

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, January 13, 2015 at 5:30 p.m.
Municipal Chambers
202 South 8th Street

- I. **Regular Meeting Call to Order, Invocation and Pledge of Allegiance**
- II. **Special Presentations:**
 - Resolution of Sympathy for Police Chaplain Bobby Ray Caffin**
 - Resolution of Retirement for Police Chief Wrenn Johnson**
 - Resolution of Retirement for Public Works Director David McCabe**
- III. **Adoption of the CONSENT AGENDA:**
 - A. **Approval of Minutes: Tuesday, December 9, 2014, Regular Meeting**
 - B. **Approve the Requests for Release of Overpayment of Ad Valorem Taxes for December 2014, in the amount of \$11,256.96 ; and Accept the Tax Collector and Finance Director Reports for December 2014**
 - C. **Adopt Resolution 2015-04 In Support of the North Carolina Department of Transportation Funding the Proposed Havelock Bypass [US #70 Highway]**
 - D. **Adopt Resolution of Sympathy 2015-05 for Former Police Chaplain Bob Caffin, Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson and Resolution of Retirement 2015-07 for Public Works Director David McCabe**
 - E. **Adopt Three [3] Budget Ordinance Amendments:**
 - **Budget Ordinance Amendment 2015-02 for Various Adjustments to the General Fund and Fire/EMS Fund**
 - **Budget Ordinance Amendment 2015-03 for Morehead City Municipal Campus Capital Project Fund to Increase Expenditures for Cost of Repairs to Police Station/E911 Center**
 - **Budget Ordinance Amendment 2015-04 to Recognize an Increase in Contributed Capital for Sewer Line Relocation**

- F. **Adopt Resolution 2015-01 to Request a Section of Business Drive for Addition to the State Maintained Secondary Road System**
- G. **Award of Contract No. 90 – 26th and Evans Streets Sewer Extension to the Low Bidder, Thomas Simpson Construction, in the amount of \$21,842.00**

IV. Public Hearings:

- A. **Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 And 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District**
- B. **Consider the Adoption of an Ordinance Amending the Charter of the Town of Morehead City, Article 3, Section 3.3[a] Terms, Qualifications, Vacancies, to Provide for Election of the Office of Mayor for a Term of Four [4] Years**

V. New Business:

- A. **Select a Member from Among the Council to Serve as Morehead City's Representative to the Eastern Carolina Council**
- B. **Adopt Morehead City Parks & Recreation Policies and Procedures**

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

VII. City Manager's Report:

VIII. Council Requests/Comments

IX. Adjournment

TOWN OF MOREHEAD CITY

AGENDA ITEM: II.
DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Special Presentations

Background Information Attached: Yes X No

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

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

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

Morehead City Chief of Police Wrenn Johnson will retire from the Morehead City Police Department on February 1, 2015. She began her career as a Police Officer in 1986 and through the years progressed through the ranks. She became the Chief of Police on March 8, 2005. Mayor Jones will present Resolution 2015-06.

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

Public Works Director David McCabe retires on December 31, 2014, after serving the Town of Morehead City for over 36 years. He began working for the City in 1978 as Water/Sewer Serviceman and will retire as Public Works Director. Mayor Jones will present Resolution 2015-07.

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

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David S. Whitlow
City Manager

RESOLUTION OF SYMPATHY 2015-05
In Remembrance Of
Police Chaplain Bobby Ray Caffin

WHEREAS, the death of **Bobby Ray Caffin** on Tuesday, November 4, 2014, leaves our community with a deep feeling of sorrow for the loss of such an honored and respected citizen; and

WHEREAS, **Bobby Ray Caffin** was the chaplain for the Morehead City Police Department; was the bereavement counselor for Continuum Hospice of Jacksonville; and a member of the Fraternal Order of Police and International Conference of Police Chaplains; and

WHEREAS, **Bobby Ray Caffin** volunteered with Crime Stoppers and served as a hospital chaplain; and

WHEREAS, **Bobby Ray Caffin** was retired from the United States Navy after twenty years of service; and

WHEREAS, **Bobby Ray Caffin** was a devoted husband to Barbara, loving father; and proud grandfather; and during his lifetime demonstrated countless ways his dedication to the welfare of others and to the community he loved and he has earned the respect and affection of people from all walks of life and all ages.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Morehead City, North Carolina, on behalf of all our citizens, hereby extends to the members of his family this expression of sincere regret for their loss and hope that they will be consoled by the memories of his fine life and achievements.

DATED, this the 13 day of January, 2015.

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

Resolution 2015-06

In Appreciation to

Chief Elizabeth Wrenn Johnson

Upon Her Retirement from the Morehead City Police Department

WHEREAS, the Town of Morehead City desires to recognize and honor employees of the Town for dedicated and distinguished contributions to the community; and

WHEREAS, *Elizabeth Wrenn Johnson* will retire from the Morehead City Police Department on February 1, 2015; and

WHEREAS, *Elizabeth Wrenn Johnson* began her career as a Morehead City Police Officer in 1986; and through the years progressed through the ranks earning the titles of Lieutenant, Captain, Major, Interim Police Chief and on March 8, 2005, became the Morehead City Chief of Police; and

WHEREAS, *Elizabeth Wrenn Johnson* has served the community with distinction demonstrating always her willingness to place her concern for the public good and public safety ahead of her personal interests; and the performance of her duties and responsibilities and her working relationships were always characterized by an obvious dedication to the citizens she served; and

WHEREAS, *Elizabeth Wrenn Johnson*, as a law enforcement officer, was the guardian of life and property, defender of the individual right to be free, warrior in the battle against crime and dedicated to the preservation of life and property.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Morehead City, that appreciation be shown to *Elizabeth Wrenn Johnson* and her family, to honor her for her loyal service and dedication to the citizens of Morehead City and urge all to extend congratulations to her upon her retirement and extend best wishes for many more happy and productive years in her future.

BE IT FURTHER RESOLVED, as evidence of appreciation, this Council adopts this Resolution to be spread upon the record on this the 13th day of January 2015.



Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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City Manager

Resolution 2015-07
In Appreciation to
David E. McCabe

Upon His Retirement from the Morehead City Public Works Department

WHEREAS, the Town of Morehead City desires to recognize and honor employees of the Town for dedicated and distinguished contributions to the community; and

WHEREAS, David E. McCabe retired from the Morehead City Public Works Department on December 31, 2014, with over 35 years of service; and

WHEREAS, David E. McCabe began his career as a Water/Sewer Serviceman in 1978, and was promoted to Water/Sewer Supervisor in 1980. Subsequently he left City employment in 1982, returning on July 15, 1985 as Public Works Director, a position which he has held until retirement. During his career he received excellent reviews, numerous awards and certifications and was acknowledged for outstanding performance; and

WHEREAS, David E. McCabe has served the community with distinction demonstrating always his willingness to place his concern for the public good ahead of his personal interests; and the performance of his duties and responsibilities and his working relationships were always characterized by an obvious dedication to the citizens he served; and

WHEREAS, during his tenure, Morehead City has prospered and grown, and while under his tutelage many projects were completed for the enjoyment of both citizens and visitors alike.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Morehead City, that appreciation be shown to David E. McCabe and his family, to honor him for his loyal service and dedication to the citizens of Morehead City and urge all to extend congratulations to him upon his retirement and extend best wishes for many more happy and productive years in his future.

BE IT FURTHER RESOLVED, as evidence of appreciation, this Council adopts this Resolution to be spread upon the record on this the 13th day of January, 2015.

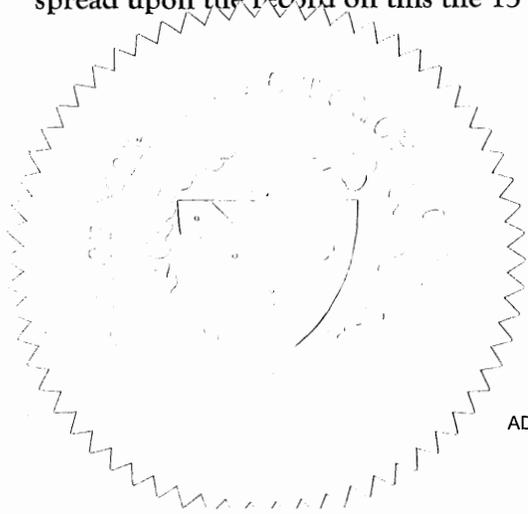
A handwritten signature in black ink, appearing to read "Gerald A. Jones, Jr.", written over a horizontal line.

Gerald A. Jones, Jr., Mayor

Attest:

A handwritten signature in black ink, appearing to read "Jeanne M. Giblin", written over a horizontal line.

Jeanne M. Giblin, City Clerk



TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: III.
DATE: January 13, 2015

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

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

Approve the minutes of Tuesday, December 9, 2014, Regular Meeting and dispense with the reading.

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

Approve the requests for release of overpayment of ad valorem taxes for December 2014, in the amount of \$11,256.96; and accept the Tax Collector and Finance Director Reports for December 2014.

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

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

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

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

Adopt Resolution of Sympathy 2015-05 for former Police Chaplain Bob Caffin; Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson; and Resolution of Retirement 2015-07 for Public Works Director David McCabe.

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

Budget Ordinance Amendment 2015-02 for Various Adjustments to the

General Fund and Fire/EMS Fund

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

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

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

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

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

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

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

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

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

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

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

The City has made sufficient repairs to the specifications and standards of the North Carolina Department of Transportation [NCDOT] to the section of Business Drive located

between Arthur Farm Road and Facility Drive. Other segments of Business Drive are already a part of the State's Secondary Road System and it makes sense to include this latest section. The Public Works Committee of the Council has reviewed the request and recommended adoption.

Adopt Resolution 2015-01 to Request a section of Business Drive located between Arthur Farm Road and Facility Drive for addition to the State Maintained Secondary Road System.

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

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

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

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

Award Contract No. 90 – 26th and Evans Streets Sewer Extension to the low bidder, Thomas Simpson Construction, in the amount of \$21,842.00.

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

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

A.

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

Tuesday, December 9, 2014

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, December 9, 2014, at 5:30 p.m., in the Municipal Chambers located at 202 South 8th Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Demus L. Thompson
	Harvey N. Walker, Jr. [Absent]
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Tom Kies, Gary Ridgeway, Linda Murphy, Deputy Police Chief Bernette Morris, Daniel Williams, Mark Hibbs, Reporter, THE CARTERET NEWS TIMES and several others.

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

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

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

Gary Ridgeway and Linda Murphy of the firm of McGladrey, LLP presented the Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2014.

Gary Ridgeway referred the Council to Page 9 of the report stating that the Town of Morehead City received a clean opinion on their annual audit. He requested that the Council especially read Pages 12 through 20 of the report which is a summary for the year. He reported that in the General Fund the Unassigned Fund Balance was \$3.2 million at fiscal yearend which is well above the figure that is designated to cities of Morehead City's size and population.

Mayor Jones commented that the Council a few months ago agreed to set the figure of at least \$2.5 million to be held in the General Fund Undesignated Fund Balance each year.

Mr. Ridgeway continued stating that Morehead City had \$728,000 of revenues over expenditures for FYE 6/30/2014 and that the City had an excellent financial picture. He continued that the City collected 98.6 percent of tax collections. He reported the audit also reviewed internal controls and that the City was in compliance with federal and state laws. The City continues to be in good, strong financial shape and he thanked the City staff for their help and cooperation in conducting the audit.

Mayor Jones thanked the Department Heads, Finance staff and City Manager for doing such a good job of fiscal responsibility.

By consensus the Council [Councilman Walker absent] approved and accepted the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.

III. Adoption of the CONSENT AGENDA

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

Approved the Minutes of Wednesday, November 12, 2014, Regular Meeting and dispensed 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

Approved the requests for release of overpayment of Ad Valorem Taxes for November 2014, in the amount of \$465.88 and accepted the Tax Collector and Finance Director Reports for November 2014. [The Financial Reports are attached to and made a part of these minutes herein by reference.]

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 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.

Adopted 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. [Resolution 2014-46 and a copy of the Bond Anticipation Note are attached to and made a part of these minutes herein by reference.]

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.

Adopted 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. [Resolution 2014-47 is attached to and made a part of these minutes herein by reference.]

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.

Adopted Resolution 2014-48 to rename the Wallace School Property Acquisition/Improvement Capital Project Fund to the Morehead City Municipal Campus Capital Project Fund. [Resolution 2014-48 is attached to and made a part of these minutes herein by reference.]

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.

Adopted Resolution 2014-49 approving Local Water Supply Plan dated 2012. [Resolution 2014-49 is attached to and made a part of these minutes herein by reference.]

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.

Approved the Annual Certification of Firemen for 2014 for North Carolina State Firemen's Association. [The Annual Certification of Firemen is attached to and made a part of these minutes herein by reference.]

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.

Adopted Resolution 2014-51 supporting a 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. [Resolutions 2014-51, 2014-52 and 2014-53 are attached to and made a part of these minutes herein by reference.]

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

IV. 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.

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

Under N.C.G.S. 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.

Councilman Ballou was concerned with the timing of this amendment in that he would prefer that the Mayor's election be concurrent during the cycle when there were only two [2] openings for a Council seat.

Councilman Taylor commented that if the Council were to go forward with the proposed charter amendment that the referendum [if it were necessary] could be done with the next general election in 2015. He proposed making the charter change effective for the term when only two [2] councilmembers were running for re-election.

Councilwoman Warrender MOVED, seconded by Councilman Thompson, and carried unanimously [Councilman Walker absent] to 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.

V. **Citizen Requests/Comments:** There were no citizen requests and/or comments.

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

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

City Manager David Whitlow reported that the City for many years has provided a lease agreement to Robert Purifoy of Olympic Diving for the eastern most 30' of the South 8th Street riparian area immediately adjacent to the City's 8th 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 the new lease and recommended that the Council approve such through December 31, 2018.

Councilman Taylor MOVED, seconded by Councilman Ballou, and carried unanimously [Councilman Walker absent], to approve an extension of the lease agreement with Robert Purifoy of Olympic Diving for the easternmost 30 feet of the South 8th Street riparian area immediately adjacent to Morehead City's 8th Street dock. [The lease agreement is attached to and made a part of these minutes herein by reference.]

VI.B. **Sale of 101 North 5th Street Surplus Property**

City Manager David Whitlow reported that the City received an offer to purchase the property at 101 North 5th 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 24th. 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 to closing as soon as possible.

Councilwoman Warrender commented that this particular surplus building adjoins another business entity and there is a need for repairs of this surplus building in order to cause no harm to the adjoined business.

Councilman Taylor MOVED, seconded by Councilwoman Warrender, and carried unanimously [Councilman Walker absent], to accept the bid of \$45,000 received on November 7, 2014, for the former Utilities Department office located at 101 North 5th 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 one [1] Director

City Manager David Whitlow reported that 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 one [1] director. Originally this position was one [1] department many years ago.

There are several reasons why this change 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 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.

The current Council Committee structure could remain the same.

Upon a question as to other cities having only a Public Services Department and if this were a better arrangement, City Manager Whitlow stated that there is nothing definitive when one looks at other cities in North Carolina. He continued that if he did not feel that the City's utility system was in such good shape and control, he would not suggest this change.

Councilman Thompson had concern about how Morehead City has grown in the past years and he felt that current Public Works Director David McCabe had a very difficult job keeping up with everything. He did not see how placing the Public Utility and Public Works Departments under one Manager might help the situation.

City Manager Whitlow explained that he would place the responsibilities for public works on the Assistant Director/Engineer. He would like the Council's approval to appoint Public Utilities Director Daniel Williams as Acting Director of Public Services. If this change does not work well within the next six [6] months, the City could go back to the former way. The City will immediately move toward advertising for the Assistant Director's position which he hoped to fill by early March.

Councilman Ballou stated he had reservations about the change, but would like to give it a trial.

In discussion it was ascertained that the City would not advertise for a licensed engineer per se, but someone who would have the background to handle the public works position.

Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Walker absent], to approve the merging of Public Works and Public Utilities Departments under one [1] Director as Director of Public Services; to assign Daniel Williams as Acting Director of Public Services; and to advertise for the position Assistant Director/City Engineer.

VI.D. Coat and Blanket Distribution on Saturday December 20th at 11:00 A.M. to 1:00 P.M. at the Municipal Building at 202 South 8th Street

City Manager Whitlow reported that City staff will be distributing coats and blankets to the needy on Saturday, December 20, 2014 from 11:00 a.m. to 1:00 p.m. and requested that anybody who is interested in helping to let him know. Various social service agencies have been apprised to let their cliental know of this program.

VI.E. Morehead City Skating Rink

The Morehead City skating rink is arriving next week to be placed in Katherine Davis Park in the downtown area. The opening date is Friday, December 19th with free admission to anyone bringing in nonperishable food items for a Food Drive.

VII. Council Requests/Comments:

Councilman Ballou wished everyone a Merry Christmas and reminded them of the Morehead City parade on Saturday, December 13, 2014, commencing at 11:00 a.m. in downtown Morehead City.

Councilmen Taylor and Thompson wished all a Merry Christmas!

Councilwoman Warrender wished all a Merry Christmas and a Happy, Prosperous New Year. She stated that she looked forward to another year of service on the Council and could not believe how fast the time has gone.

Mayor Jones thanked everyone who was instrumental in the City's Christmas events. He continued that over the past weekend he saw a lot of young people and a lot of young at heart people enjoying the events and sights in Downtown Morehead City.

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

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously [Councilman Walker absent] to approve and release the CLOSED SESSION Minutes of Tuesday, September 9, 2014.

IX. Adjournment

There being no further business the meeting was adjourned at 6:20 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

DRAFT

B.

