

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

**Tuesday, January 10, 2017**

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, January 10, 2017, at 5:30 p.m., in the Municipal Chambers located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	William F. Taylor
COUNCIL:	George W. Ballou
	Demus L. Thompson
	Harvey N. Walker, Jr.
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Derek Taylor, Michael Thomas
OTHERS:	Police Chief Burnette Morris; Robert Wichtl; Keri McCann; Chris Hill; Gabrielle Lowe; Derek Williams; David Wichtl; Abriana Velazquez; Jesha Wichtl; Sally Lumpkin; Art Gill; Cheryl Gill; Chelsea Guthrie; John Mancini; Matt Bachtler; Justin Lewis; Josh Cannon; Joe Fulcher; Billy Beck; Fire/EMS Chief Jamie Fulk; Bryan Dixon; Daniel Williams; Jewel Lasater; Wes Whitehurst; John Whitehurst and several others

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

Mayor Jones opened the meeting at 5:30 p.m., Councilman Thompson gave the invocation and Boy Scout Wes Whitehurst from Troup 130 led all in The Pledge of Allegiance.

**2. Special Presentations:**

**2.A. North Carolina American Water Works Association "Water Distribution Operator of the Year" Award to Utility Supervisor Derek Williams**

Chris Hill of the North Carolina American Water Works Association [NCAWWA] made the presentation. The NCAWWA is dedicated to providing water and wastewater education, training and service in an effort to protect public health and the environment. The 2016 Water Distribution Operator of the Year Award given to Derek Williams is a statewide distinction which recognizes his ability and devotion in the operation of the water distribution system.

**2.B. North Carolina American Water Works Association "Raymond E. 'Red' Ebert" Award to Chief Water Plant Operator David Wichtl**

Chris Hill of the North Carolina American Water Works Association [NCAWWA] made the presentation to David Wichtl. The 2016 Raymond E. "Red" Ebert Award is the highest honor given to individuals in both private and public utility systems. It is awarded for distinguished service in water distribution and in recognition of innovation, sound engineering and outstanding management.

Congratulations were offered to both Derek Williams and David Wichtl. Morehead City is proud of these two employees for their outstanding contributions to the citizens they serve.

**2.C. Resolution of Appreciation 2017-01 to Lieutenant Arthur "Art" Gill Upon His Retirement from the Morehead City Fire/EMS Department on January 1, 2017**

Fire Lieutenant Art Gill retired from the Morehead City Fire/EMS Department on January 1, 2017, after more than 29 years of service. He began his career as a volunteer in 1988 after serving with the Atlantic Beach Fire/EMS Department for 16 years. On July 1, 2007, he became a part-time employee of Morehead City. He became a Lieutenant, a position he kept until retirement. For years Art Gill had a business directly across the street from the Morehead City Fire Station and when the fire bell would ring he always answered the call to duty. He has served the City faithfully through many emergency crises for which the City recognizes and honors him. Mayor Jones presented the Resolution. Fire/EMS Chief Jamie Fulk presented Art with his helmet and badge.

Art commented that he never intended to be in public service, but it just happened and it has been rewarding. He thanked his family for their support and stated that in retirement he is going to work on that bus and get to Alaska!

### 3. Adoption of the CONSENT AGENDA

#### 3.A. Approve the Minutes of: Tuesday, December 6, 2016, Special Meeting/ Closed Session Tuesday, December 13, 2016, Regular Meeting

*Approved the minutes of Tuesday, December 6, 2016, Special Meeting/Closed Session and Tuesday, December 13, 2016, Regular Meeting and dispensed with the reading.*

#### 3.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for December 2016, in the amount of \$958.63; and Accept the Tax Collector and Finance Director Reports for December 2016

*Approved the requests for release of overpayment of ad valorem taxes for December 2016, in the amount of \$958.63; and accepted the Tax Collector and Finance Director Reports for December 2016. [The Financial Reports are attached to and made a part of these minutes herein by reference.]*

#### 3.C. Adopt Resolution 2017-01 in Appreciation to Lieutenant Arthur “Art” Gill for Over 29 Years of Service to the Morehead City Fire/EMS Department

*Adopted Resolution 2017-01 in appreciation to Lieutenant Arthur “Art” Gill for over 29 years of service to the Morehead City Fire/EMS Department. [Resolution 2017-01 is attached to and made a part of these minutes herein by reference.]*

