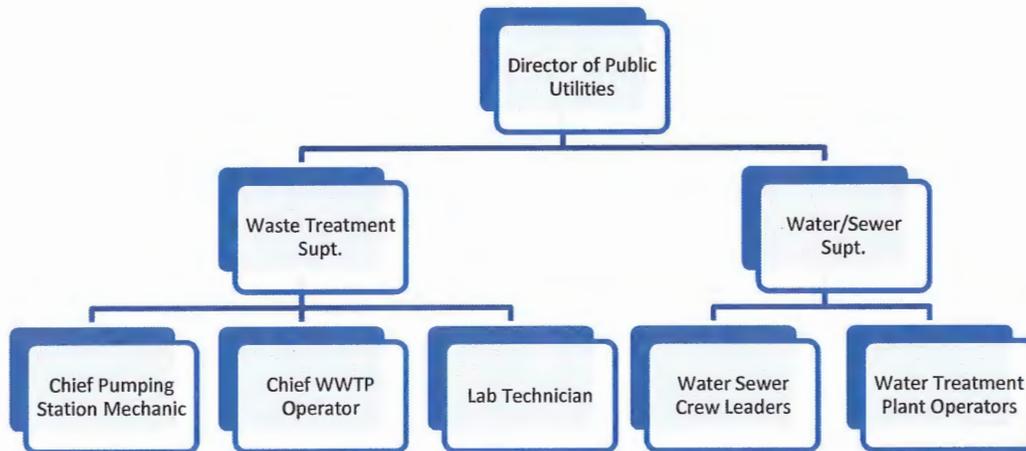
I request that the Council approve the creation of two new positions, the Director of Public Services and the Assistant Director of Public Services, to encompass three current positions, Director of Public Utilities and Director of Public Works into a single position, and Assistant Director of Public Services in lieu of the Assistant Director of Public Works, a position yet to be filled.

The current organizational structure of the two departments is as follows:

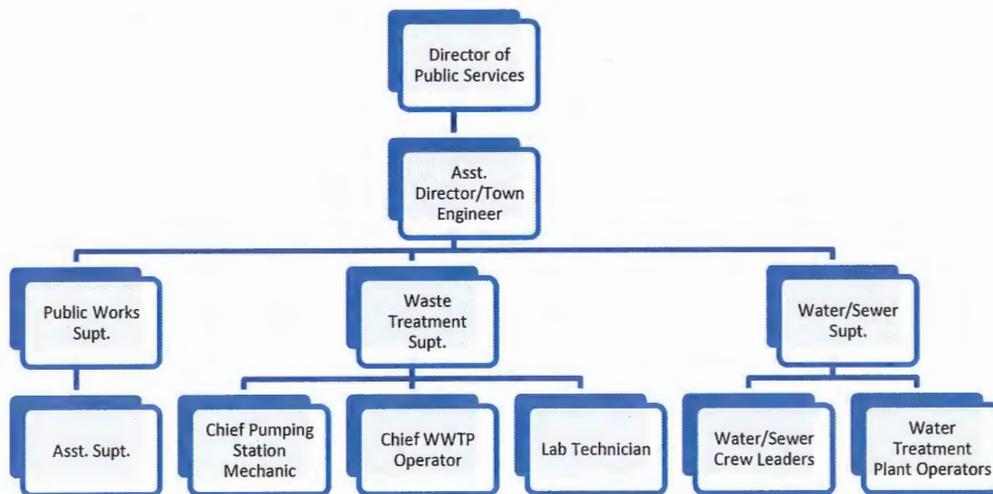
Public Works



## Public Utilities



## Proposed Organization



The proposed structure offers some operational efficiencies and cost savings:

- Shared use of equipment, allowing less down time for such things as back hoes and dump trucks
- Cross training for better response in cases of emergencies and ongoing events
- Reduction of one staff position through consolidation of responsibilities

Overall savings in the remainder of this fiscal year should be in the range of \$15—20,000, with annualized savings in the \$20—30,000, potentially higher when equipment usage is considered.

We will need to work through a costing system with the Finance Department in order to allow for cost allocations of shared equipment and personnel, or to develop an interdepartmental billing arrangement

to accomplish the same thing. The Finance Director and I have had some preliminary discussions regarding this issue but have not reached a firm conclusion on the best manner to divide these costs.

#### Implementation

In order to implement this change, I need Council approval to create the position of Director of Public Services. My intention is to then appoint Daniel Williams to this position, initially as the "Acting" director in order to allow us to go through the process of working through any of the unforeseen issues that might arise. I have reviewed the position with regard to our current position grade system and it appears to fit a grade 27, one grade higher than the current Public Works position and two grades higher than the Public Utilities position. We will then proceed immediately to filling the position of the Assistant Director/Engineer, with the emphasis on that position being public works/engineering experience and training rather than utilities. This position will be re-graded after refining the job description to reflect increased responsibilities. At the end of the trial period, I will then evaluate whether this is working the way that it is intended to work, and if not, would then move back to the current structure with the Assistant Director/Engineer dropping into the position of Public Works Director.

#### Recommendation to Finance Committee

I request that the Finance Committee recommend the creation of the position of Director of Public Services at a grade 27 to take effect on January 1, 2015 and to create a position of Assistant Director of Public Services/Town Engineer, grade to be determined. We would call this new functional area the Division of Public Services, retaining the names department of Public Works and Public Utilities as is within the division.

TOWN OF MOREHEAD CITY

AGENDA ITEM: VII.

DATE: December 9, 2014

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Council Requests/Comments

Background Information Attached: Yes No X

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

TOWN OF MOREHEAD CITY

AGENDA ITEM: VIII.

DATE: December 9, 2014

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Approve the CLOSED SESSION Minutes of Tuesday, September 9, 2014

Background Information Attached: Yes No X

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