TOWN OF MOREHEAD CITY
 REQUESTED REFUNDS
 AS OF 12/31/2014
 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	CO-BI INC	509115	CO-BI INC PO BOX 376 DURHAM, NC 27702	47.13		47.13	REL PER CO BUT TX ALREADY PD
2013	ED OR SALLY ATLINSON	329732	ED OR SALLY ATKINSON 306 KENILWORTH RD GREENVILLE, NC 27858	1.51		1.51	DISCOUNT
2013	E BRUCE MILLER	430256	E BRUCE MILLER 1721 BARDSTOWN RD CHARLOTTE, NC 28226-0915	6.58		6.58	DISCOUNT
2013	BRENDA SPIZZO	419626	BRENDA SPIZZO 2 SAINT ANDREWS CT DURHAM, NC 27707-3982	1.30		1.30	DISCOUNT
2013	DANNY W CREECH	381183	DANNY CREECH 402C BLUEGRASS RD SELMA, NC 27576	9.56		9.56	DISCOUNT
2013	CHARLES TOLSON III	35952	CHARLES TOLSON III 404 NW 68TH AVE #108 PLANTATION, FL 33317-7507	5.23		5.23	DISCOUNT
2013	LOUISE FIKE	425391	LOUISE W FIKE 4101 FAIRVIEW VISTA POINT #233 ORLANDO, FL 32804	10.08		10.08	DISCOUNT
2013	JOAN CASEY	325278	JOAN CASEY 206 HODGES ST MOREHEAD CITY, NC 28557	15.86		15.86	DISCOUNT
2013	SUSAN ZAWODNIAK	461408	SUSAN ZAWODNIAK 914 LORD GRANVILLE DR MOREHEAD CITY, NC 28557	1.79		1.79	DISCOUNT
2013	LELIA CHAANINE	46441	LELIA CHAANINE 3500 PLANTATION RD MOREHEAD CITY, NC 28557	10.95		10.95	DISCOUNT
2013	JESSE CURRIN	425601	JESSE CURRIN 614 N COUNTRY CLUB DR OXFORD, NC 27565	2.88		2.88	DISCOUNT
2013	CHRIS GOSNELL	38780	CHRIS GOSNELL 1609 WEDGEWOOD CT MOREHEAD CITY, NC 28557	5.42		5.42	DISCOUNT
2013	EDENBRIDGE LLC	422905	COMMUNITY MANAGEMENT CORPORATION PO BOX 25168 WINSTON SALEM, NC 27114-5168	57.10		57.10	DISCOUNT

2013	CHARLES BARNHILL	398166 CHARLES M BARNHILL 2801 BENJAMIN CT JAMESTOWN, NC 27282	22.37	22.37 DISCOUNT
2013	CURTIS STRANGE INC	362144 CURTIS STRANGE INC 6060 PARKLAND BLVD STE 100 CLEVELAND, OH 44124	7.27	7.27 DISCOUNT
2013	SUSAN HAMLIN	145828 SUSAN HAMLIN 392 GENERAL GRIFFITH CIR RUTHERFORD, NC 28139	7.67	7.67 DISCOUNT
2013	FRANK LOUGHLIN	426803 FRANK LOUGHLIN 201 MILKWEED CT THREE BRIDGES, NJ 08887-2126	2.69	2.69 DISCOUNT
2013	ATLANTIC COAST MARINE	482873 ATLANTIC COAST MARINE PO BOX 2298 BEAUFORT, NC 28516	16.47	16.47 DISCOUNT
2013	ATLANTIS REALTY ASSOC	439927 ATLANTIS REALTY ASSOC 105 CRANMOOR DR TOMS RIVER, NJ 08753	56.35	56.35 DISCOUNT
2013	R. GENE BRASWELL	21877 R. GENE BRASWELL 427 DOGWOOD TRAIL GOLDSBORO, NC 27534-8944	4.31	4.31 DISCOUNT
2013	RALPH'S SIGN SHOP	484635 RALPH'S SIGN SHOP PO BOX 782 MOREHEAD CITY, NC 28557	1.18	1.18 DISCOUNT
2013	GEORGE PETTY	27857 GEORGE PETTY 100 BLAIR ST MOREHEAD CITY, NC 28557	20.01	20.01 DISCOUNT
2013	HOLLY TAFT	445252 HOLLY TAFT 507 MARTINSBOROUGH RD GREENVILLE, NC 27858	25.40	25.40 DISCOUNT
2013	MICHAEL WYATT	372459 MICHAEL WYATT 210 MOURNING DOVE LN GOLDSBORO, NC 27534	1.77	1.77 DISCOUNT
2013	MALRIE E JOHNSON DDS	498475 MALRIE E JOHNSON 603 AYERSVILLE RD MAYODAN, NC 27027	18.73	18.73 DISCOUNT
2013	LINDA HOWARD	478977 LINDA HOWARD 1407 BRITTLE CREEK DR MATTHEWS, NC 28105	23.00	23.00 DISCOUNT
2013	RODNEY WILLIFORD	60410 RODNEY WILLIFORD PO BOX 429 BETHEL, NC 27812	23.11	23.11 DISCOUNT
2013	ANNA BEST	12264 ANNA BEST 1504 E MULBERRY ST GOLDSBORO, NC 27530	11.34	11.34 DISCOUNT

2013	LOUVENIA VOGELSBERG	24607 LOUVENIA VOGELSBERG 15 QUAIL CROSSING WILMINGTON, DE 19807	4.45	4.45 DISCOUNT
2013	BRIDGES PROFESSIONAL PARK	445071 BRIDGES PROFESSIONAL PARK 214 COMMERCE AVE MOREHEAD CITY, NC 28557	7.44	7.44 DISCOUNT
2013	LINDA HAINES	111133 LINDA G HAINES 105 MAXWELL DR HARKERS ISLAND, NC 28531	11.43	11.43 DISCOUNT
2013	ANNA MEADOR	42402 ANNA MEADOR PO BOX 102 BEAUFORT, NC 28516	3.90	3.90 DISCOUNT
2013	JAMES C NOLAN	315658 JAMES C NOLAN 2510 BRIDGES ST MOREHEAD CITY, NC 28557	15.01	15.01 DISCOUNT
2013	BB&T	51604 BB&T PO BOX 2387 GREENVILLE, SC 29602	9.26	9.26 DISCOUNT
2013	JAMES W THOMPSON III PC	370924 KENNETH L WESTBROOK 126 WHITE ASH DR PINE KNOLL SHORES, NC 28512	17.93	17.93 DISCOUNT
2013	JEANNE MAYS	359655 JEANNE MAYS 3405B PLAYER LN MOREHEAD CITY, NC 28557	14.45	14.45 DISCOUNT
2013	LINDA CHIDSEY	478993 LINDA CHIDSEY 304 GEORGIA AVE MOREHEAD CITY, NC 28557	10.75	10.75 DISCOUNT
2013	LINDA CHIDSEY	478994 LINDA CHIDSEY 304 GEORGIA AVE MOREHEAD CITY, NC 28557	7.72	7.72 DISCOUNT
2013	ALICE MURRILL	97702 ALICE D MURRILL 12731 COOK RD WILLIS, TX 77318-4591	8.95	8.95 DISCOUNT
2013	NANCY MCNIFF	14452 NANCY MCNIFF 246 IDA BELL LN BEAUFORT, NC 28516	7.88	7.88 DISCOUNT
2013	WILLIAM BRISTER	389398 WILLIAM BRISTER 104 LOFTIN LN BEAUFORT, NC 28516	11.50	11.50 DISCOUNT
2013	KENNETH ANDERSON III	496279 KENNETH ANDERSON III 373 SOUTH LN GRANVILLE, MA 01034	7.51	7.51 DISCOUNT
2013	SPACEY PROJECTS TOO, LLC	347729 SPACEY PROJECTS TOO, LLC PO BOX 1143 BEAUFORT, NC 28516	17.89	17.89 DISCOUNT
2013	SANITARY FISH MARKET	52712 SANITARY FISH MARKET PO BOX 38 MOREHEAD CITY, NC 28557	21.02	21.02 DISCOUNT
2013	DEBRA WHALEY ATTORNEY AT LAW REF: VETUS MARINE LLC	433776 DEBRA WHALEY 301 COMMERCE AVE MOREHEAD CITY, NC 28557	46.26	46.26 DISCOUNT

2013	DEBRA WHALEY ATTORNEY AT LAW REF: MARCUS W COPELAND ETUX TARA	DEBRA WHALEY 301 COMMERCE AVE MOREHEAD CITY, NC 28557	2.56	2.56 DISCOUNT
2013	PATSY RENAUD	11914 PATSY RENAUD 409 REDFOX TRAIL NEWPORT, NC 28570	9.01	9.01 DISCOUNT
2013	CAROL EDWARDS	33673 CAROL EDWARDS PO BOX 7367 ROCKY MOUNT, NC 27804	1.13	1.13 DISCOUNT
2013	JOSEPH WALDROP	421006 JOSEPH WALDROP PO BOX 6436 RALEIGH, NC 27628	14.64	14.64 DISCOUNT
2013	MEDICAL PARK PHARMACY	416621 MEDICAL PARK PHARMACY PO BOX 1586 MOREHEAD CITY, NC 28557	9.08	9.08 DISCOUNT
2013	GULFSTREAM PARTNERS LLC	47270 GULFSTREAM PARTNERS LLC 5226 DRIFTWOOD LN MOREHEAD CITY, NC 28557	208.37	208.37 DISCOUNT
2013	JOE DAUGHTERY	430201 JOE C DAUGHTERY 310 WALNUT CREEK DR GOLDSBORO, NC 27534	2.25	2.25 DISCOUNT
2013	JOE DAUGHTERY	448749 JOE C DAUGHTERY 310 WALNUT CREEK DR GOLDSBORO, NC 27534	15.26	15.26 DISCOUNT
2013	DILLARD ENTERPRISES INC	456428 DILLARD ENTERPRISES INC PO BOX 2219 MOREHEAD CITY, NC 28557	1.53	1.53 DISCOUNT
2013	ISLAND MARINA INC	459169 ISLAND MARINA INC 5018 MATTIE ST MOREHEAD CITY, NC 28557	90.62	90.62 DISCOUNT
2013	ALLEN T LEARY	353005 ALAN T LEARY 1913 SNOWY EGRET DR MOREHEAD CITY, NC 28557	5.23	5.23 DISCOUNT
2013	ALLEN T LEARY	23583 ALAN T LEARY 1913 SNOWY EGRET DR MOREHEAD CITY, NC 28557	6.93	6.93 DISCOUNT
2013	MARK CRAIG	367786 MARK CRAIG 6434 GARNIM RD GIBSONVILLE, NC 27249	8.50	8.50 DISCOUNT

2013	DANIEL ROBERT	25003 DANIEL ROBERT 1107 EVANS ST MOREHEAD CITY, NC 28557	15.33	15.33 DISCOUNT
2011-2013	THOMAS R RICKMAN SR	482807 TOM RICKMAN 101 SEASIDE LN WRIGHTSVILLE BEACH, NC 28480	2532.38	2532.38 PROPERTY LOCATED IN ATLANTIC BCH BUT CODED AS 1351-2014 RELEASED SARAH-G/L #10-3199-110 FOR 2011, 2012 AND 2013
2013	MASON & MASON ATTORNEYS AT LAW REF: SECRETARY OF VETERAN'S AFFAIRS	369328 MASON & MASON PA PO DRAWER 99 MOREHEAD CITY, NC 28557	313.50	313.50 DOUBLE PYMT
2013	VICKY SHOVER	457255 VICKY SHOVER PO BOX 506 ELM CITY, NC 27822	4.61	4.61 DISCOUNT
2013	PAIGE MURRAY	419748 PAIGE MURRAY 698 WHITE HORSE DR GREENVILLE, NC 27834	16.37	16.37 DISCOUNT
2013	DOLLY BRYAN BERGE	42037 DOLLY M BRYAN-BERGE 320 HARVEY CIR GRIFTON, NC 28530	6.11	6.11 DISCOUNT
2013	ROSETTA MILLIN	25161 ROSETTA HARKLEY 2515 EMELINE PL MOREHEAD CITY, NC 28557	3.16	3.16 DISCOUNT
2013	FRANCES RICHARDSON	41233 FRANCES RICHARDSON 819 BRENT RD RALEIGH, NC 27606	9.78	9.78 DISCOUNT
2013	KATHLEEN DUKE	329256 KATHLEEN DUKE 5308 DEEP VALLEY RUN RALEIGH, NC 27606	2.77	2.77 DISCOUNT
2013	JMMC INC	471470 JMMC INC 205 COMMERCE ST GREENVILLE, NC 27858	1.09	1.09 DISCOUNT
2013	THOMAS C PICKARD REF: SARAH HAMILTON	25678 THOMAS C PICKARD 517 WOODLAWN AVE GREENSOBORO, NC 27401	18.73	18.73 DISCOUNT
2013	RUBEN CARBONELL	31280 RUBEN CARBONELL 6105 GODFREY DR RALEIGH, NC 27612	1.12	1.12 DISCOUNT
2013	MOREHEAD ANIMAL HOSPITAL	50900 MOREHEAD ANIMAL HOSPITAL 176 HWY 24 MOREHEAD CITY, NC 28557	4.27	4.27 DISCOUNT
2013	WILLIAM ENGLAND	438638 WILLIAM ENGLAND 1733 YELLOWSTONE CT THE VILLAGES, FL 32163-2565	3.24	3.24 DISCOUNT
2013	MRS JAMES L WEBB	392673 JAMES WEBB 4660 OLD NILES FERRY RD MARYVILLE, TN 37801	6.93	6.93 DISCOUNT

2013	BLUE OCEAN SPA & NAILS	56768	BLUE OCEAN SPA & NAILS 4848 ARENDELL ST MOREHEAD CITY, NC 28557	21.03	21.03 DISCOUNT
2013	BILL GLOVER	26074	BILL GLOVER PO BOX 1435 MOREHEAD CITY, NC 28557	31.38	31.38 DISCOUNT
2013	JOHN GRANTHAM	7462	JOHN GRANTHAM 110 LOCKWOOD DR MOREHEAD CITY, NC 28557	7.36	7.36 DISCOUNT
2013	JOURNIER CONSTRUCTION INC REF: CLAUDE D FOURNIER ETUX	26748	CLAUDE D FOURNIER 205 ROANOKE AVE MOREHEAD CITY, NC 28557	13.95	13.95 DISCOUNT
2013	JAMES L HOLMES ETUX LAUREN	463530	JAMES L HOLMES JR 316 BUNCOMBE ST RALEIGH, NC 27609	246.48	246.48 DOUBLE PYMT
2013	MITCHELL VILLAGE ANIMAL HOSPITAL	444224	MITCHELL VILLAGE ANIMAL HOSPITAL 5015 EXECUTIVE DR MOREHEAD CITY, NC 28557	2.64	2.64 DISCOUNT
2013	MARILYN BERRIER	450961	MARILYN BERRIER 301 BARBOUR RD MOREHEAD CITY, NC 28557	37.07	37.07 DISCOUNT
2013	CAROLYN COOK	33558	CAROLYN W COOK 201 A RESERVE GREEN DR MOREHEAD CITY, NC 28557	8.32	8.32 DISCOUNT
2013	ROBIN MAYER	34837	ROBIN M MAYER 501 LORD GRANVILLE DR MOREHEAD CITY, NC 28557	5.03	5.03 DISCOUNT
2013	DEBRA WHALEY ATTORNEY AT LAW REF: ASHLEY HERSINGER	468709	DEBRA WHALEY ATTORNEY AT LAW 301 COMMERCE AVE STE 102 MOREHEAD CITY, NC 28557	504.00	504.00 DOUBLE PYMT
2013	JAMES LAWRENCE	25538	JUANITA LAWRENCE 2006 FISHER ST MOREHEAD CITY, NC 28557	9.74	9.74 DISCOUNT
2013	JAMES LAWRENCE	413610	JUANITA LAWRENCE 2006 FISHER ST MOREHEAD CITY, NC 28557	3.78	3.78 DISCOUNT
2013	KEVIN CRUSE REF: HAROLD CRUSE	416817	KEVIN CRUSE 3985 OLD ATLANTA STATION CT ATLANTA, GA 30339	488.26	488.26 DOUBLE PYMT
2013	MARY AKIN REF: JAMES AKIN	463460	MARY ANN AKIN 11308 BRASS KETTLE RD RALEIGH, NC 27614	2.87	2.87 DISCOUNT
2103	LILIAN BRADY	509121	LILIAN N BRADY 5 WINDSOR CIRCLE DR BLUEFIELD, VA 24605	1.07	1.07 DISCOUNT

2014	BONNIE CANADY ET AL GARY CANADY	476829 BONNIE CANADY 1811 RED FOX LN MOREHEAD CITY, NC 28557	145.53	145.53 DUE DISABLED EXEMPTION
2013	CATHY HILL	57178 CATHY HILL 3314 BRIDGES ST LOT #26 MOREHEAD CITY, NC 28557	15.69	15.69 OVERPAYMENT
2013	ROBERT JOHNSON REF: FRANKIE L JONES/ROBER JOHNSON	24797 ROBERT JOHNSON 1106 AVERY ST MOREHEAD CITY, NC 28557	7.04	7.04 DISCOUNT
2013	PAUL DONAVIN	18729 PAUL DONAVIN 5914 SHANGHAI RD EAU CLAIRE, MI 49111	6.14	6.14 DISCOUNT
213	E GARNEAU GEN CONTRACTOR REF: EDWARD K GARNEAU ETUX ROAKAWAY, NJ 07866	426884 HELENE GARNEAU 29 S BROOKSIDE DR	2.69	2.69 DISCOUNT
2013	KENT E MEACHAM	24318 KENT E MEACHAM 113 N BELVEDERE AVE GASTONIA, NC 28054	7.07	7.07 DISCOUNT
2013	MICHELLE HOGUE	145611 MICHELLE HOGUE 821 KINGSWOOD PATH MIDDLETOWN, DE 19709	4.45	4.45 DISCOUNT
2013	WILLIAM H PINER	24643 WILLIAM HOWARD PINER 802 FISHER ST MOREHEAD CITY, NC 28557	9.47	9.47 DISCOUNT
2013	FIRST CITIZENS BANK REF: 638619619215000 638619619294000	2104 FIRST CITIZENS BANK PO BOX 27131 DAC 50 RALEIGH, NC 27611-7131	939.26	939.26 DOUBLE PYMT
2013	LEW MCNEILL	26387 LEW F MCNEILL 309 BARBOUR RD MOREHEAD CITY, NC 28557	13.64	13.64 DISCOUNT
2013	BARBARA MCPEAK	25468 BARBARA MCPEAK 1210 FRANKLIN BLVD LINWOOD, NJ 08221	15.59	15.59 DISCOUNT
2013	BARBARA MCPEAK	386186 BARBARA MCPEAK 1210 FRANKLIN BLVD LINWOOD, NJ 08221	7.14	7.14 DISCOUNT
2013	RUTH DANIEL	41798 RUTH DANIEL 109 BARRINGER DR NEWPORT, NC 28570	1.45	1.45 DISCOUNT
2013	VALERIO MONTESANO	5389 VALERIO MONTESANO 2606 E FAIRWAY DR MOREHEAD CITY, NC 28557	7.88	7.88 DISCOUNT
2013	C R RHODES	46932 C R RHODES 200 PAMLICO AVE MOREHEAD CITY, NC 28557	17.53	17.53 DISCOUNT
2013	DIANE GAINNEY REF: FRANK H GAINNEY ETUX FRANCES	41431 DIANE GAINNEY 123 CORD DR W MOREHEAD CITY, NC 28557	27.22	27.22 DISCOUNT