#### 3.D. Approve 2017 Morehead City Fire Department Roster for the North Carolina State Firefighters’ Association

This is a routine procedure under NCGA 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 2017 Morehead City Fire Department Roster for the North Carolina State Firefighter’s Association. [The Morehead City Fire Department Roster for 2017 is attached to and made a part of these minutes herein by reference.]*

#### 3.E. Adopt Budget Ordinance Amendment 2017-03 in the General Fund to Increase Miscellaneous Revenue by \$250 for NCADA Donation; \$4,000 for Sponsorship Monies for Baseball Park; Increase Central Services by \$3,100 for Lobby Renovations; and IT Expenditures by \$1,200 for Website Migration and Adopt Budget Ordinance Amendment 2017-04 in the Baseball Park Capital Project Fund to Increase Revenue by \$4,000 for Receipt of Sponsorship Monies

The purpose of Budget Ordinance Amendment 2017-03 was to update the budget as follows:

- Increase Miscellaneous Revenue by \$250 to recognize donation from NCADA Charitable Foundation and to increase the Police Department by the same.
- Increase Miscellaneous Revenue by \$4,000 for receipt of sponsorship monies and to increase transfer to the Baseball Park Capital Project Fund by the same.
- Increase Central Service by \$3,100 for City Hall Lobby renovation and decrease Planning & Inspections by the same.
- Increase Information Technology expenditures by \$1,200 for website migration.

The purpose of Budget Ordinance Amendment 2017-04 Baseball Park Capital Project Fund was to increase revenue by \$4,000 for transfer from the General Fund for receipt of sponsorship monies.

The Finance and Administration Committee reviewed the proposed budget ordinance amendments and recommended adoption.

*Adopted Budget Ordinance Amendment 2017-03 in the General Fund to increase Miscellaneous Revenue by \$250 for NCADA donation; \$4,000 for sponsorship monies for Baseball Park; increase Central Services by \$3,100 for lobby renovations; and IT Expenditures by \$1,200 for website migration; and adopted Budget Ordinance Amendment 2017-04 in the Baseball Park Capital Project Fund to increase revenue by \$4,000 for receipt of sponsorship monies. [Budget Ordinance Amendments 2017-03 and 2017-04 are attached to Ordinance Book #7 in the vault.]*

**3.F. Adopt Ordinance 2017-01 North Carolina Department of Transportation [NCDOT] Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence – 45 Miles per hour for US 70 between Fourth Street and 0.418 Mile West of SR 1175 [Radio Island Road] and Ordinance 2017-02 North Carolina Department of Transportation [NCDOT] Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence – 45 Miles per hour for US 70 from 2<sup>nd</sup> Street to the Eastern Corporate Limit, Approximately 0.17 East of 1<sup>st</sup> Street**

The North Carolina Department of Transportation [NCDOT] has been working through the process of changing the route designations within Carteret County to the new alignment of US 70. With this process, the Transportation Mobility and Safety Department must revise the necessary ordinances to coincide with the new routes. To do this, the NCDOT must have concurrence from the City for ordinances within the municipal limits. Council approval of the Municipal Certifications will not change the speed limits currently along that area of US 70.

*Adopted Ordinance 2017-01 North Carolina Department of Transportation [NCDOT] Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence – 45 miles per hour for US 70 between Fourth Street and 0.418 Mile west of SR 1175 [Radio Island Road] and Ordinance 2017-02 North Carolina Department of Transportation [NCDOT] Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence – 45 miles per hour for US 70 from 2<sup>nd</sup> Street to the eastern corporate limit, approximately 0.17 east of 1<sup>st</sup> Street. [Ordinance 2017-01 and 2017-02 are attached to Ordinance Book #7 in the vault.]*

**3.G. Adopt Ordinance 2017-05 Amending the Code of Ordinances of the Town of Morehead City, Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9-188, Schedule XII – Speed Limits**

With the adoption of the two [2] previous ordinances as requested by the North Carolina Department of Transportation [NCDOT] for the speed limits along Arendell Street [US 70], it was discovered that the City's speed limit ordinance was not coinciding with those posted from the NCDOT. The adoption of Ordinance 2017-05 will align the current Morehead City Code of Ordinances with the signage and posted speed limits along Arendell Street [US 70].