2013	CLEO JUNE HALL	126760	CLEO JUNE HALL 1834 PERSIMMON CIR EDGEWATER, LF 32132	12.72	12.72 DISCOUNT
2013	PENNY DEFINO	496266	PENNY DEFINO 5003 TOPSAIL DR ORIENTAL, NC 28571	1.15	1.15 DISCOUNT
2013	SUSAN SHOUSE	333222	SUSAN SHOUSE 222 LARKIN ST MOREHEAD CITY, NC 28557	12.45	12.45 DISCOUNT
2013	NANCY L REINDOLLAR	204177	NANCY REINDOLLAR 106 N 10TH ST MOREHEAD CITY, NC 28557	9.36	9.36 DISCOUNT
2013	MCGLADREY PRODUCT SLAES LLC	13101	MCGLADREY PRODUCT SALES LLC 3621 JOHN PLATT DR MOREHEAD CITY, NC 28557	75.00	75.00 PRIVILEGE LICENSE OVERPAYMENT SARAH-G/L #10-2132-007
2013	ALLEN AUTOMOTIVE LLC	433627	ALLEN AUTOMOTIVE LLC 410 E SALISBURY ST ASHEBORO, NC 27203	11.91	11.91 DISCOUNT
2013	SL DUBOIS	46111	S.L. DUBOIS 7101 PEBBLE GATE DR RALEIGH, NC 27612	7.88	7.88 DISCOUNT
2013	EATON & COYNE INC REF: BISTRO BY THE SEA	53479	EATON & COYNE INC 4031 ARENDELL ST MOREHEAD CITY, NC 28557	4.73	4.73 OVERPAYMENT
2014	GERALD DARDEN	329434	GERALD DARDEN 225 BIZZELL ST NEWTON GROVE, NC 28366	9.65	9.65 PARTIAL VAL REL PER CO
2013	NATHALIE R DYMACEK	473563	NATHALIE R DYMACEK 586 LITTLE RIVER FARMS RD BUMPASS, VA 23024	4.00	4.00 DISCOUNT
2013	KYLE BLODGETT	446205	KYLE BLODGETT 1719 SASSAFRAS CT GREENVILLE, NC 27858	5.45	5.45 DISCOUNT
2013	CORNELIA LAMBERT	385836	CORNELIA LAMBERT 202 SMITH CHAPEL RD MOUNT OLIVE, NC 28365	1.78	1.78 DISCOUNT
2013	JOY E COOMBS	24325	JOY E COOMBS 2103 EMELINE PL MOREHEAD CITY, NC 28557	5.56	5.56 DISCOUNT
2013	SIMONA SPICKETT	27220	SIMONA SPICKETT 208 PANAMA TERR MOREHEAD CITY, NC 28557	404.59	404.59 DOUBLE PYMT
2013	WELLS FARGO HOME MORTGAGE REF: CRYSTAL BRYAN WILLIAMS	386293	WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	18.25	18.25 DISCOUNT

2013	WELLS FARGO HOME MORTGAGE REF: DAVID WATSON ETUX	421002 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	15.64	15.64 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: RONALD H MITHCELL ETUX	382657 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	6.11	6.11 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: SHEILAH COTTON ETAL	337369 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	4.41	4.41 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: JODY S WEESE ETUX	244138 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	12.37	12.37 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: JAMES K PLUMMER ETUX	390967 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	3.77	3.77 DISCOUNT
2013	ANNE LINDSAY	39378 ANNE LINDSAY 5108 HOLLY LN MOREHEAD CITY, NC 28557	28.97	28.97 DISCOUNT
2013	FBO JOHN DREWYOR	487814 ANNE R LINDSAY TRUSTEE LAURA LINDSAY DREWYOR TESTIMENTARY TRUST FOR THE BENEFIT OF JOHN R DREWYOR 5108 HOLLY LN MOREHEAD CITY, NC 28557	42.37	42.37 DISCOUNT
2013	MONRO MUFFLER & BRAKE SERVICE REF: DOUGLAS W HODGES ETUX	262644 MONRO MUFFLER BRAKE INC 200 HOLLEDER PKWY ROCHESTER, NY 14615	46.02	46.02 DISCOUNT
2013	ROCKY TOP VENTURES REF: JASON SKLADAN	422732 JASON SKLADAN 3721 TRENT RD NEW BERN, NC 28562	4.08	4.08 DISCOUNT
2013	ELIZABETH BAUGHAM	459230 ELIZABETH BAUGHAM 5133 CHALK ST MOREHEAD CITY, NC 28557	6.89	6.89 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: TONY H AYSCUE ETUX	25427 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	7.37	7.37 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: DAVID CHRISTOPHER CAMPBELL	481848 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	17.12	17.12 DISCOUNT
2013	WELLS FARGO HOME MORTGAGE REF: HEBERT BRUCE MORGAN	404465 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	16.75	16.75 DISCOUNT

2013	WELLS FARGO HOME MORTGAGE REF: SUSAN MORITZ	81900 WELLS FARGO HOME MORTGAGE MAC X2302-04D 1 HOME CAMPUS DES MOINES, IA 50328	6.17	6.17 DISCOUNT
2014	HERRITAGE LLC REF: VALERIO MONTESANO ETUX RITA REF: VILLA ROSA LLC	5389 HERRITAGE LLC 67955 PO BOX 277 KINSTON, NC 28502	2442.13 775.50	2442.13 DOUBLE PYMT 775.50 DOUBLE PYMT
2013	JOSH STEVENS	468837 JOSH STEVENS 3202 BROOKSTONE DR BURLINGTON, NC 27215	22.24	22.24 DISCOUNT
2014	JAMES L HOLMES	463530 JAMES L HOLMES 316 BUNCOMBE ST RALEIGH, NC 27609	30.80	30.80 POSTING AS PREPAYMENT-2013 TX PAID HERE & AT CO. 12/4/14-NO TAX OWING IN THIS NAME, PARCEL # TO OTHER ENTITY (NEW OWNER)-MOVE TO TAX O/P (ADJ) AND SENDING LETTER TODAY. REC'D REF REQ 12/18/14.
2013	KACEY RAGSDALE	471314 KACEY RAGSDALE 3005 ETON RD RALEIGH, NC 27608	17.65	17.65 DISCOUNT
2013	CHM&S	262964 CHM&S PO BOX 1889 JAMESTOWN, NC 27282	98.22	98.22 DISCOUNT
2013	IRENE FINNEY	402943 IRENE FINNEY 104 PEGGY CT MOREHEAD CITY, NC 28557	4.72	4.72 DISCOUNT
2013	THOMAS GLASGOW	362288 THOMAS GLASGOW 602 BLAIR POINTE RD MOREHEAD CITY, NC 28557	65.43	65.43 DISCOUNT
2103	GSG FASTNERS LLC	498498 GSG FASTNERS LLC D/B/A SCOVILL FASTNERS 1802 SCOVILL DR CLARKESVILLE, GA 30523	1.29	1.29 DISCOUNT
2013	CRYSTAL COAST CHARTERS & SEAFOOD	498501 CRYSTAL COAST CHARTERS & SEAFOOD 6059 WINDSOR FARME RD SUMMERFIELD, NC 27358	10.77	10.77 DISCOUNT
2013	CAROLYN MANN	24407 KAREN A MANN, EXECUTRIX 2724 LAYDEN ST RALEIGH, NC 27603	1.21	1.21 DISCOUNT
2009-2014	BRIDGES PROFESSIONAL PARK ANIM	445071 BRIDGES PROFESSIONAL PARK ANIM 214 COMMERCE AVE MOREHEAD CITY, NC 28557	411.66	411.66 BILLED/PD PER CO AUDIT-CO AUDIT IN ERROR: REF DUE FOR MULTIPLE PRIOR YRS (BILLED AS 2014); REC'D REF REQ 12/22/14-ADDING TO DEC BOARD RPT
2013	DOROTHEA LISENBY LLC	385992 DOROTHEA LISENBY 411 WALNUT ST-#7164 GREEN COVE SPRINGS, FL 32043	7.14	7.14 DISCOUNT

11,256.96

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: January 5th, 2015

TOWN LEVIED TAXES:

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

2014	\$ 924,774.69	2009	\$ 0.00	2004	\$ 0.00
2013	\$ 597.50	2008	\$ 0.00	2003	\$ 0.00
2012	\$ 29.36	2007	\$ 0.00		
2011	\$ 0.00	2006	\$ 0.00	OTHER	
2010	\$ 0.00	2005	\$ 0.00	PENALTIES	\$ 183.31

The following is fiscal year to date tax information through December 31st, 2014 with comparatives to 2013:

	<u>2014</u>	<u>2013</u>
Tax Scroll (Net Levy)	6,131,284.53	5,866,047.88
Taxes collected (incl. discounts, net of refunds)	5,100,062.74	4,889,101.98
Balance due on taxes	1,031,221.79	976,945.90
Percentage of tax collected to date	83.18%	83.35%
Prior year taxes collected to date (net of refunds)	39,805.37	35,301.06
Prior year taxes outstanding	48,022.03	46,097.32
Interest and penalties collected to date (net of refunds)	4,633.45	6,258.88

Notes:

1. Overpayments for December 2014 totaled \$8,404.60. Refunds requested totaled \$11,256.96.
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 November 30th, 2014 with comparative information for 2013. The County collects and remits these taxes to the Town, net of a collection fee.

	<u>11/30/14</u>	<u>11/30/13</u>	
Fiscal year to date tax levy	102,227.37	125,397.78	A
Interest billed on taxes	204.59	319.27	B
Total billed	102,431.96	125,717.05	C
Current year taxes collected	103,044.68	87,014.68	D
Prior year taxes collected	5,442.69	15,757.29	E
Interest collected	1,501.08	1,631.79	F
Collection fee charged (Both sys)	5,993.75	1,196.56	G
Percentage of tax collected to date	101.39%	69.40%	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: January 2, 2015

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

Central Depository Funds	<u>Dec. 2014</u>	<u>Dec. 2013</u>
<u>Unrestricted Funds</u>		
Branch Bank & Trust-General disb. acct. (A)	\$ 3,053,000.62	\$ 588,556.71
Branch Bank & Trust-Money Rate acct. (.10%)	6,966,895.43	7,451,948.37
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%)	227,444.05	205,462.71
Term Account (.07%)	6,376,904.99	3,902,986.42
Finistar (.17%)	<u>2,160,594.63</u>	<u>2,156,713.02</u>
Total-unrestricted cash and investments	18,784,839.72	16,205,667.23
<u>Restricted Funds</u>		
Branch Bank & Trust-Employee reimb. acct.	23,148.23	25,429.97
Branch Bank & Trust-USDA required restricted accts.	140,885.93	-0-
Branch Bank & Trust-USDA required restricted CD	<u>22,139.00</u>	<u>117,587.00</u>
Total-restricted cash and investments	186,173.16	143,016.97
Total cash and investments-Dec. 31	18,971,012.88	16,348,684.20
Total cash and investments-Nov. 30	17,530,940.30	15,200,494.88
Increase (decrease)	1,440,072.58	1,148,189.32
Interest received Dec.	1,743.63	1,896.60
Interest received fiscal year to date	\$ 7,491.40	\$ 9,943.45
<u>Loan Escrow Funds</u>		
Branch Bank & Trust-Water Treatment		
Capital Project Fund interim loan proceeds (B)	\$ -0-	\$ 956,970.82

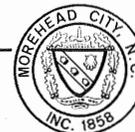
(A) Town began maintaining a \$2,500,000 minimum balance in the general disbursement account to reduce bank service charges in April, 2014. The interest rate equivalent on the service charge reduction is ~.25%.

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

C.

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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David S. Whitlow
City Manager

TOWN OF MOREHEAD CITY
RESOLUTION 2015-04

In Support of the North Carolina Department of Transportation
Funding the Proposed Havelock Bypass [US #70 Highway]

WHEREAS, the Council of the Town of Morehead City wants to ensure the safety of all traveling through Havelock and improve the quality of life for the residents of Morehead City; and

WHEREAS, access to and from the coast is critical to public safety in times of hurricanes and natural disasters, which prompted the N.C. Department of Emergency Management to designate US #70, (one [1] of only three [3] routes from the coast), as a major hurricane evacuation route; and

WHEREAS, the Town of Morehead City supports the U.S. Military and recognizes that our national security could be impacted if Marine Corps Air Station – Cherry Point does not have consistent and efficient access for military personnel; and

WHEREAS, access to the Morehead City Port, North Carolina's largest port, is critical to our State's well-being; and in addition, port operations support our citizens and businesses; and effective and efficient access to and from our coast could have a positive economic impact on those communities; and

WHEREAS, the current US #70 route through Havelock has 14 signaled interchanges that decrease the effective flow of traffic for residents and travelers; and population growth within Carteret and Craven Counties and the State of North Carolina will continue to increase the number of people utilizing US #70, thus adding to delays and increasing safety issues; and

WHEREAS, US #70 has been designated part of the National Highway System, the North Carolina Intrastate System and a Strategic Highway Corridor.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Town of Morehead City calls upon the North Carolina Department of Transportation to fund and build the Havelock Bypass with no additional delays in the project.

ADOPTED, this the 13th day of January, 2015.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk

E.

MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL
George W. Ballou, Mayor Pro Tem
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William F. Taylor
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David S. Whitlow
City Manager

TOWN OF MOREHEAD CITY FY 2014-2015 BUDGET ORDINANCE AMENDMENT –2015-02

	Annual Budget Before Amendment	Annual Amended Budget	Difference
GENERAL FUND			
The purpose of this amendment is to adjust the budget as follows:			
<ul style="list-style-type: none"> • To increase Miscellaneous revenue and Cemetery/Building & Grounds expenditures by \$3,500 related to reimbursement for expenditures related to vehicle repair in an accident in which the Town was not at fault. • To increase Cemetery/Building & Grounds expenditures and decrease Contingency \$7,900 for dredging at South 8th Street/Olympus Dive. • To increase Miscellaneous revenue and expenditures in the Police Dept. in the amount of \$3,440 to recognize a donation from The Neal Foundation to be utilized for Police Dept. K9 equipment. • To increase Community Projects and reduce Contingency by \$1,000 for expenditures related to the More for Morehead Program. • To appropriate unassigned fund balance and increase Transfers to other funds in the amount of \$307,500 to provide funding for the estimated cost of repairs at the Police Station. 			

	Annual Budget Before Amendment	Annual Amended Budget	Difference
Revenue			
Ad valorem taxes	\$ 6,268,200	\$ 6,268,200	\$ -0-
Other taxes	73,000	73,000	-0-
Unrestricted intergovernmental	3,045,700	3,045,700	-0-
Restricted intergov'tal revenue	769,225	769,225	-0-
Permits and fees	215,000	215,000	-0-
Sales and services	200,700	200,700	-0-
Investment earnings	5,000	5,000	-0-
Miscellaneous	15,480	22,420	6,940
Other financing sources			
Approp. fund balance-restr. & committed	368,615	368,615	-0-
Approp. Fund balance-unassigned	606,435	913,935	307,500
TOTAL GENERAL FUND REVENUE	\$11,567,355	\$11,881,795	\$314,440

	Annual Budget Before Amendment	Annual Amended Budget	Difference
Expenditures			
Mayor/Council	\$ 81,200	\$ 81,200	\$ -0-
Administration	441,100	441,100	-0-
Finance	471,275	471,275	-0-
Cemetery/Bldg. & Grounds	459,700	471,100	11,400
Central Services	739,800	739,800	-0-
Garage	116,850	116,850	-0-
Community Projects	74,835	75,835	1,000
Police	3,555,955	3,559,395	3,440
Federal forfeiture funds	18,700	18,700	-0-
Planning & Inspections	514,175	514,175	-0-
Transportation	1,083,875	1,083,875	-0-
Powell Bill	525,300	525,300	-0-
Library	217,175	217,175	-0-
Recreation	648,500	648,500	-0-

Parks	313,650	313,650	-0-
Debt Service	542,511	542,511	-0-
Transfers to other funds	2,216,744	2,524,244	307,500
Reimbursements from other funds	(643,200)	(643,200)	-0-
Contingency	189,210	180,310	(8,900)
TOTAL GENERAL FUND EXPEND.	\$11,567,355	\$11,881,795	\$314,440

	Annual Budget Before Amendment	Annual Amended Budget	Difference
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FIRE/EMS FUND

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

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

Revenue	\$ 3,970,475	\$ 3,970,475	\$ -0-
Expenditures	\$ 3,970,475	\$3,970,475	\$ -0-

This ordinance shall become effective upon adoption.

Adopted as submitted this the 13th day of January, 2015.

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne M. Giblin, City Clerk

MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL
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David S. Whitlow
City Manager

TOWN OF MOREHEAD CITY MOREHEAD CITY MUNICIPAL CAMPUS CAPITAL PROJECT FUND BUDGET ORDINANCE AMENDMENT -2015-03

	Budget Before Amendment	Amended Budget	Difference
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The purpose of this amendment is to update the budget as follows:

- Increase Transfers from General Fund and Police Station/E911 Center expenditures by \$307,500 for the estimated cost of the repairs to the Police Station/E911 Center.

Revenue			
Restricted intergov't	\$ 1,030,387	\$ 1,030,387	\$ -0-
Miscellaneous	350,801	350,801	-0-
Investment earnings	8,923	8,923	-0-
Other financing sources			
Proceeds from borrowing-interim			
Financing Police St./E911 Center	5,000,000	5,000,000	-0-
Proceeds from borrowing-permanent			
Financing Police St./E911 Center	4,808,000	4,808,000	-0-
Transfers from General Fund	1,290,725	1,598,225	307,500
Total Revenue	\$12,488,836	\$12,796,336	\$ 307,500
Expenditures			
School property acquisition	\$ 1,092,525	\$ 1,092,525	\$ -0-
Property operations	250,375	250,375	-0-
Wallace School building improv.	83,525	83,525	-0-
Police Station/E911 Center improv.	11,062,411	11,369,911	307,500
Total Expenditures	\$ 12,488,836	\$12,796,336	\$ 307,500

This ordinance shall become effective upon adoption.

Adopted as submitted this the 13th day of January, 2015

TOWN OF MOREHEAD CITY

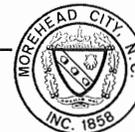
Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne M. Giblin, City Clerk

MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

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David S. Whitlow
City Manager

TOWN OF MOREHEAD CITY WATER AND SEWER EXTENSIONS/IMPROVEMENTS CAPITAL PROJECT FUND BUDGET ORDINANCE AMENDMENT -2015-04

	Budget Before Amendment	Amended Budget	Difference
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The purpose of this amendment is to adjust the budget as follows:

- Increase Contributed Capital and expenditures related to a sewer line relocation at 26th & Evans at an estimated cost of \$27,665 to be paid for by the property owners.

Revenue			
Interest	\$ 76,910	\$ 76,910	\$ -0-
Contributed capital			
Spooner's Creek Yacht Club	486,414	486,414	-0-
Radio Island Phase II	713,616	713,616	-0-
Mariner's Point	827,795	827,795	-0-
Morgan Street	123,964	123,964	-0-
Vinings at Wildwood	349,699	349,699	-0-
S&W Ready Mix	105,000	105,000	-0-
26 th & Evans Sewer	-0-	27,665	27,665
Rural Center Grant-Vinings	40,000	40,000	-0-
Transfer from Water/Sewer Fund	176,500	176,500	-0-
Transfer from Radio Island Capital Project Fund	391,913	391,913	-0-
Transfer from W/S Rebatable Capital Reserve Fund	77,297	77,297	-0-
Total Revenue	\$3,369,108	\$3,396,773	\$ 27,665
Expenditures			
Hwy 24/McCabe Rd/Spooner's Creek Yacht Club improvements	\$ 728,215	\$ 728,215	\$ -0-
Radio Island Phase II improvements	708,066	708,066	-0-
Mariner's Point improvements	884,247	884,247	-0-
Morgan Street improvements	128,964	128,964	-0-
Vinings at Wildwood improvements	556,440	556,440	-0-
S&W Ready Mix improvements	105,000	105,000	-0-
26 th & Evans sewer relocation	-0-	27,665	27,665
Transfer to Water/ Sewer (operating) Fund	182,128	182,128	-0-
Reserved for future appropriation	76,048	76,048	-0-
Total Expenditures	\$3,369,108	\$ 3,396,773	\$ 27,665

This ordinance shall become effective upon adoption.

Adopted as submitted this the 13th day of January, 2015.

Attest:

TOWN OF MOREHEAD CITY

Jeanne M. Giblin, City Clerk

Gerald A. Jones, Jr., Mayor

F.

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

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David S. Whitlow
City Manager

**TOWN OF MOREHEAD CITY
RESOLUTION 2015-01
REQUEST A SECTION OF BUSINESS DRIVE
FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM**

WHEREAS, the Town of Morehead City, a municipal corporation in the State of North Carolina, has made sufficient and adequate repairs to the section of Business Drive located between Arthur Farm Road and Facility Drive within the Carteret County Business Park; and

WHEREAS, these repairs were made to the specifications and standards of the North Carolina Department of Transportation, said repairs inspected and approved on August 28, 2014; and

WHEREAS, the Town of Morehead City wishes this section of Business Drive be included in the Secondary Road System in conjunction with the other segments of Business Drive already part of that system.

NOW THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morehead City, North Carolina in regular session that the Division of Highways is hereby requested to accept the above described road as part of its Secondary Road System.

ADOPTED this the 13th day of January, 2015.

TOWN OF MOREHEAD CITY

Gerald A Jones, Jr., Mayor

ATTEST:

Jeanne M. Giblin, City Clerk

Official Seal

G.

MOREHEAD CITY NORTH CAROLINA

Gerald A. Jones, Jr., Mayor

COUNCIL

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706 Arendell Street
Morehead City, North Carolina 28557-4234
TEL (252) 726-6848
FAX (252) 726-2267
www.moreheadcity.nc.gov



David S. Whitlow
City Manager

December 4, 2014

Barry D. Mann
(Client: Leigh Baker & RSF Land & Cattle Company)
Manning, Fulton & Skinner
3605 Glenwood Avenue
Suite 500 (27612)
P.O. Box 20389
Raleigh, NC 27619-0389

SUBJECT: Project Budget
Contract No. 90 – 26th and Evans Sewer Extension
2014 Sanitary Sewer Improvements
Town of Morehead City
Carteret County, NC

Dear Mr. Mann:

The following bids were received on December 2, 2014 for subject Contract No. 90:

1. Thomas Simpson Construction	\$ 21,842.00 (Copy attached)
2. KBS Construction Company	\$ 25,125.00
3. Keen Plumbing Company	\$ 30,160.00
4. James L. Cayton Utilities, Inc.	\$ 38,780.00
5. Herring-Rivenbark, Inc.	\$ 43,335.00
6. T.A. Loving Company	\$ 99,955.00

The project budget is as follows:

Thomas Simpson Construction	\$ 21,842.00
McDavid Associates, Inc.	
Engineering	\$ 2,184.20
Inspection	\$ 1,638.15
Contingency	\$ 1,000.00
Surveying	\$ 1,000.00
TOTAL	\$ 27,664.35

Payments provided by you to date total \$2,176.00. In order to proceed, please forward to this office the project budget in the amount of \$25,488.35 (\$27,664.35 less \$2,176.00) by check made payable to the Town of Morehead City. The bids will remain valid for approximately three weeks.

Final cost will be adjusted based on the actual cost required to complete the installation. If the final cost is less than the funds deposited, the Town of Morehead City shall refund the difference. If final cost exceeds the funds deposited, the Town of Morehead City will submit an invoice to you for the difference.

If you have any questions concerning this, please do not hesitate to contact me.

Sincerely,

TOWN OF MOREHEAD CITY

A handwritten signature in black ink, appearing to read "David S. Whitlow".

David S. Whitlow
City Manager

Attachments

cc: Daniel Williams
McDavid Associates

BID

Proposal of Thomas Simpson Construction (hereinafter called "BIDDER"), organized and existing under the laws of the State of North Carolina doing business as Corporation (insert "a corporation", "a partnership", or "an individual" as applicable). To the Town of Morehead City (hereinafter called "OWNER").

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all WORK for the construction of Contract No. 90 – 26th & Evans Sewer Extension Town of Morehead City

in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within 30 consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages, the sum of \$100.00 for each consecutive calendar day thereafter as provided in Section 15 of the General Conditions.

BIDDER acknowledges receipt of the following ADDENDUM:

BIDDER agrees to perform all the WORK described in the CONTRACT DOCUMENTS for the following UNIT PRICES listed below. This is a UNIT PRICE BID.

BID SCHEDULE

The OWNER reserves the right to add or delete quantities of specific items shown on this BID at his discretion at any time during the PROJECT period. BIDS shall not be submitted in a manner in which deletion of any item would cause undue hardship on the CONTRACTOR.

The undersigned BIDDER understands that the quantities of WORK as shown herein are subject to increases or decreases, and offers to do the WORK whether the quantities are increased or decreased at the UNIT PRICES stated in the following SCHEDULE.

BIDS shall include sales tax and all other applicable taxes and fees.

Item No.	Description	Estimated Quantity	Unit	Unit Price	Amount
----------	-------------	--------------------	------	------------	--------

GENERAL

Except and unless specifically identified otherwise in the BID SCHEDULE, there are no pay items for clearing and grubbing; disposal; dewatering; trench excavation; bore pit excavation; excavation; shoring, sheeting and bracing; materials; special fittings; gaskets; transition gaskets; respective bedding material; bedding; foundations; blocking; uncased drybores; borrow material; backfill; compaction; break, removal and replacement of existing pavement, curb, gutters and sidewalks; removal and replacement of driveway storm drains disturbed during construction; tie-ins to existing system; testing; chlorination; grading; seeding; incidental stone base; traffic regulation; erosion and sedimentation control; rip-rap gravel filter check dams; repair and/or replacement of all existing underground utilities or facilities encountered; removal and disposal of all debris; startup; clean-up; signs; barricades; etc. Costs associated with these and any items of work necessary to complete the project shall be incorporated within the BID ITEMS included in the BID SCHEDULE. PAYMENT FOR THE UNIT PRICE BID ITEMS in the BID SCHEDULE SHALL INCLUDE PAYMENT FOR ALL OTHER ITEMS OF WORK RELATING TO THE PROJECT.

Item No.	Description	Estimated Quantity	Unit	Unit Price	Amount
1.	8" PVC (SDR 35) PIPE FOR SANITARY SEWER AND BEDDING (0'-6' depth)	145	LF	<u>58.60</u>	<u>8,497.00</u>
2.	PRECAST CONCRETE MANHOLE (0'-6' depth)	2	EA	<u>2850.00</u>	<u>5,700.00</u>
3.	4" PVC SANITARY SEWER SERVICE by open cut or uncased drybore from the main collection line to either side of the street right-of-way line, to include but not be limited to: tap to main collection line or manhole; inline wye fitting; fittings; couplings; double sweep cleanout; uncased drybores; bedding; entire service complete, fully operational, and ready for customer use.	3	EA	<u>625.00</u>	<u>1,875.00</u>
4.	Sever existing 6" sewer line and install 4" cleanout	1	EA	<u>650.00</u>	<u>650.00</u>
5.	BORROW backfill (including placement and compaction and removal and disposal of spoil material at site provided by CONTRACTOR)	150	CY	<u>15.00</u>	<u>2,250.00</u>
6.	BREAK, REMOVE, AND REPLACE EXISTING ASPHALT PAVEMENT (including disposal at site provided by CONTRACTOR)	10	SY	<u>58.00</u>	<u>580.00</u>
7.	BREAK, REMOVE, AND REPLACE EXISTING CONCRETE PAVEMENT (including disposal at site provided by CONTRACTOR)	10	SY	<u>47.00</u>	<u>470.00</u>

Item No.	Description	Estimated Quantity	Unit	Unit Price	Amount
8.	BREAK, REMOVE, AND REPLACE EXISTING CABC PAVEMENT minimum 6" depth (including disposal at site provided by CONTRACTOR)	120	SY	<u>11.00</u>	<u>1,320.00</u>
9.	STAKING AND CUT SHEET PREPARATION ALLOWANCE (by McDavid Associates, Inc.; staking and cut sheet preparation shall be on a one time basis; restaking and revised cut sheet preparation shall be at the CONTRACTOR'S expense)	1	AL	<u>\$500.00</u>	<u>\$500.00</u>
TOTAL UNIT PRICE BASE BID				<u>21,842.00</u>	

Respectfully submitted:

Thomas Simpson Construction Co. Inc.
Company

[Signature]
Signature
President
Title

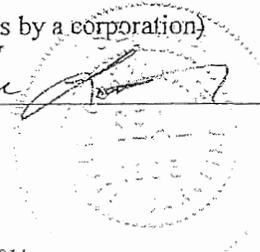
17758
License Number (if applicable)

P.O. Box 1850 Atlantic Beach
Address
NC 28512

12/2/2014
Date

(SEAL – if BID is by a corporation)

Attest [Signature]



TOWN OF MOREHEAD CITY

AGENDA ITEM: IV.A.
DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

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

Background Information Attached: Yes X No

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

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

Recommended Action: Conduct the Public Hearing. If the Council so desires, adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District.

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

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

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

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

Article 11-1 Table of Permissible Uses:

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

Article 2-2 Definitions:

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

Article 14-20 Special Requirements for Business Residences:

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

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

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

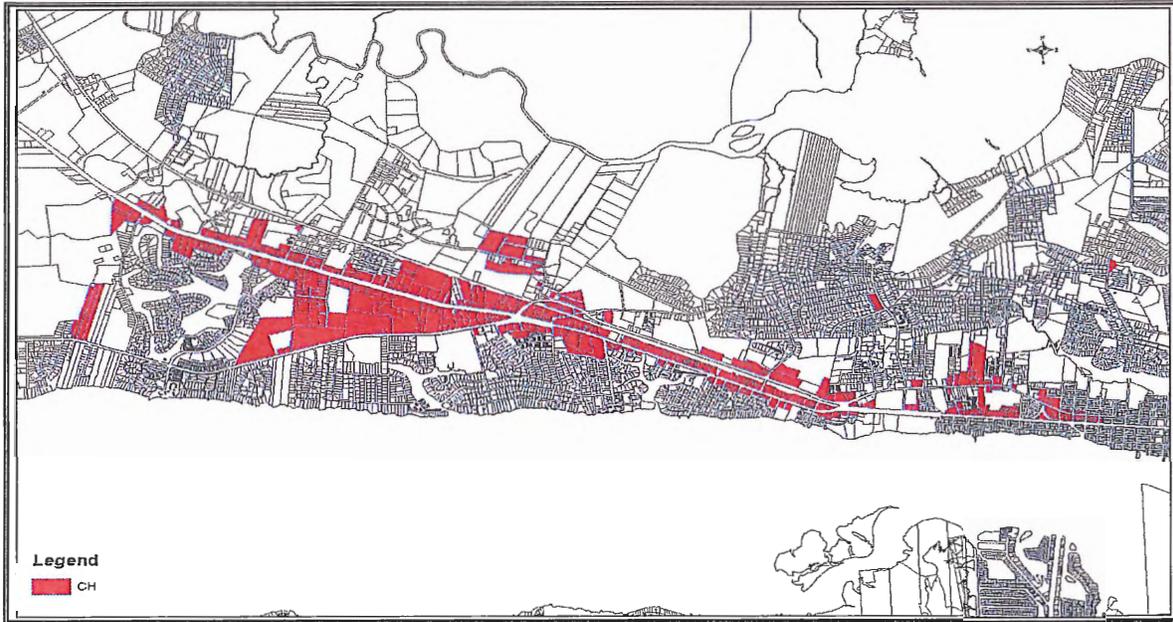
14-20.3 Residences may be located above the business, but in no case shall be located in the front yard of the business; and

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

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

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

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



Current Permitted Uses in CH:

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

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

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

Current Special Uses in CH:

- Adult daycare center

- Boat storage
- Child daycare

- Child daycare, afterschool
- Church*



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

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

Business Residences as a Special Use in CH

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

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

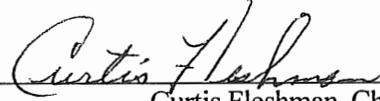
WHEREAS, this ordinance amendment request was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on December 16, 2014, during which the applicant, interested parties, and staff were given the opportunity to comment on the application; and

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

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

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

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



Curtis Fleshman, Chairman

12-16-14

Date

TOWN OF MOREHEAD CITY

NOTICE OF PUBLIC HEARING

January 13, 2015

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

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

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

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

Sandi Watkins
Planner

Please advertise three times as follows:

Friday, December 12, 2014

Friday, January 2, 2015

Friday, January 9, 2015

Please bill charges to:

Town of Morehead City

PO# 61120

LEGAL NOTICES

municipal Building Auditorium,
202 South 8th Street, to dis-
cuss the following proposal:

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

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

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

6

TOWN OF MOREHEAD CITY

**NOTICE OF
PUBLIC HEARING**

January 13, 2015

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

Sandi Watkins
Planner

D12,J2,9

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

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

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

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

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

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

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

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

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

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

ADOPTED: _____

TOWN OF MOREHEAD CITY
ORDINANCE #2015-01

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

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

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

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

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

DULY ADOPTED THIS on the 13th day of January, 2015, by a vote of Commissioner(s)

_____ voting for;

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

TOWN OF MOREHEAD CITY

Gerald A. Jones, Jr., Mayor

ATTEST:

Jeanne Giblin, City Clerk

TOWN OF MOREHEAD CITY

AGENDA ITEM: IV.B.
DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

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

Background Information Attached: Yes X No

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

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

Recommended Action: Conduct the public hearing to consider the adoption of 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 at the February 10, 2015 Council Meeting.

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

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



COUNCIL

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

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

David S. Whitlow
City Manager

**Town of Morehead City
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

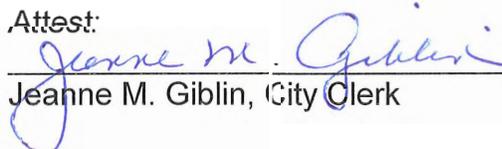
WHEREAS, G.S. 160A-102 requires that proposed Charter amendment first be submitted to a public hearing and that due notice thereof be published not less than ten [10] days prior to the date fixed for the public hearing.

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

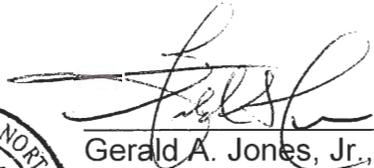
1. The Council hereby intends to consider an ordinance amending the Charter of the Town of Morehead City as set forth in Chapter 879 of the 1969 Session Laws of North Carolina, as amended, to provide for the election of the Mayor by all the qualified voters of the city for a four-year [4] term, as authorized 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 8th 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 9th day of December, 2014.

Attest:


Jeanne M. Giblin, City Clerk




Gerald A. Jones, Jr., Mayor

MOREHEAD CITY
NORTH CAROLINA

Gerald A. Jones, Jr., Mayor



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

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

David S. Whitlow
City Manager

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

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

LEGAL NOTICES

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

Jeanne M. Giblin, City Clerk

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

Jeanne M. Giblin,
City Clerk

D28

**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

AGENDA ITEM: V.

DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

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

Background Information Attached: Yes X No

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

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

Recommended Action: Appoint or reappoint a member of the Morehead City Council to serve as Representative to the Eastern Carolina Council for the term of one [1] year.

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

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

Recommended Action: Adopt Morehead City Parks & Recreation Policies and Procedures as presented.

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

A.


Eastern Carolina Council

RECEIVED
DEC 15 2014

BY:.....

PHONE: 252.638.3185 EXT 3005 • FAX: 252.638.3187 • E-MAIL: jhills@eccog.org

December 15, 2014

Ms. Jeanne Giblin
Town Clerk of Morehead City
706 Arendell Street
Morehead City, NC 28557

Dear Ms. Giblin:

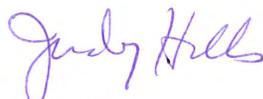
Thank you for paying your FY 2014-2015 Eastern Carolina Council Dues. Your support of regional programs in aging, transportation planning, and economic development is critical to the ongoing success of our nine-county region.

Annually, ECC member governments are asked to appoint or reappoint a member to the ECC Board. Appointments are for one year terms with no limit on the number of terms. County governments must appoint a county commissioner and municipal governments may appoint a council member or a citizen of the local jurisdiction. Within these parameters, counties and municipalities are free to appoint anyone they choose. Currently, the appointment from Morehead City is William Taylor.

Because the Economic Development Administration (EDA) requires a certain percentage of the ECC Board to have a private sector affiliation, it is helpful if county and municipal appointments are also business owners, or partners.

Nan Holton, ECC Administrative Assistant, and I are available to answer questions. Nan can be reached at 252.638.3185 extension 3001 or at eccadmin@eccog.org. My contact information is listed on the letterhead.

Thank you,



Judy Hills
Executive Director

Attachment



Yearly Municipal Appointment

Please use this form to appoint or reappoint a representative from your municipality to actively serve on the Eastern Carolina Council General Membership Board. You may submit this form via email (eccadmin@eccog.org), fax (252-638-3187), or mail (P.O. Box 1717, New Bern, NC 28563-1717). For questions or concerns please contact Nan Holton, Administrative Assistant, at 252-638-3185 ext. 3001.

Municipality: _____

Name of 2015-2016 Appointment: _____

Title: _____

Mailing Address: _____

City and Zip: _____

Home Phone: _____

Cell Phone: _____

Email: _____

We here do appoint _____ to serve on the
Eastern Carolina Council General Membership Board.
(Name of Appointment)

Date

Signature

Title

B.



**MOREHEAD CITY
PARKS & RECREATION**

POLICIES
&
PROCEDURES

Rev. 1/7/15

POLICIES AND PROCEDURES
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 - B. Concessions
 - C. Park Facility Improvement Request
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 - G. Fee Schedule

I. FEES

- A. Fees are assigned to use certain Morehead City Parks and Recreation Department facilities and equipment as specified in the “*Fee Schedule*” list, (*Addendum G*).
- B. Fee schedule changes are submitted to the Town of Morehead City Board of Commissioners at the beginning of each fiscal year (July 1) with fees being charged for that fiscal year as voted on by the Board of Commissioners.
- C. Where there is a fee assigned to a specific use of park facilities and/or equipment the words “FEE APPLIED” will be shown in the text of these policies and procedures and in any current or future addendums.

II. DEFINITIONS

For purposes of this document, “parks” refer to tracts of land located as follows:

- Big Rock Stadium – 2706 Mayberry Loop Road, Morehead City
- Bryan Street Pond – Bryan Street, Morehead City
- City Park – 1001 Arendell Street, Morehead City
- Conchs Point – 608 Bay Street, Morehead City
- Jaycee Park – 807 Shepard Street, Morehead City
- Jib Plaza – 711 Shepard Street, Morehead City
- Katherine Davis Park – 601 Arendell Street, Morehead City
- Mitchell Village Park – 4907 Holly Lane, Morehead City
- Piney Park, 2717 Bridges Street, Morehead City
- Radio Island Access (Boat Ramps & Pier) – 301 Highway 70, Morehead City
- Recreation Center – 1600 Fisher Street, Morehead City
- Rotary Park – 2200 Mayberry Loop Road, Morehead City
- Snookie Wade Park – 800 Bay Street, Morehead City
- Shevans Park – 1501 Evans Street, Morehead City
- Sugarloaf Island – Morehead City Waterfront

The Town of Morehead City (hereafter shown as Town) has developed the following recreational facilities: athletic fields (lighted); concert stage; concession stands; fitness and nature trails; gazebos; maintenance buildings; multi-purpose fields (lighted); outdoor basketball courts (lighted and unlighted); parking areas; picnic areas; playgrounds; recreation center; restrooms; and tennis courts (lighted and unlighted). The Town website, www.moreheadcity.nc.gov, lists which facilities are available at each park.

III. ATHLETIC FACILITIES

A. Usage

1. Athletic facilities may only be used for MCPRD sponsored/co-sponsored programs and other sports-related leagues/programs/activities. These facilities include O’Neal Baseball Field at Big Rock Stadium, Rotary Park Soccer Fields and Multi-purpose courts, Recreation Center Gymnasium and Multi-purpose Field and Court, and Shevans Park Tennis Courts.
2. Athletic fields operated by the Morehead City Parks and Recreation Department (hereafter shown as MCPRD) are intended primarily for the non-profit, recreational use by the residents of Morehead City. Leagues/organizations should be based in Morehead City and/or have a majority of Morehead City resident participation to

reserve fields/facilities without a fee being charged. MCPRD reserves the right to request rosters, participation lists or other information needed to verify majority as residents. (Resident: having a Morehead City address or being a Morehead City taxpayer).

3. MCPRD reserves the right to protect and preserve the integrity of the land and playing field areas by resting the land for aeration and turf regeneration and closing fields from play during these times. This policy covers all parks with Multipurpose/Football/Soccer/Baseball Fields or any sports activity utilizing designated areas in the park involving five (5) or more people for an extended period of time. The timeline for closing the designated areas will be determined by the Town and MCPRD staff. Leagues/organizations will be notified of those dates. Fields may also be closed due to field conditions as a result of weather. Leagues/organizations are not allowed on closed fields.
4. Soccer and Baseball fields are designated for that particular sport only, unless otherwise designated by MCPRD.
5. Individuals cannot play golf on park property unless part of a department sponsored program. Hitting golf balls is not permitted in any park at any time.
6. Pets are restricted from all athletic fields/courts and playground areas; all pets must be on a leash and restricted to trail usage only in athletic/multi-purpose facilities; and all pet waste must be disposed by their owner. Fines are subject for all infractions. (See Section VII.B “Pets”).

B. Scheduling

1. Official categories of MCPRD’s working relationships with organizations are defined in the following manner:
 - a. Sponsored Programming: Programs organized and operated by MCPRD.
 - b. Co-Sponsored Programming: Dependent organizations that operate under mutually-agreed upon guidelines, and use Town facilities for the majority of their practices/games/activities. MCPRD assists them administratively.
 - c. Facilitated Programming: Independent organizations that use MCPRD facilities for the majority of their games/practices/activities. (This includes but is not limited to these groups: American Legion, Carteret County Schools, Craven Community College, Morehead City Little League, Morehead City Marlins, Seashore Soccer League, and the current youth football league.)
2. All fields will be scheduled by MCPRD. Scheduling of facilities will be prioritized, based on the categorizations as outlined in this section, as follows:
 - a. Department-sponsored and co-sponsored programs/events will have first priority in reserving a field or facility.
 - b. Department-facilitated programs/activities.
 - c. Department-approved (non-sponsored), non-profit programs/activities.
3. MCPRD fields are scheduled with multiple leagues/organizations and those organizations are expected to honor their specific confirmed scheduled hours, the user group field usage responsibilities, and all MCPRD park rules and Town ordinances.

C. Agreements

Leagues/Organizations are required to read the “Athletic Facility Usage Policies”

(*Addendum A*) and complete/submit an “Athletic Facility Usage Application” (*Addendum A*) for each season of usage.

1. Each League/Organization President or Designee will be responsible for requesting facilities by completing the “Athletic Facility Usage Application” (*Addendum A*).
2. The “Athletic Facility Usage Application” (*Addendum A*) can be obtained from the MCPRD office or the Town website (www.moreheadcity.nc.gov).
3. Additionally, all facilitated organizations and non-sponsored program/activities must submit a “Binder of Coverage for Liability Insurance” (*see Addendum A*) for one million dollars (\$1,000,000) with the Town named as an additional insured.
4. Permission to use the facilities will be denied without fully completed, appropriately signed agreement and/or without required proof of insurance.
5. Any organization that is granted a license agreement by the Town must comply with the criteria outlined in section III.A, B, & C.

D. Reservations

Athletic fields may be reserved by Town residents for practices, games, tournaments, etc., as long as the requested time(s) and date(s) do not conflict with previously scheduled activities or routinely planned seasonal league play.

Reservation procedures are as follows:

1. The “Athletic Facility Usage Application” (*Addendum A*) must be read, signed, and dated. The document is an Agreement between the League/Organization and MCPRD for use of fields and for the time period specified. The League/Organization agrees to abide by all department policies and the “Athletic Facility Usage Policies” (*Addendum A*).
2. Groups reserving the park for tournaments and sport-related special events must submit the “Athletic Facility Usage Application” (*Addendum A*).
3. Any non-city resident/organization and all for-profit organizations wishing to reserve a MCPRD athletic field will be charged a fee for usage. FEE APPLIED
4. Events, camps, clinics that involve charging a program fee, admission fee and/or charge for participation, and is not sponsored or co-sponsored by MCPRD shall be required to pay the current (in effect at time of reservation) tournament fee for non-county organizations.
5. Usage – To be used during the League/Organization’s pre-season, practices, regular season, post-season, and any tournaments that may be applicable.
 - Priority of Usage – Department will make every attempt to fill requests from leagues/organizations for MCPRD facilities in order of date received, according to availability, in order of priority as follows: (1) MCPRD-sponsored activities/organizations, (2) MCPRD co-sponsored activities/organizations, (3) Facilitated activities/organizations, with routinely-planned seasonal league play taken into consideration. MCPRD reserves the right to reschedule or relocate games/practices/activities at its discretion, and with appropriate notice, in order to accommodate as many groups as possible.
 - Other Town departments must follow the same policies and procedures as leagues/organizations when requesting the use of MCPRD fields/facilities.
 - Notification of Usage

- (i) Each season, the league/organization is required to submit to MCPRD, at least three (3) weeks prior to the first practice date, a Field Request Form detailing the requested days, dates, and times, and a preliminary regular season starting date. Days, dates, and times must be specific.
- (ii) Two (2) weeks prior to the regular season starting date; leagues/organizations shall submit a final schedule of all games to be played for that season.
- (iii) Fields/facilities can only be reserved during the practice period, game schedule, all-star practices, and any post-season tournaments. Reserving field/facilities just for rainouts during the practice period will not be allowed.
- (iv) The designated league representative must submit field request for make-up practice/game/activity at least 48 hours prior to requested date.
- (v) If for any reason a team cancels their practice/game/activity, it is a league representative's responsibility to notify MCPRD.
- (vi) If lights were requested during the reservation and a team cancels practice without a league representative notifying MCPRD, there will be a fee charged to the responsible League/Organization. FEE APPLIED
- Any individual, team, league or organization planning to utilize MCPRD athletic facilities for a Tournament/Special Event, must submit the "Athletic Facility Usage Application" (*Addendum A*) and return it to MCPRD at least 60 days prior to the event. For tournaments/special events, there will be a reservation fee charged to the hosting League/Organization. Fee must be submitted with completed request form. FEE APPLIED

E. Supervision

1. League/Organization officials are responsible for providing responsible adult individuals to provide constant on-site supervision all activities and events.
2. The League/Organization is also responsible for enforcing department policies and procedures on the facilities designated in the Agreement; and for ensuring that its participants abide by Parks and Recreation Park User Rules as outlined in section VI of these policies and procedures and by "Sportsmanship Rules" (*Addendum F*).

F. Maintenance and Operation

1. The League/Organization shall maintain department property and facilities in good condition, with reasonable wear and tear excepted.
2. MCPRD shall have the right to enter into and upon its property for the purpose of examining and inspecting the same, and determining whether the League/Organization is in compliance with department policies and procedures with respect to care, maintenance, repair and/or renovations. MCPRD shall be responsible for payment of electric bills only on town property or Town-designated areas. When it is determined that fields should not have practice or games, and are closed for those activities, groups should abide by that ruling. For example, when a game has been canceled because of weather conditions, no activity should take place on the field.
3. No member of any league/organization is allowed entrance into park maintenance sheds or use of park maintenance equipment; nor shall any member of a league/organization change settings on any lighting or irrigation;

move or add dirt or clay to fields; dig holes on any field; or make any other park and/or facility changes without approved “Park Facility Improvement Request” (*Addendum C*) form.

G. Indemnification

It is expressly agreed and understood that the department will not be liable for any claimed damages, losses or expenses of any kind whatsoever, whether to persons or property (including, but not limited to those claims, damages, losses or expenses resulting from or by reasons of the department’s negligent acts or omissions) arising out of, related to, or connected with any accident, occurrence or event on or about the department’s property, when the accident, occurrence or event takes place while the Individual/League/Organization is using said property pursuant to the Agreement. As a result of the expressed Agreement and understanding, each party will at all times indemnify and hold the other party harmless, and will defend the other at its own expenses whether such claims, damages, losses or expenses are covered by the other’s insurance.

1. Insurance – The League/Organization, as specified by department policy, shall maintain liability insurance with minimum coverage of \$1,000,000, and with the Town named as an additional insured.
2. Term of Agreement – Date of Agreement and Expiration Date of Agreement should be filled in. The Agreement may be voided by the department for violation(s) by the League/Organization of the department’s policies and procedures.
3. Agreement should be signed and dated to attest to the fact that League/Organization has read and has been provided a copy of the department’s “Athletic Facility Usage Policies”/“Athletic Facility Usage Application” (*Addendum A*), “Concessions” (*Addendum B*), and “Sportsmanship Rules” (*Addendum F*); and that the League/Organization understands the requirements of those policies. League/Organization must be in full concurrence with department policies, and have submitted the required forms to the department.

H. Field Light Usage

1. Leagues or individuals requesting the use of field lights are required to fill out the “Field Request Form” included in the “Athletic Facility Usage Application” (*Addendum A*) indicating the time period they will need the lights. The form is available by calling 252-726-5083 or online at: www.moreheadcity.nc.gov.
2. Lighted park areas will close at dark unless a game/practice or special event has been scheduled. Parks will close within 30 minutes of completed activity. Lighting will be turned off at 11:00 p.m.
3. If for any reason a game is late starting (more than 30 minutes), MCPRD recommends that the game be postponed so as not to delay any games scheduled after it; unless it is determined the game can be completed in a timely manner to allow the remaining games to be played.
4. If the lights are requested, but will not be used for whatever reason, MCPRD should be notified by 2:00 p.m., on weekdays. Weekend lighting should be cancelled no later than Fridays at 2:00 p.m. If MCPRD is not notified about any cancellations the league/organization may be charged a fee except when inclement weather occurs.
FEE APPLIED

5. All non-city Residents/Organizations and for-profit organizations will be charged a per hour fee to use lights during field reservations. FEE APPLIED

I. Accountability

Leagues/Organizations using MCPRD fields and/or facilities must submit the following to MCPRD prior to any games being played on MCPRD Fields:

1. Athletic Facility Usage Application” (*Addendum A*).
2. Current officers/Board of Directors for the upcoming season.
3. Current League Bylaws.

J. Penalties

1. Leagues/Organizations that fail to meet the requirements of these policies shall be denied the use of requested fields until the requirements are met.
2. Leagues/Organizations that fail to operate under the requirements of these policies during the season may be suspended from using MCPRD contracted fields until the requirements are met.

IV. FACILITIES/BUILDINGS/STRUCTURES

A. Prohibitions: no person shall:

1. In any manner injure, deface, disturb, destroy or disfigure a part of any park or any building, sign, equipment or other property found therein.
2. Neither enter an area posted as “Closed” nor use or abate the use of any areas in violation of posted notices.
3. Construct or erect any signs, building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands without submitting the written request form “Park Facility Improvement Request” (*Addendum C*) and receiving approval from the MCPRD Director. After MCPRD written approval, all necessary permits from Morehead City Planning and Inspections must be applied for, paid for, and approved prior to any work being started.
4. Camp in park areas overnight. Everyone should be out of the park by closing time.
5. Set up residence in the park for temporary or permanent living arrangements or construct temporary or permanent dwellings for this purpose.
6. Hit, kick, throw balls or any object against fenced areas.
7. Play golf or hit golf balls on park property unless part of a department-sponsored program.
8. Play any musical instrument, drum, radio, or talking machine or any noise be made for the purpose of attracting attention to any exhibition of any kind without permission.

B. Hours of Operation

1. Areas equipped for night-time activities will close at 11:00 p.m., or when scheduled.
2. All parks will open at dawn and non-lighted facilities or areas will be closed at dusk. Scheduling of Special Programs or preparation of programming may alter the regular times when the park is open or closed.
3. In order to have park lights turned on, a “Field Request Form” must be submitted

indicating the field(s) requiring lights. (Section III.H.1-5).

4. Those planning large events/gatherings of 50 or more people in the park areas should complete form "Park Usage Application" (*Addendum E*).

C. Vehicles

1. No vehicle, except those owned by the Town, is allowed on any field, court, trail, or concourse area.
2. Motorized Vehicles
 - a. It shall be unlawful to operate any ATV, dirt bike, or motorized go-cart in or on any public park, public recreation areas or any other publicly owned Town property designated for Town programming usage.
 - b. Approved motorized vehicles can be operated on designated areas such as streets, driveways, and parking areas. This does not apply to vehicles being used in connection with maintenance of Town properties.
3. Non-Motorized Vehicles
 - a. Non-motorized vehicles, pedal bicycles, bicycles, scooters, skateboards, roller skates and roller blades are to be used in designated areas only, including access roads and parking lots.
 - b. All non-motorized vehicles are prohibited in gazebos, picnic shelters, playgrounds, and tennis courts.

D. Basketball/Multi-purpose Courts

1. No hanging on the basketball rims. Soft-soled shoes should be worn when playing on the court.
2. All courts are first-come, first-serve basis unless reserved for an event. Reservation request forms may be obtained by calling (252) 726-5083 or at the Town website: www.moreheadcity.nc.gov. The Rotary Park Courts are lighted.
3. To reserve this facility for a special event/tournament, the "Athletic Facility Usage Application" (*Addendum A*) must be completed and approved. FEE APPLIED

E. Jaycee Park Concert Stage

1. The concert stage at Jaycee Park is located at 807 Shepard Street. This facility hosts the MCPRD Summer Concert Series and the DMCR Alive at Five Concert Series. To reserve this facility, the "Park Usage Application" (*Addendum E*) must be completed and approved. FEE APPLIED
2. Reservation request forms may be obtained by calling (252) 726-5083 or at the Town website: www.moreheadcity.nc.gov.

F. Morehead City Recreation Center

1. The Morehead City Recreation Center is located at 1600 Fisher Street. Class or program enrollment or an annual facility usage pass is required for usage of the recreation center facility. For more information on the recreation center go to www.moreheadcity.nc.gov or call (252) 726-5083.
2. To reserve the Recreation Center gymnasium, the "Athletic Facility Usage Application" (*Addendum A*) must be completed and approved. FEE APPLIED
3. To reserve Recreation Center rooms, the "Park Usage Application" (*Addendum E*) must be completed and approved. FEE APPLIED
4. Reservation request forms may be obtained by calling (252) 726-5083 or at the Town website: www.moreheadcity.nc.gov.

G. Parking Lots

1. Vehicles should always park in designated parking areas. Cars may not be left overnight in the parking areas. MCPRD is not responsible for damage to vehicles or stolen items in the park. (See Section III.G “Indemnification”)
2. At no time and under no circumstances are vehicles not owned by the Town allowed to drive anywhere in a park except on access roads and in parking lots. This includes athletic courts, athletic fields, and multipurpose fields.

H. Picnic Shelters/Gazebos

1. Reservations are required for Gazebo and Picnic Shelter usage. To reserve picnic shelters/gazebos, the “Park Usage Application” (*Addendum E*) must be completed and approved. FEE APPLIED
2. Reservation forms may be obtained by calling (252) 726-5083, or at www.moreheadcity.nc.gov.

I. Playgrounds

1. Playgrounds are for small children. Children should not be on the playground equipment without adult supervision. Parents and guardians should obey signage posted near playground areas.
2. Playgrounds are for public usage and may not be reserved for any exclusive usage.
3. Pets are restricted from all athletic fields/courts and playground areas; all pets must be on a leash and restricted to trail usage only in athletic/multi-purpose facilities;; and all pet waste must be disposed by their owner. Fines are subject for all infractions. (See Section VII.B “Pets”).
4. Shevans Park Playground - Due to the popularity of this playground facility, groups with 10 or more playground users are required to contact MCPRD to reserve a shelter during their requested playground usage time. The “Park Usage Application” (*Addendum E*) must be completed and approved. FEE APPLIED This requirement assists MCPRD to manage the large number of birthday parties, reunions, church and civic groups, and school field trips.

J. Storage Areas

1. Storage areas, if available, may be used by leagues that represent the sport that is in season. Leagues are responsible for removing all items and cleaning the storage area within 7 days of the season’s end.
2. Storage areas may be inspected by MCPRD staff during and after the season. Items remaining in storage areas after 7 days of the season’s end are subject to disposal. The league/organization will be responsible for any associated disposal fees.
3. A limit will be set by the Maintenance Department on the amount of items placed in storage areas.

K. Tennis Courts

1. Only tennis activities should take place on the courts. Only tennis or soft-sole shoes should be worn when on the courts. The areas around the tennis courts are considered quiet areas. No other activities should be taking place within ten (10) feet of the courts. Lights should be turned off after night play.
2. Reservations will not be accepted except for official school usage, tournaments, special events, and MCPRD program/activities.

3. Pets are restricted from all athletic fields/courts and playground areas; all pets must be on a leash and restricted to trail usage only; and all pet waste must be disposed by their owner. Fines are subject for all infractions. (See Section VII.B “Pets”).

V. IMPROVEMENTS/ADDITIONS/CHANGES

- A. Improvements to MCPRD fields, building structures or park elements may not be made without the written permission of the MCPRD Director. Permission must be obtained prior to any improvements being made by organizations other than the Town. Individuals must present a written statement outlining improvements, a time line, names of individuals involved, fill out the “Park Facility Improvement Request” (*Addendum C*) and sign the attached “Release of Liability”. Individuals making the request may also need to produce a license related to said work. On completion of the work, in some cases, proper permits or permission to occupy documents should be submitted to the department.
- B. Leagues are not allowed to add or change locks on gates or any storage facility. All locks will be provided by MCPRD. Leagues may replace a broken or lost lock, on a temporary basis, if it is discovered during non-business hours. Replaced locks must be reported to MCPRD no later than the next business day.

VI. PARK USER CONDUCT

The following rules for individuals and/or groups on MCPRD property are designed to ensure the enjoyment and safety of all park users.

Park users will not:

- A. Engage in criminal or disorderly conduct of any kind within the park, including vandalism to park property.
- B. Engage in any activity that may constitute a hazard to the safety of themselves or other persons, except when conducted within reasonable safety guidelines in specific areas designated by special permission from the MCPRD Director.
- C. Dispose of lighted or unlighted matches, cigars, cigarettes or any flammable material/substance in other than trash receptacles or ash cans.
- D. Engage in threatening language or in excessively noisy conduct of any kind at any time within the park such that it unreasonably disturbs other park patrons or neighbors. The park staff on duty is empowered to determine whether noise is excessive or unreasonably disturbing.
- E. Throw rocks or objects of any kind. This does not include balls or game equipment used in athletic events when used in a reasonable manner, and in such a way that they do not become hazards to other park patrons.
- F. Solicit, peddle, or beg within any park or recreation facility, or to sell merchandise or wares for-profit in any park. Non-profit leagues/organizations may raise funds through concession facilities only when a completed “Concessions” (*Addendum B*) request form is signed by the MCPRD Director and all necessary permits and requirements are met.
- G. Interfere with or in any manner hinder any employee of the park in the performance of their duties.
- H. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.

- I. Bring any glass containers into any park.
- J. Loiter, stand, sit, or lie in or out of a vehicle in any Morehead City park, so as to hinder or obstruct unreasonably the free passage of pedestrians or vehicles thereon. It shall be unlawful for any person to block, obstruct, or prevent access to the entrance of any building, parking lot or park facility open to the public.
- K. Town staff members are authorized to instruct any park user violating the conduct rules to leave park property and contact law enforcement for assistance if the violating user refuses to leave the park facility.

VII. PETS

- A. Pets are allowed in the park only when leashed or present as part of a class sponsored by MCPRD. Pet owners are required to pick up and dispose of their pet's waste.
- B. Town Code of Ordinances state Sec. 11-8. Park Rules—Pets must be leashed at all times and are restricted to trail usage only. Owners must pick up and dispose of pet waste. The fines for pet infractions are as follows: (1) Leash Law infraction: \$50.00 (2) Pets on athletic field areas/playgrounds: \$50.00 (3) Failure to remove pet waste: \$50.00
- C. Service animals are not, for the purpose of this policy, considered pets and are permitted all access to parks and/or facilities. Owners of service animals are expected to pick up and remove from park property all waste deposited by their animal.
- D. Unleashed pets, with the exception of those in MCPRD sponsored classes and service pets, are considered an “at large” pet, regardless of the status of its identification tags, rabies tabs, or leash, as per Town Code of Ordinances, Sec. 3-30. Running-at-large— Prohibited generally; violations, “It shall be unlawful to permit any dog or cat to be at large in the city. All dogs or cats found at large contrary to the provisions of this section shall be impounded as provided in this article. All persons who, owning, keeping or having charge, possession or control of any dog or cat suffers, permits or allows any such dog or cat to be at large contrary to the provisions of this section shall be deemed guilty of a violation of this Code. A dog or cat shall be at large if: (1) It is off the premises of its owner, keeper or custodian, unless on a leash held by a responsible person over twelve (12) years of age; or (2) It is unlicensed.”
- E. Town personnel are directed to request that individuals with “at large” pets leave the park and to call the animal control officer to pick up said pet if the request is not complied with by the individual.

VIII. PIERS/DOCKS/WATER ACCESS

- A. Boating Access Area Regulations
 - 1. As stated by the North Carolina Wildlife Resources Commission and the Town of Morehead City, **it is unlawful to:**
 - a. Leave any vehicle, trailer, boat or other obstruction where it will impede the use of the ramp by others.
 - b. Park any vehicles, trailer, or boat anywhere on the area other than the designated parking zone. This does not prohibit legal use of the ramp.

- c. Use the area for swimming, camping, operating concessions (unless otherwise permitted; see section IX) or for any use other than the launching and recovery of boats and parking of vehicles and boat trailers, except where facilities for a particular use are provided.
 - d. Operate any vessel within 50 yards of the ramp at a speed greater than "No Wake" speed.
 - e. Possess loaded firearms on the access area.
 - f. Operate a vehicle on any boat access area in a manner so as to endanger life or property.
 - g. Deposit any debris or refuse anywhere on the grounds of the area.
 - h. Fail to obey any instruction or signs regulating use of the access area.
 - i. Conduct a fishing tournament without first obtaining the facility usage approval from the Morehead City Parks and Recreation Department.
 - j. Park in a handicapped space without displaying a handicapped plate or sign.
- B. Fishing Access Area Regulations
- 1. As stated by the North Carolina Wildlife Resources Commission and the Town of Morehead City, **it is unlawful to:**
 - a. Use any public fishing area for purposes other than fishing, except where facilities are provided and approved uses are posted. All other uses – including swimming, sunbathing on piers or decks, launching or mooring jet skis or boats, skiing, building fires, operating concessions (unless otherwise permitted; see section IX) or other activities not directly associated with fishing – are prohibited.
 - b. Possess loaded firearms on the access area.
- C. Beach/Water Access
- 1. Swim at your own risk; there is no Lifeguard on duty, and dangerous currents may occur in deeper water.
 - 2. There is no camping overnight allowed on Sugarloaf Island, in any beach or water access area
 - 3. Fishing, docking, or boating will be at the individual's own risk.
 - 4. Boats &/or trailers cannot be stored or left overnight at any ramp facility, dock, or street end.
- D. City Docks
- 1. Boat rental docks (10) with restroom and shower facilities. Shared parking at Jaycee Park.
 - 2. City Docks are managed by Waterfront Ferry Services @ Portside Marina. For Docking Service: Contact 252-726-2457 or 252-726-7678.
- E. 6th Street Day Docks
- 1. These docks are for the noncommercial, temporary loading and unloading of passengers, personal equipment and other related gear, not to exceed ninety (90) minutes in duration.
 - 2. These docks are available for use on a first come first serve basis (exception: Reserved through Town Resolution for an event).
- F. Jib Plaza

1. The Jib Plaza is located at 711 Shepard Street. This venue hosts fishing tournaments and other outdoor special events. To reserve this facility, the “Park Usage Application” (*Addendum E*) must be completed and approved. FEE APPLIED
2. Reservation request forms may be obtained by calling (252) 726-5083 or at the Town website: www.moreheadcity.nc.gov.

IX. CONCESSION OPERATIONS

- A. MCPRD permits various organizations, groups and agencies, with the submission of a “Concessions” form, (*Addendum B*), to sell concessions on property owned by the Town; however, permission to use Town property and/or Town facilities for the sale of concessions and other items shall be restricted to organizations, groups, and agencies that are non-profit/charitable and that serve a beneficial purpose to a segment of the local community, whether children or adults.
- B. Food vendors must obtain a permit to operate from the Carteret County Health Department or present proof from the Health Department that a permit is not needed.
- C. The league/organization operating a concession shall maintain liability insurance with a minimum coverage of \$1,000,000 with the Town named as an additional insured.
- D. Selling food in the park from any structure other than a Concession Building (selling in the open) requires special permission from the MCPRD Director. A permit is required from the Carteret County Health Department and a copy of the permit must be submitted to MCPRD prior to the start of the event.
- E. All groups who use the concession stand must obtain a Limited Food Service (LSFE) permit from the Carteret County Health Department except in the following cases:
 1. The concession stand will only be selling soft drinks, popcorn, candy, and or pre-packaged food items from vendors regulated by the NC Department of Agriculture – food items that the patrons open and/or heat themselves.
 2. Groups with an event at which they want to set up a temporary food establishment. The group is permitted to set up a temporary food stand outside the concession stand. If the group is incorporated as a non-profit corporation and will be operating no more frequently than once monthly for two (2) consecutive days or less, the temporary food stand will be exempt from permit requirements. If the group will be operating more than the exempt allowance, a temporary food establishment (TFE) permit will be required..
- F. The current fee of \$75 is required for purchase of each of these permits (LSFE and TFE). LSFE and TFE permits are not mutually exclusive.
- G. Temporary event organizers and these vendors unsure of their status should contact the Carteret County Health Department, Food and Lodging Division at (252) 728-8499 with questions.
- H. All contents in the concession stands used by various leagues must be removed within one week of the season’s end or post-season tournament. This includes wiping out all cabinets, cleaning the refrigerator, and mopping the floor. Failure to comply will result in contents being disposed of by MCPRD.
- I. No person shall solicit contributions for any purpose, whether public or private, except charitable solicitations specifically approved by the MCPRD Director or designee.
- J. The Town reserves all rights to concessions sales at the Stadium unless a long term

agreement is negotiated. Long term agreements may include additional merchandising and concession vendor sales.

X. SPONSOR SIGN/BOARD POLICY

MCPRD staff reserves the right to exercise full editorial control over the placement, content, appearance, and wording of sponsorship affiliations in its park properties. MCPRD may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message. Signage containing content that is sexually explicit in nature, depicting illegal activities, is obscene or offensive in nature shall not be permitted. Department reserves the right to:

- Limit number of sponsor boards in any park location so as to not visually clutter an area
 - Determine where free-standing boards are placed so as to not interfere with park maintenance operations or park signage
 - Instruct leagues to remove any sponsor free-standing or fence attached board/sign at any time for any reason but particularly when threat of bad weather makes board a hazard, as determined by park maintenance staff; department may remove signs in case of hazard/bad weather if league does not. If damage is caused to fence by league's sponsor sign, league may be held liable for repair costs and lose use of field until costs are recovered by the Town.
- A. League must submit the "Park Facility Improvement Request" (*Addendum C*) every time a new free-standing sponsor board is proposed. Replacement sponsor signage is permitted without requiring "Park Improvement Request Form" at same or lesser size, unless sponsor name/logo has changed or number of signs is proposed to increase.
 - B. Any new (proposed on a fence where none currently exist) fence signage should not exceed a maximum size of 32 square feet or a diameter greater than 4 feet and requires the "Park Facility Improvement Request" (*Addendum C*) submitted to MCPRD Director for approval.
 - C. All free-standing sponsor boards and signs on fences must be consistent with other signage and appropriate to the location as determined by MCPRD Director.
 - D. No acrylics or glass signs permitted.
 - E. Signs attached to fencing should be light enough not to damage fencing.
 - F. League may be required to remove sponsor boards at end of season. League is responsible for maintaining board in good condition and providing for storage of signs when removed.
 - G. Free-standing Sponsor boards are limited to 32 Square Feet.
 - H. Sponsorship Banners (temporary)
 1. Sponsorship banners should be removed after each day/evening of play or, in the event of a tournament, immediately following the tournament.
 2. Sponsorship banners must be professionally (not obviously handwritten) done and no larger than 3' x 8' in size.
 3. Multiple banners should be uniform in color and size.
 4. Same rules apply to temp signs/banners with regard to content of material as listed in above policies.

XI. POLITICAL/PARTISAN ADVERTISING

The policies below apply to any activities taking place on property owned or leased by the Town:

- A. No political advertising shall normally be permitted at any Town facilities or on any Town property. This restriction includes any political advertisements attached to Town vehicles. It includes all paid forms of advertising, as well as any similar forms of political advertising placed on Town property at no charge to the Town. The same restrictions apply for affiliated and unaffiliated candidates for public office, any partisan form of advertising concerning any candidates for public office, all advertising by political parties, and any political advertising for public issues by various formal or informal public advocacy groups.
- B. This policy provides for normal exemptions for political "advertising" by candidates and their advocate supporters and public advocacy groups during scheduled political rallies or media events which are approved by the Town Manager to be conducted on Town property. Such approval should normally be given, subject to resolving reasonable scheduling conflicts. However, for such permitted instances, political advertising shall not be permitted to remain on Town premises after permitted activities are concluded. Town employees are authorized to remove political advertising from Town property when it does not coincide with permitted activities.
- C. Restrictions on political advertising do not include bumper stickers or signage on private vehicles legally parked on Town property. No restrictions are intended for the private vehicles of Town employees.

XII. SIGNS

No person shall attach or place a sign in a park without prior written permission from the MCPRD Director. Permission can be requested on "Park Facility Improvement Request" (*Addendum C*) form.

XIII. HUNTING/ WILDLIFE

It shall be unlawful for any person in a park area to:

- A. Hunt, trap, shoot, kill, wound, molest, capture, chase, willfully frighten or attempt to harm any wildlife or wildlife habitat within the park, except as undertaken by authorized park personnel in their exercise of a bona fide wildlife management practice.
- B. Disobey posted notice prohibiting feeding mammals, birds, reptiles, amphibians or fish.
- C. Place, dump, abandon or leave any fish, mammal, reptile or bird, either wild or domestic, on park property.
- D. Bring, use, or ride a horse, pony, mule, cow or any other animal in any part of the park except for commercially-licensed horse-drawn carriages, which will be treated as commercial vehicles for the purpose of this section or unless the animal is part of a MCPRD sponsored program or event.

XIV. PRESERVATION OF PARK AND PLANT LIFE

The term "Park" for the purpose of this section shall mean all property and premises owned, leased or used for public parks and recreation purposes or functions. No person

shall:

- A. Remove, destroy, cut down, scar, mutilate, injure, take or gather in any manner any tree, flower, fern, shrub, rock or other plant or mineral in any park.
- B. Take into, carry through or put into any park, any rubbish, refuse, garbage or other material. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and property disposed of elsewhere.

XV. ALCOHOLIC BEVERAGES

It is unlawful for any person in any MCPRD park facility to possess or consume alcoholic beverages. MCPRD cites *Town County Code of Ordinances, Article I., In General, Section 10-38 - Consumption and possession of malt beverages and unfortified wine on public property prohibited.*

- A. **Definition.** “It shall be unlawful for any person to consume or possess any malt beverage or unfortified wine, as defined by G.S. § 18B-300(c), on any property or in any place owned or occupied by the Town of Morehead City including, without limitation, any public street, highway, sidewalk, or alley, any town wharf, park, fire station, police station, cemetery or Town Hall.
- B. **Consumption on the public streets and on municipal property prohibited.** It shall be unlawful for any person who is not an occupant of a motor vehicle to consume malt beverages and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to consume malt beverages and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the Town of Morehead City including, but not limited to, public building and the grounds appurtenant thereto, municipal parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields.
- C. **Possession of open containers on the public streets and on municipal property prohibited.** It shall be unlawful for any person who is not an occupant of a motor vehicle to possess any open container of malt beverage and/or unfortified wine on the public streets. Furthermore, it shall be unlawful for any person to possess any open container of malt beverage and/or unfortified wine on any property, whether located inside or outside the corporate limits, owned, occupied, or controlled by the Town of Morehead City including, but not limited to, public building and the grounds appurtenant thereto, municipal parking lots, public parks, playgrounds, recreational areas, tennis courts, and other athletic fields.
- D. **Possession during special events prohibited.** It shall be unlawful for any person to possess malt beverages and/or unfortified wine on the public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events, unless the governing body adopts a resolution making other provisions for the possession of malt beverages and/or unfortified wine at the special event.
- E. **Exemptions.** Possession and consumption of malt beverages and/or unfortified wine shall be permitted within a building or premises on town-owned property where appropriate permits have been obtained as required by law for possession and consumption of alcoholic beverages for the period of time permitted there under.

- F. **Penalty.** For violation of this article, punishment shall be a fifty dollar (\$50.00) fine or thirty (30) days imprisonment or both.

XVI. TOBACCO USE

- A. Tobacco use is prohibited on all Town parks and recreation grounds and facilities at all times.
- B. No person shall use any form of tobacco in any MCPRD facility or on any grounds located within the town park system included but not limited to any athletic courts, athletic fields, dugouts, bleacher areas, exercise/fitness trails, gazebos, nature trails, parking lot areas, picnic shelters, playgrounds, and restrooms.
- C. Tobacco use is defined as any product containing, made or derived from tobacco that is intended for human consumption whether smoking or spit/smokeless tobacco product.
- D. Tobacco use includes smoking (including electronic cigarettes), chewing, dipping, lighting or any other use of any tobacco product.

Awareness & Enforcement:

- 1. The community and all parks and recreation staff will be notified about this policy change.
- 2. Appropriate signage shall be posted in various areas throughout the park facility and grounds.
- 3. Should violations occur, parks users will be reminded of the policy and encouraged to refrain from the use of tobacco while on the property.

XVI. FIREWORKS AND/OR FIRES

- A. All fireworks and explosives of any kind or nature are prohibited, except by special permission from the MCPRD Director.
- B. No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes, except by special permission from the MCPRD Director. Any fire shall be continuously under the care and direction of a competent person over eighteen (18) years of age from the time it is kindled until it is extinguished.

XVII. NOISE

Visitors to any Morehead City park will comply with *Morehead City Code of Ordinance, Article I, In General, Section 10-32, Noise.*, as stated below:

- A. It shall be unlawful to create or assist in creating any unreasonably loud, disturbing and unnecessary noise in the city. Noise of such character, intensity and duration as to be detrimental to the public health, welfare and peace is hereby prohibited.
- B. The following acts, among others, are hereby declared to be loud, disturbing and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive:
 - 1. The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound, or the sounding of such device for an unnecessary and unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle;

2. The playing or allowing to be played any radio, phonograph, television, loudspeaker, drum, amplifier or musical instrument or anything else in such manner or with such volume, during the hours from 11:00 p.m. to 7:00 a.m., so as to annoy or disturb the quiet, comfort or repose of any person in any dwelling, hotel or other type of residence, provided, however, that during festivals and other special events authorized by the city council the hours wherein this subsection will apply will be from midnight to 7:00 a.m.;
3. The keeping of any animal or bird that, by causing frequent or long-continued noise, shall disturb the comfort and repose of any person in the vicinity;
4. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling or other noise;
5. The blowing of any steam whistle attached to any stationary boiler or engine, except to give notice of the time to begin or stop work or as a warning of danger;
6. The sounding of any bell or gong attached to any building or premises that disturbs the quiet or repose of persons in the vicinity thereof;
7. The conducting, operating or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or on Sundays;
8. The creation of any excessive noises on any street adjacent to any school or institution of learning, while the same is in session, that unreasonably and unnecessarily interfere with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the area is a school area;
9. The creation of any excessive noise on Sundays on any street adjacent to any church, provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street;
10. The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in the case of urgent necessity in the interest of public safety and then only with a permit from the building inspector, which permit may be renewed for a period of three (3) days or less while the emergency continues;
11. The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced;
12. The shouting and crying of peddlers, barkers, hawkers and vendors, which disturbs the quiet and peace of the neighborhood;
13. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise, except during festivals or other special events authorized by city

council action. This subsection shall not apply to loudspeakers or public address systems during sports events at schools, parks, ball fields, and such other public venues as shall be authorized by the city council;

14. The use of any mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes except where specific license is received from the city manager;
 15. Shouting, fighting or creating noise through loud or boisterous speech or singing so as to be audible off of the premises upon which such activities and noises occur if so loud as to disturb the peace and tranquility of persons occupying residences, motels, hotels, rest homes, nursing homes or hospitals in the vicinity;
 16. Idling or running of diesel engines or running refrigeration motors or compressors on or in motor vehicles or trains between the hours of 11:00 p.m. and 7:00 a.m. each day in any location within four hundred (400) feet of any residence or residential district as established by the zoning ordinance. Residential districts shall include all R districts and PD and MF districts. This paragraph shall not apply to motor vehicles or trains while in transit over the streets of the city or railroad tracks in the city in a normal manner at a lawful speed nor to delivery vehicles while making deliveries.
- C. Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00) and/or imprisonment of up to thirty (30) days. Additionally, such violation shall subject the offender to a civil penalty of one hundred dollars (\$100.00) for each violation, to be recovered by the city in a civil action if not paid within ten (10) days after citation of the offender for the violation. Each day that a violation continues shall be a separate and distinct offense, and it shall not be necessary to issue a citation each day. This section may also be enforced by injunction or order of abatement, or both. This section may be enforced by one (1), all or a combination of the remedies authorized herein.

XVIII. EQUIPMENT

Bleachers: To request the use of bleachers, a “*Bleacher Request Form*” (*Addendum D*) must be filled out and submitted. This form can be obtained by calling (252) 726-5083.



ATHLETIC FACILITY USAGE POLICIES

Athletic Facilities

Morehead City Parks and Recreation Department (MCPRD) operates the following facilities that are used for athletic practices and game play. The Morehead City Sports Complex (Complex) consists of Rotary Park Soccer Fields (Rotary) and Big Rock Stadium/O'Neal Baseball Field (Stadium), an exercise trail, outdoor basketball courts and parking areas. The complex is a facility owned by the Town of Morehead City (Town) and was constructed for the following primary uses: youth soccer practice and game play in Rotary Park and American Legion (and other 90' base length) baseball practice and game play in Stadium. The Morehead City Recreation Center (Center) athletic facilities include a gymnasium, a multi-purpose field, and an outdoor basketball court.

Scheduling and Booking

MCPRD manages and schedules usage of all MCPRD parks and facilities. MCPRD sponsored events and programs have primary usage of these facilities. Secondary usage of Center will be given to the scheduling needs of the current youth football league as their home facility. Secondary usage of Rotary will be given to the scheduling needs of the Seashore Soccer League as their home facility. Secondary usage of Stadium will be given to the scheduling needs of American Legion Post 46 and the Morehead City Marlins as their home facility. The Morehead City Marlins are given sufficient, advance booking to insure stability for planning its season. The games and practices of these organizations have precedence for usage over other potential user groups. Special consideration will be given to middle school, high school, and college athletics, which shall have a scheduling priority. Other scheduling is done on a first come, first served basis.

MCPRD parks and facilities may also be available for other athletic or special events. Special events are defined as any use of the Complex/Center other than baseball, basketball, football, and soccer practice or game play. Examples of special events include but are not limited to the following: Easter Egg Hunt; Pitch, Hit, & Run; Punt, Pass, & Kick; camps; clinics; fundraisers; and tournaments. The Stadium and Rotary are not multi-purpose field facilities. The Jaycee Park band/concert stage and the Center multi-purpose field facility may be more suitable facilities for other activities or events.

All other potential licensees shall complete an application for use in order to be considered for booking. In determining approval of an application to use the Complex/Center, the following criteria will be taken into consideration:

- Nature and character of the proposed event
- Character/financial condition of the applicant (MCPRD may request financial statements/references.)
- Demonstrated ability of the applicant to properly manage the proposed event
- Potential damage to the facility

Any activity that may cause damage to the Complex/Center in the opinion of the MCPRD will be prohibited.

If the application is rejected, the applicant will be notified in writing, and the reason(s) for rejection will be stated. If the application is approved, a "hold" for a particular date(s) at the facility will be considered tentative until a reservation deposit equal to 50% of the usage fee is received no later than ten (10) days prior to the event. The hold will remain on the calendar until another request for the same date is received.



ATHLETIC FACILITY USAGE POLICIES

The initial applicant will be contacted to confirm the reservation by placing the required deposit within forty-eight (48) hours or relinquish the date. All holds that have not been confirmed by payment of deposit will be cleared from the calendar after sixty (60) days.

At the time the deposit is received, an agreement for use will be prepared and will include license fee information, insurance requirements, event date, facility contact information, exact event requirements with regard to utilities and equipment, facility use restrictions (e.g., main field, fields 1-3, parking lot, concourse), ticket sales information, and any other requirements for the event. The agreement will be executed by the applicant/event sponsor and returned to the MCPRD for review and, if approved, for subsequent execution. Reservation deposits will not be refunded. If the licensee cancels an event, the MCPRD will allow the deposit to hold a future date up to one (1) year from the original date. After one (1) year, the deposit will be forfeited to the MCPRD. The reservation deposit is in addition to any damage deposit that the MCPRD may require.

Field and Turf Management

Management of the Complex/Center field turf is critical to the quality and sustainability of the facility. This is applicable during the entire year, including "off-seasons". Therefore, consideration of the quality and well being of the turf is paramount when determining the suitability of hosting any event. When applications are received for an event, the MCPRD will review the request, and decide if and how the event may be accommodated. The "growing season", typically early spring through summer use, will require careful consideration. Since the Complex/Center is first and foremost an athletic venue, protection of the playing field surfaces and maintenance of the turf may preclude events and activities from taking place that could put the turf surfaces at risk for damage.

Fees

The reservation fee for use of the Stadium is \$500 per day.

The reservation fee for use of Rotary is \$35 per hour per field.

The reservation fee for use of Center is \$35 per hour per field and \$15 per hour for gymnasium.

The fee for use of the Complex parking lot is \$300 per day per event.

The Complex/Center attendant fee is \$20/hour for all Complex/Center reservations.

Fees for long term agreements for the use of the Complex are negotiable and may include concession payments. MCPRD reserves the right to waive any and all fees for the use of the MCPRD facilities.

Event Staff

Additional event staff/fees are the responsibility of the licensee. These include:

- Security
- Ushers/gate staff
- Box office personnel
- Clean-up crew
- Medical personnel
- Supplementary equipment (tarp field cover)

Tents

All tent usage and usage locations must be approved by MCPRD. Tents that are 400 square feet or larger require a tent permit (\$50- residential, \$65 commercial) from the Morehead City Planning & Inspections Department and an inspection from the Morehead City Fire Marshal.



Broadcast Rights

Licensee will have the privilege to grant television and radio broadcast rights for its games. The Town must be notified at least ten (10) days in advance before granting any radio and/or television broadcast rights. MCPRD must approve of the grantee.

Security

The licensee will arrange, provide and bear the expense of adequate professional security protection. The Town may specify the amount of security to be provided. Any private security used by licensee shall be duly licensed by the State of North Carolina and approved by MCPRD.

Alcohol & Tobacco Products

Tobacco products and alcoholic beverages are prohibited in MCPRD parks and facilities. If alcoholic beverage sales are included in a Stadium concessions agreement, all alcoholic beverages will remain within the Stadium fencing and are prohibited from all other areas within the Complex. If alcoholic beverages are sold, a section of Stadium seating shall be designated as "Family Seating". No alcoholic beverages may be brought into or consumed in this area.

Concessions

The Town does not have concession facilities at Rotary; no items may be sold at Rotary without a written consent from MCPRD. The Town has concessions facilities at the Center and the Stadium. The Town reserves all rights to concessions sales at the Center/Stadium unless a long term agreement is negotiated. Long term agreements may include additional merchandising and concession vendor sales.

Parking

The licensee is prohibited from charging a parking fee unless prior approval has been obtained from the Town. The licensee may establish preferred V.I.P. parking, after obtaining approval of the parking plan by the Town.

Cancellation of an Event by the Town

If an event is cancelled by the Town due to inclement weather or because of an act of God, a date mutually agreed upon between the Town and licensee will be scheduled for the event at no additional charge. However, out-of-pocket expenses incurred by the Town for things such as staff, utility or equipment charges will be paid by the licensee. If no mutually agreed upon date can be reached, the Town will deduct any out-of-pocket expenses incurred by it and refund the balance of the deposit. In the event of a cancellation, it will be the responsibility of the licensee to make all necessary arrangements to notify the public of the details of the cancellation, including contacting the media. Any refunds of money from ticket sales, etc. shall be the responsibility of the licensee.

Clean-up

Clean up activities will be completed immediately following the scheduled usage unless otherwise specified in a licensing agreement. Clean up of the Stadium press box, bleachers, concourse, concessions, areas adjacent to concessions, athletic courts, and parking lots will be the responsibility of the user group.



Insurance

All events will require a certificate of insurance of a minimum of one million/two million (\$1,000,000 /\$2,000,000) dollars that lists the Town as an additional insured. The Town reserves the right to increase the minimum amount of required insurance depending upon the nature of the event.

Prohibited Equipment

The use of any electrical, mechanical, or structural equipment not furnished by the Town is prohibited unless specifically approved by the Town. Only maintenance and emergency medical vehicles are permitted to drive on the athletic fields, exercise trail, concourse area, and inside the Stadium/Center fencing as needed. All other vehicles are prohibited in these areas.

Advertising

All temporary and permanently affixed advertising in concession areas, the Stadium concourse, and all fencing areas is prohibited. Advertising on the interior facade of the outfield wall is negotiable for long term agreements for the Stadium use. The licensee may use banner advertising at the Stadium during its time of use. There shall be no advertising on the exterior facade of the Stadium. All banner/sign fasteners must be approved by the Town. The Town reserves the right to disapprove the use of banners/signs considered objectionable or to relocate those deemed to be. Advertising on the playing surface is prohibited unless approved by the Town.

Other

1. All events will adhere to all MCPRD park rules and regulations, user group responsibilities, and Town ordinances.
2. The Town may remove any person from the Complex/Center and other Town property for violating any of these policies, or other Town or MCPRD rules, regulations and ordinances or for any behavior deemed threatening to the facility, its staff, guests or participants.
3. The user group will have use only of the portion of the Complex/Center as stated and approved by MCPRD in the use specified in the usage application. Unauthorized use of any portion of Complex/Center for which authorization was not specified may result in immediate suspension of the use of Complex/Center and revocation of any license granted.
4. No glass bottles/containers are permitted in the Stadium.
5. Fireworks, open flames, decorations that may be flammable or combustible, smoke or fog generating equipment or apparatus is prohibited.

At all times, the final authority as to the playing ability of the field/facility rests with MCPRD.

Any organization or person permitted to use any of the facilities at the Complex/Center shall cooperate fully with MCPRD and Town staff. Once permission has been granted to use the facility or any part of the facility, MCPRD may revoke permission at any time if, in the sole discretion of MCPRD, the welfare, integrity, safety, protection, and care of the facility or property is threatened or jeopardized. This policy will be binding upon any organization/person seeking to use any of or all of the Complex/Center as a condition precedent to such use and licensee will execute a statement evidencing knowledge of this policy and agreement to it.



**MOREHEAD CITY
PARKS & RECREATION**

Athletic Facility Usage Application

What is the nature of the event? *(Circle one)*

Athletic (specify sport) _____ Entertainment (List type) _____

Trade Show/Exhibition Assembly Other (specify) _____

Provide an Organizational History

1. How long has the organization been in existence? _____

2. Who are the officers, directors, shareholders and principal members of the organization?

3. Has the organization operated under any other names? (Please list) _____

4. Is the organization affiliated with any other organization? _____

5. Has the organization operated in any other markets? (Please list) _____

Present a Demonstrated Ability to Properly Manage Event

What is the source for event staff (gate people, ushers, box office personnel, parking attendants and clean-up crew)? Will this consist of paid staff or volunteers?

Does the organization employ a general or event manager that will be on-site for each event?

(circle & provide contact information for on-site manager) Yes No

Please provide a list of events the organization has managed during the past three years.

Describe the Financial Condition of the Organization

Please attach an organizational balance sheet/cash flow statement and three business references.

We reserve the right to request financial statements and references.



**MOREHEAD CITY
PARKS & RECREATION**

Athletic Facility Usage Application

It is understood and agreed that the Town of Morehead and the Morehead City Parks and Recreation Department shall be free of liability for personal injury or property damage claims that may arise out of, or occur during, the use of the facility by Applicant and that no cause of action shall accrue to organization, its users, participants, guests or spectators for injuries or property damage of any kind whatsoever arising out of or from use of the facility by Applicant. Applicant agrees to hold the Town of Morehead and Morehead City Parks and Recreation Department, their agents and employees harmless from all such claims for personal injury, including death, and property damage. The Applicant shall in no wise be or become the agent, servant, or employee of, nor a contractor for, the Town of Morehead City nor of or for the Morehead City Parks and Recreation Department. Applicant and neither the Town of Morehead City nor its Park and Recreation Department are in a joint venture, association, partnership or any other entity or common or joint efforts or enterprise.

The Applicant acknowledges that is has received, read and understands the Morehead City Parks and Recreation Department Athletic Facility Usage Policies and agrees to be bound by and subject to those policies.

The event will be scheduled following the receipt and approval of the application by the Morehead City Parks & Recreation Department Director/Staff. The applicant will receive a signed copy of the approved application for confirmation.

Applicant Signature: _____ Date: _____

Official Use Only: Approved / Declined

Security Deposit: \$ _____ \$ _____ Usage Fee: \$ _____ \$ _____
 Amt. Due Amt. Recd Amt. Due Amt. Recd

MCPRD Staff Signature: _____ Date: _____

**If you have questions regarding the application please contact the
Morehead City Parks and Recreation Department at (252) 726-5083.**

Please submit request a **minimum of 60 days prior to the requested facility
usage or event date** by email, fax, or mail to the address below:

Morehead City Parks & Recreation Department
706 Arendell Street, Morehead City, NC 28557
Attn: Craig Lands
clands@bizec.rr.com
252-247-5956 Fax



ADDENDUM B. CONCESSIONS

- I. Morehead City Parks and Recreation Department (MCPRD) permits various organizations, groups, and agencies to sell concessions on property owned by the Town of Morehead City. Permission to use town property and/or town facilities for the sale of concessions and other items shall be restricted to the following:
 - A. Organizations, groups, and agencies that are non-profit/charitable and serve a beneficial purpose to a segment of the local community, whether it is children or adults.
 - B. The use of the property and/or facilities shall be on a seasonal basis rather than a permanent one. For example, a baseball organization may be permitted to use the facilities and/or property for concession sales during the baseball/softball season and a soccer organization may be permitted to use the facilities during the soccer season. Schools or school-associated clubs have priority for a concession stand located on school property.
 - C. An application must be completed and approved by the MCPRD Director or his/her designee prior to any sales by any group, organization or agency.
 - D. The application shall include the name, addresses, and phone numbers of those individuals (Board of Directors) responsible for the sale of concessions.
 - E. Concession operators shall be responsible for keeping the immediate area clean of litter and debris at all times. All contents in the concession stands used by various leagues must be removed within one week of the season's end or post-season tournament. This includes wiping out cabinets, cleaning the refrigerator, and mopping the floor. Failure to comply will result in contents being disposed of by MCPRD.
 - F. Organizations, groups, and/or agencies operating concessions should make every effort to open for sales when any activity is scheduled in the park since they have exclusionary rights to provide concessions in that area.
 - G. Organizations, groups, and/or agencies granted permission to operate concession area(s) should fully understand that any permanent improvements made to the concession areas become the property of Morehead City and may not be removed when the organization, groups or agency's temporary use of the concession area has concluded. Refrigerators, popcorn machines, hot dog warmers, freezers and similar items would not be defined as permanent improvements. Shelving, server windows and similar improvements are considered as permanent improvements. Permission to use and place such equipment must be obtained by submitting a **"Park Facility Improvement Request" form, (Addendum C.)**
 - H. MCPRD reserves the right to immediately terminate the use of any concession area by an organization, group, or agency if it is determined that it is in the best interest of the town and its citizens who use the park area. Several reasons for terminating the agreement are listed below:
 1. Unsanitary conditions.
 2. Failure to open on regular basis.
 3. Failure to keep immediate area of concession facility free of litter.
 4. Proof of funds generated being used for purposes other than those beneficial to a non-profit group or organization.
 5. In violation of the NC Health Laws & Regulations pursuant to the operation of a concession stand.
 - I. The department shall have the right to be upon and/or enter its property for the purpose of examining and inspecting the same and determining whether the party named in this Agreement is in compliance with Department policies with respect to care, maintenance, repair and renovations
 - J. It should be clearly understood that the organization providing the activity would be given first priority on operating the concession area. For example, if it is baseball/softball season, the sponsoring agency (Babe Ruth, Little League, Dixie Youth, etc.) will have first priority. If it is soccer season, the soccer sponsoring agency or organization will have first priority. In the case of adult softball, that adult organization would have first priority on operating concessions. In the event, for example, a youth football organization does not want to operate concessions at their games and the Babe Ruth organization wants to do so, that would be permitted. Youth groups will have priority on fields used by youth and adult leagues.
 - K. It should be clearly understood that if Morehead City has an exclusive agreement to sell only a certain product (i.e. Pepsi or Coke) on their property the organizations, groups or agencies would have to respect that policy and



only sell products distributed by that company.

II. Concession Stand & Storage Area Use

- A. The user agrees to abide by all NC Health Laws and Regulation 15ANCAC18A.2600 pursuant to the operation of a concession stand and is responsible for obtaining any required permit(s) or a written statement that a permit(s) is not needed.
- B. All groups who use the concession stand must obtain a Limited Food Service (LSFE) permit from the Carteret County Health Department **except** in the following cases:
1. The concession stand will only be selling soft drinks, popcorn, candy, and or prepackaged food items from vendors regulated by the NC Department of Agriculture – food items that the patrons open and/or heat themselves.
 2. Groups with an event at which they want to set up a temporary food establishment. The group is permitted to set up a temporary food stand outside the concession stand. If the group is incorporated as a non-profit corporation and will be operating **no more frequently than once monthly for two (2) consecutive days or less**, the temporary food stand will be exempt from permit requirements. If the group will be operating more than the exempt allowance, a temporary food establishment (TFE) permit will be required. As of July 1, 2008, a \$50 fee is required for a TFE permit.
 3. The current fee of \$75 is required for purchase of each of these permits (LSFE and TFE). LSFE and TFE permits are not mutually exclusive.
- C. If space allows, a storage area(s) may be made available to the user for their use during the season. However, the user may be required by the Department to remove all stored materials following the completion of the season so another user may use the area. The user is responsible for keeping the storage area in good condition and must meet all OSHA regulations for storing materials. Violations of these rules may result in the user losing the use of the storage area.
- D. Application for a limited food stand must be made thirty (30) days in advance.

III. Keys

Keys for all Department facilities will be issued on an as needed basis through MCPRD. The user is prohibited from making copies of said issued keys and is also prohibited from installing locks of any kind on Department facilities.

IV. Indemnification

It is expressly agreed and understood that MCPRD will not be liable for any claims damages, losses or expenses of any kind whatsoever, whether to persons or property (including, but not limited to those claims, damages, losses or expenses resulting from or by reasons of the MCPRD's negligent acts or omissions) arising out of, related to or connected with any accident, occurrence or event on or about the Town's property, when the accident, occurrence or event takes place while the user is using said property pursuant to this agreement. As a result of this express agreement and understanding, each party will at all times indemnify and hold the other party harmless, and will defend the other at its own expenses whether such claims, damages, losses or expenses are covered by the other's insurance.

Note: Copy of certificate of liability insurance with minimum of \$1,000,000.00, and Morehead City Parks & Recreation Department and the Morehead City Board of Commissioners named as insured parties must be submitted with this paperwork.



Addendum C. Park Facility Improvement Request
(Includes, but is not limited to: Fields, Buildings, Structures and Erecting Signs)

Name (Organization): _____

Address: _____

Phone: _____ E-Mail: _____

Park/Facility: _____

Projected Start Date: _____ Projected Finish Date: _____

Give a detailed description of the Park/Facility Improvement: _____

Draw a diagram of project or submit drawing:



ADDENDUM D. BLEACHER USE

I. DEFINITION OF CLIENT USAGE

- A. **Individual Use** Individual use for his/her own personal reasons or by an individual in order to hold a function involving others, including groups, associations, clubs, leagues, organizations, etc. Unless the Parks and Recreation Department sponsors such use, the contracting individual will be treated as a profit-making entity. (This includes municipalities, townships, schools, etc.)
- B. **Profit Use** Any function that *does not qualify as a non-profit function* as set forth in the below definition.
- C. **Non-Profit Use** Any non-profit individuals, groups, associations, clubs, leagues, organizations, etc., must present a copy of their Internal Revenue Service designation as a 501(c)3 exemption letter.
- D. **Charitable Use** Individuals, groups, associations, clubs, leagues, organizations, etc., must show that 51% of income goes directly to those who benefit from established mission of said charitable entity.

II. PROCEDURES

- A. Obtain a *"Bleacher Request Form"* from the Morehead City Parks & Recreation Department office at 1600 Fisher Street or online at www.moreheadcity.nc.gov.
- B. Form must be filled out in its entirety, including the "Waiver and Release of Liability". Return it, along with the appropriate fee, to the department, no later than two (2) weeks prior to the scheduled event. Payment of the fee, Request form, Copy of liability insurance policy, and Waiver of Liability must be received before your request will be finalized.
- C. Each request is handled on a first-come, first-serve basis, and every effort is made to fulfill the request.
- D. Bleachers will be delivered in the morning on the day of the event, unless the event is scheduled for a Saturday, Sunday or holiday. For Saturday and Sunday events, bleachers will be delivered on Friday. If a request is made for an event taking place on a holiday, and depending on what day the holiday falls on, bleachers will be delivered the last regular work day prior to the holiday.

III. POLICIES

- A. **Insurance** Any group, association, club, league, organization, or church requesting rental of a bleacher must produce a copy of a liability insurance policy with a minimum coverage of \$1,000,000.00, in effect for at least the duration of the bleacher rental, which names the Morehead City Parks & Recreation Department and the Morehead City Board of Commissioners as insured parties.
- B. **Damages** Any group, association, club, league, organization or church requesting rental of a bleacher must agree to reimburse the Town of Morehead City for the cost of materials, supplies, and staff hours (at \$16 per hour) to make repairs to any bleachers damaged during the rental period or for cost of replacement (up to \$3,000 per bleacher) if bleacher is damaged past repair, as determined by the Parks & Recreation Department Director. A representative of the renter will meet a Town employee at both delivery and pick-up to assess the condition of each bleacher after it is unloaded and set-up at the renter's location and before it is taken down and loaded on to Town trucks. Renter will not be held responsible for any damage during transportation, set-up, or take-down.
- C. **Resident Requirement.** Bleachers will only be rented to those entities that have a Carteret County address.



BLEACHER REQUEST FORM

Organization: _____

Mailing Address: _____

Contact Name: _____

Telephone Number: _____ Email Address: _____

Name of Event: _____ Date of Event: _____

Number of Bleachers Requested: _____

Name and Phone Number for contact person on day of delivery in case of questions/emergency:

Delivery Date/Time: (Morning Delivery Only) ___/___/___ _____ (AM)

Delivery Location(s): Please be specific about where you want Bleacher(s) delivered (Street Address, Corner of, etc.)

Pick-Up Date: ___/___/___

Applicant Signature *Date*

Office Use Only
____ Waiver & Release of Liability
____ Bleacher Request Form Complete
____ Copy of Liability Insurance Policy

Morehead City Parks and Recreation Representative *Date*



WAIVER AND RELEASE OF LIABILITY

DISCLAIMER: Morehead City Parks and Recreation is not responsible for any injury (or loss of property) to any person suffered while utilizing "Bleachers" for or during events for any reason whatsoever, including ordinary negligence on the part of Morehead City Parks and Recreation, its agents or employees.

In consideration of my utilization of bleachers for events, I hereby release and covenant not to sue Morehead City Parks and Recreation, Morehead City Board of Commissioners and any of their employees, agents and/or assignees from any and all present and future claims resulting from ordinary negligence on the part of Morehead City Parks and Recreation or others listed for property damage, personal injury or wrongful death, arising as a result of my engaging in the use of Bleachers for activities incidental thereto, wherever, whenever or however the same may occur.

Further, I understand that utilizing Bleachers for City events involves certain possible risks, including but not limited to, death, serious neck and spinal injuries resulting in complete or partial paralysis, brain damage and serious injuries to virtually all bones, joints, muscles and internal organs, and that procedures taken for my protection may be inadequate to prevent serious injury. In addition, I understand that utilizing bleachers for City events involves, but not limited to: travel to and from the site of the activity; traveling through areas that may be remote from available medical assistance; and the possible reckless conduct of other participants. I am voluntarily utilizing bleachers with the knowledge of the possible danger involved, and hereby agree to accept any and all inherent risks of property damage, personal injury and death.

I further agree to indemnify and hold harmless Morehead City Parks and Recreation and others listed for any and all claims arising as a result of my utilizing bleachers for City events incidental thereto, wherever, whenever or however the same may occur.

I understand that this waiver is intended to be as broad and inclusive as permitted by the laws of North Carolina, and agree that if any portion is held invalid, the remainder of the waiver will continue in full legal force and effect. I further agree that the venue for any legal proceeding shall be in North Carolina.

I affirm that I am of legal age and am freely signing this agreement. I have read this form and fully understand that by signing this form, I am giving up legal rights and/or remedies which may be available to me for ordinary negligence of Morehead City Parks and Recreation or any of the parties listed above.

Applicant Signature

____/____/____
Date



**MOREHEAD CITY
PARKS & RECREATION**

Shelter – Gazebo – Rec Center Classroom/ConferenceRoom – Stage – Trail
Non-Athletic Facility Usage Application

Applicant Name: _____ Organization Name: _____

Address: _____

Phone: (Day) _____ (Night) _____ Email: _____

Facility Requested: (Circle) Shevans Park: Large Shelter Small Shelter City Park: Gazebo

Rotary Park: Shelter Exercise Trail MATS Trail Jaycee Park: Gazebo Concert Stage

Rec Center: W.S. King Room Conference Room Exercise Classroom Classroom

Facility Usage: (Circle) Class/Meeting Party/Picnic/Reunion School Field Trip

Special Event (please specify) Fishing Tournament Fundraiser

Concert Race Wedding Other: _____

Date(s) & Time(s) of Use: _____

Proposed Use & Description of Use: _____

Expected Attendance: _____

Special Services / Requests: _____

Section II

Special Events Must Complete This Section.

What is the nature of the event? (Circle one)

Athletic (specify sport) _____ Entertainment (List type) _____

Trade Show/Exhibition Assembly Other (specify) _____

Please give a detailed description of the requested event: _____

Concession Request: Yes No Tent Usage Request: Yes No (If yes, see "Tents" section)

Bleacher Usage Request: Yes No Alcohol Sales Request: Yes No (ABC permit required)



**MOREHEAD CITY
PARKS & RECREATION**

**Shelter – Gazebo – Rec Center Classroom/ConferenceRoom – Stage – Trail
Non-Athletic Facility Usage Application**

Insurance: All events will require a certificate of insurance of a minimum of one million/two million (\$1,000,000 /\$2,000,000) dollars that lists the Town as an additional insured. The Town reserves the right to increase the minimum amount of required insurance depending upon the nature of the event.

Proof of Insurance provided: *(required with application)* yes no

Provide an Organizational History

1. How long has the organization been in existence? _____

2. Who are the officers, directors, shareholders and principal members of the organization?

3. Has the organization operated under any other names? (Please list) _____

4. Is the organization affiliated with any other organization? _____

5. Has the organization operated in any other markets? (Please list) _____

Present a Demonstrated Ability to Properly Manage Event

What is the source for event staff (gate people, ushers, box office personnel, parking attendants and clean-up crew)? Will this consist of paid staff or volunteers?

Does the organization employ a general or event manager that will be on-site for each event? (*circle & provide contact information for on-site manager*) Yes No

Please provide a list of events the organization has managed during the past three years.

Describe the Financial Condition of the Organization

Please attach an organizational balance sheet/cash flow statement and three business references.

We reserve the right to request financial statements and references.



**MOREHEAD CITY
PARKS & RECREATION**

**Shelter – Gazebo – Rec Center Classroom/ConferenceRoom – Stage – Trail
Non-Athletic Facility Usage Application**

It is understood and agreed that the Town of Morehead and the Morehead City Parks and Recreation Department shall be free of liability for personal injury or property damage claims that may arise out of, or occur during, the use of the facility by Applicant and that no cause of action shall accrue to organization, its users, participants, guests or spectators for injuries or property damage of any kind whatsoever arising out of or from use of the facility by Applicant. Applicant agrees to hold the Town of Morehead and Morehead City Parks and Recreation Department, their agents and employees harmless from all such claims for personal injury, including death, and property damage. The Applicant shall in no wise be or become the agent, servant, or employee of, nor a contractor for, the Town of Morehead City nor of or for the Morehead City Parks and Recreation Department. Applicant and neither the Town of Morehead City nor its Park and Recreation Department are in a joint venture, association, partnership or any other entity or common or joint efforts or enterprise.

The Applicant acknowledges that is has received, read and understands the Morehead City Non-Athletic Facility Usage General Policies and agrees to be bound by and subject to those policies.

The event will be scheduled following the receipt and approval of the application by the Morehead City Parks & Recreation Department Director/Staff. The applicant will receive a signed copy of the approved application for confirmation.

Applicant Signature: _____ Date: _____

Official Use Only: Approved / Declined

MCPRD Staff Signature: _____ Date: _____

**If you have questions regarding the application please contact the
Morehead City Parks and Recreation Department at (252) 726-5083.**

**Please submit request a minimum of 60 days prior to the requested facility
usage or event date by email, fax, or mail to the address below:**

Morehead City Parks & Recreation Department
706 Arendell Street, Morehead City, NC 28557
Attn: Craig Lands
clands@bizec.rr.com
252-247-5956 Fax



ADDENDUM F. SPORTSMANSHIP RULES

Sportsmanship Rules are established to maintain a positive atmosphere in recreation activities sponsored by the MCPRD Department. These rules will be applied to all activities and sports programs in all age groups. Each registered team or group will be provided with this information, and will be required to sign a Memorandum of Understanding stating that they accept the Rules. It is the responsibility of the team manager or coach to inform his/her participants of these rules. Ignorance of these rules will not be considered as an acceptable excuse for violations. League/Organizations have established rules governing conduct. The MCPRD will respect those rules and ask leagues/organizations to recognize and adhere to section of the document as it relates to property and personnel of the MCPRD.

I. GENERAL INFORMATION

A. Duration of Compliance

1. The Rules of Conduct will be in effect before, during and after each contest, game, match, or practice beginning with department-sponsored preseason practices and continuing through the conclusion of league, tournament, and activity play.
2. All athletic special events will be governed by these rules. These guidelines will apply to all events conducted by the department regardless of whether these events are on county-owned property, school facilities, or rental facilities. Team(s) and/or individual(s) suspended as a result of infractions of the Rules of Conduct will not be given refunds for team, group, or individual fees.

B. Events Governed by Rules of Conduct

1. Each league or group in each sport or activity will have league or activity rules to meet requirements of that particular activity/sport. These league rules will not be considered separate from the Rules of Conduct and violations of league rules can result in suspension.

C. Definitions

1. Participant – any of the following: a player, a coach or assistant coach, a spectator, a team, or an official.
 - a. Participants ejected from a contest, game, match, or practice must leave the facility in an expedient manner (2 minutes or less is considered expedient). Failure to do so will result in calling law enforcement to remove the participant(s) from the location and charges of trespassing.
2. Official – any of the following: an umpire, a referee, a supervisor, or any other Parks and Recreation staff person. Any official has the authority to eject a participant from a Parks and Recreation event or the property on which the activity or sport is being conducted.
3. Suspension – includes:
 - A. Not being able to participate in a contest, game, match, or practice
 - B. Not being a spectator at a contest, game, match, or practice
 - C. Not being allowed to attend any athletic events sponsored by the Parks and Recreation Department.
4. Repeated violations by team(s) or individual(s) will result in more severe penalties

D. Violations

1. Violations of the Rules of Conduct may result in penalty application in ensuing programs and/or seasons.
2. Penalties applied for any situation or circumstance not specifically covered in these Rules of Conduct will be left to the discretion of the Morehead City Parks and Recreation Director or his/her designee.

II. CONDUCT

- A. All participants must abide by an official's decision and must refrain from demonstrative expressions of dissent at an official's decision (i.e. kicking or throwing a ball, bat or equipment, speaking rudely to an official, making gestures toward an official, etc.)
- B. During the course of a game/match, only one coach and/or one captain per team will be allowed to discuss decisions reached by an official with the officials.
- C. All participants must refrain from using unnecessary roughness against the body and person of an opposing player during the course of the game.



- D. All participants must refrain from using profane, obscene or vulgar language.
- E. Penalties for Violation of Rules A-D.
 - 1. The participant will be ejected from the game/match/practice and be suspended from the next game (regular season or the tournament) played by his/her team.
 - 2. Participant(s) ejected from an activity/game/match/practice must leave the Facility in an expedient manner (2 minutes or less is considered expedient). Failure to do so will result in an official calling law enforcement to remove participant(s) from the location and charges of trespassing.
 - 3. A warning will not have to precede the ejection.
 - 4. Upon investigation of the violation, the Parks and Recreation Director or his/her designee may apply a two game suspension if the violator's actions endangered the safety of the participants or officials.
- F. Taunting, mocking, and/or harassment of participants or officials will not be allowed.
- G. Verbal abuse of the officials or participants will not be allowed.
- H. Profane, obscene or vulgar language used maliciously toward another participant or official will not be allowed.
- I. Penalties for Violation of Rules F-H.
 - 1. The participant will be ejected from the game/match/practice and suspended from the next three regular season games, matches or the next tournament games/matches played by his/her team.
 - 2. Participant(s) ejected from an activity/game/match/practice must leave the Facility in an expedient manner (2 minutes or less is considered expedient). Failure to do so will result in an official calling law enforcement to remove participant(s) from the location and charges of trespassing.
 - 3. Should the violation be repeated with less than three regular season games/matches remaining, the suspension will be applied to those remaining games/matches including tournament games/matches played by his/her team and will carry over into the next sport/activity that the participant elects to participate in.
- J. Participants must refrain from pushing, shoving, striking, kicking, laying a hand on or threatening any of these actions against, or confronting in an unruly or obnoxious manner another participant or official.
- K. The drinking or possession of alcoholic beverages will not be allowed at Parks and Recreation events or on property where they are held.
- L. Participants are not allowed to attend any Parks and Recreation event or property while intoxicated.
- M. Participants must refrain from any form of physical attack as an aggressor upon another participant or official.
- N. Firearms, knives or other weapons are not allowed at Parks and Recreation events, property, or venues in which Parks and Recreation activities and events occur.
- O. Penalties for Violation of Rules J – N.
 - 1. The participant will be ejected from the game/match and suspended for the remainder of the season. Additional penalties can result in suspension for a minimum of six (6) months.
 - 2. Participant(s) ejected from an activity/game/match/practice must leave the Facility in an expedient manner (2 minutes or less is considered expedient). Failure to do so will result in an official calling law enforcement to remove participants for trespassing.
 - 3. The second offense is three (3) years suspension of if circumstances warrant, the suspension could be applied indefinitely upon review of the incident.
 - 4. For offenses that are also violations of North Carolina State Statutes, law enforcement will be contacted and arrest warrants sought for assault, public intoxication, illegal possession of firearms, etc.

III. ENFORCEMENT PROCEDURES

A. Departmental Responsibilities

- 1. Upon receipt of a written incident report describing a violation, the Parks and Recreation Director or his/her designee will investigate the report and will in turn apply the appropriate penalty in compliance with the Rules of Conduct.



2. The violator will be mailed a formal letter describing the violation and appropriate penalty. Additional copies of this letter will be issued to the team coach/manager, league supervisor, officials, church/company sponsor, etc. as needed. Parent/guardian will be mailed this letter for youth violators.

IV. Appeals

A. Individuals receiving penalties may appeal a ruling as follows:

1. Suspension - A written request stating the reason for appeal may be submitted to the Parks and Recreation Director within seven (7) calendar days from the date on the formal penalty letter.
2. Individuals appealing a suspension may expect a response from the Parks and Recreation within one month of the day that the department receives their appeal letter.



MOREHEAD CITY PARKS & RECREATION

Addendum G - Fee Schedule

Program	Registration Fees	
Girl's Youth Volleyball	\$30	
Holiday Camps & Pre/Post Summer Weeks		
Resident	\$60	
Non-Resident	\$75	
Junior Golf Team	\$50	
Soccer Camp	\$65	
Summer Camp		
Resident (Full Summer - 8 weeks)	\$300	
(Weekly)	\$60	
Non-Resident (Full Summer - 8 weeks)	\$450	
(Weekly)	\$75	
Twin Bridges 8K Run	\$20 early	\$30 late
Youth Basketball	\$30	
Recreation Center Annual Usage Pass	Resident	Non-Resident
Youth (16 & under)	\$10	\$20
Young Adult (ages 16-17)	\$20	\$40
Adult (18 & older)	\$30	\$60
Senior Citizen (62 & older)	Free	\$20
Family	\$45	\$90

Facility Usage Fees	Resident/Non-Profit	Non-Resident	Commercial
Big Rock Stadium	\$500/day	\$500/day	\$500/day
City Park			
Gazebo	\$25 (3 hrs.)	\$25 (3 hrs.)	\$25/hr.
Recreation Center			
Exercise Classroom	\$10/hr.	\$15/hr.	\$25/hr.
Gymnasium	\$15/hr.	\$20/hr.	\$30/hr.
Kitchen (Cooking/Food Prep)	\$50	\$50	\$75
(Catered)	\$25	\$25	\$50
Meeting Rooms	\$5/hr.	\$10/hr.	\$20/hr.
Multi-purpose Field	\$35/hr.	\$35/hr.	\$35/hr.
W.S. King Room	\$20/hr.	\$25/hr.	\$40/hr.
Picnic Kit (may include balls, bases, horseshoes, etc.)		\$25 deposit	
Rotary Park			
Soccer Field	\$35/hr.	\$35/hr.	\$35/hr.
Shelter (2 available)	\$25 (3hrs.)	\$25 (3hrs.)	\$25/hr.
Shevans Park			
Small Shelter	No charge, but reservations are requested for use.		
Large Shelter	\$25 (3hrs.)	\$25 (3hrs.)	\$25/hr.
Tennis Courts (2 court max.)	\$15 (3hrs.)	\$25 (3hrs.)	\$35/hr.

TOWN OF MOREHEAD CITY

REQUEST FOR TOWN COUNCIL ACTION

AGENDA ITEM: VI.

DATE: January 13, 2015

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Citizen Requests/Comments

Background Information Attached: Yes No X

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

TOWN OF MOREHEAD CITY

AGENDA ITEM: VII.
DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: City Manager's Report

Background Information Attached: Yes No X

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

TOWN OF MOREHEAD CITY

AGENDA ITEM: VIII.
DATE: January 13, 2015

REQUEST FOR TOWN COUNCIL ACTION

TO: The Honorable Mayor and Town Council

FROM: David S. Whitlow, City Manager

SUBJECT: Council Requests/Comments

Background Information Attached: Yes No X

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