*Adopted Ordinance 2017-05 Amending the Code of Ordinances of the Town of Morehead City, Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Section 9-188, Schedule XII – Speed Limits. [Ordinance 2017-05 is attached to Ordinance Book #7 in the vault.]*

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

**4. Citizen Requests/Comments: [2 Minute Time Limit]**

Keri McCann of Jack's Waterfront Bar at 505 Evans Street, formally thanked Councilman Ballou for recognizing the volunteer work that a lot of people put into the City. She continued that she was very upset with the lack of fireworks at the Crystal Coast Countdown. She gave a brief history of the Crab Pot Drop and the Committee which was formed to hold the festivities in downtown Morehead City on New Year's Eve. She voiced disappointment that the Committee did not happen this year. She stated that she chaired the Committee last year, thought that the same events were going to happen and did not think to question it. She continued that in her estimation people should have been notified that the

fireworks were not going to happen. She stated she had heard that the decision to not have fireworks was made in June, no one was notified and she understood that the sponsors who were supposed to do the fireworks were asked to pick up their checks because the fireworks show was not going to happen. She stated she understood the costs involved but this was one of the events which should not have been cut.

Mayor Jones explained that the Crystal Coast Countdown events and Committee were never a function of Morehead City municipal government. He continued that he asked individuals to help with the event and was told they could not do it at this time. He stated that he salvaged the Crab Pot Drop with the Morehead City Parks & Recreation Department and a few others as best he could. He continued that he was as passionate about these events as she was and that he would contact her and some downtown stakeholders to make it an annual event. He asked Keri to help in this endeavor as he would like to move forward.

## 5. New Business

### 5.A. Approve a Project to Place Benches and Walkways at Certain Street Ends

Public Services Director Daniel Williams reported that in an effort to beautify specific street ends and allow greater access to public waters, the City was undertaking a project to place cement walkways leading to benches at specific street ends. The locations would be Savannah Avenue, Raleigh Avenue, Oaksmith Boulevard, South 21<sup>st</sup> Street, South 18<sup>th</sup> Street, South 17<sup>th</sup> Street and North 13<sup>th</sup> Street. The total cost of the project was approximately under \$8,000.00. The Public Works Committee reviewed the project and recommended approval.

Mayor Jones commented that he heard there was opposition to this project at one of the street ends to which Public Services Director Williams replied that the residents think it may attract vagrants, however, it was a low impact project for very little costs with great results.

Mayor Jones was in agreement with the project but requested that letters be sent out to the area residents to advise them. If the area becomes a problem the benches could always be removed.

Councilwoman Warrender commented that it was a great project and that she lives close to the 12<sup>th</sup> Street Beach Access area which has a highly used picnic table and there are no problems.

Councilmen Walker and Taylor thought the project would help people get out and encourage walking. They both fully endorsed it.

Councilman Thompson liked the idea and stated that he lived at the end of 17<sup>th</sup> Street and thought the neighborhood would enjoy the bench at that water access site.

Sally Lumpkin commented that Savannah Avenue is her neighborhood, that she walked the site and requested that the City review the site as there is an erosion problem. The area encompasses a steep bluff cliff and with the question of liability, she was of the opinion that the site may not be appropriate for a bench and walkway.

***Councilman Taylor MOVED, seconded by Councilwoman Warrender, and carried unanimously, to approve a project to place benches and walkways at certain street ends as presented.***

### 5.B. Approve a Special One-Time Offer for Area Residences with Existing Wells within 25 Feet of the Public Road Right-of-Way Along Portions of Arthur Farm Road, Business Drive, Gloria Dawn Road, Bridges Street Extension, Country Club Road, Tootle Road, Mayberry Loop Road and Wastewater Treatment Plant Road to Connect to the Morehead City Water System

Public Services Director Daniel Williams reported that the City intends to install a wastewater force main with the public right-of-way along portions of Arthur Farm Road, Business Drive, Gloria Dawn Road, Bridges Street Extension, Country Club Road, Tootle Road, Mayberry Loop Road and Wastewater Treatment Plant Road. The City was aware that certain properties along the proposed new pipe line route have wells within 25 feet of the

public right-of-way and that the City intends to install the new pipe line a minimum of 25 feet from the existing wells. In some instances, this would entail placing the proposed pipe line under existing pavement. Rather than placing a pipe line under existing pavement, the City extends a one-time offer to certain properties with these wells to connect to the City water system at no charge [no tap fee and no impact fee]. In addition, the City would provide each property owner accepting this offer a lump sum of \$250 intended to partially offset the costs associated with connecting the City water system.

In order to qualify for this offer, the property owner[s] must agree to allow Morehead City to abandon the existing well currently located near the road right-of-way. The well would be abandoned in a permanent manner in accordance with state standards at no cost to the property owner. Each property participating in this offer will be required to open a water account with Morehead City.

Public Services Director Williams requested that the Council allow the City to go and ask about 25 entities along the route if they would be willing to take this offer. The residents will not be forced to tie on if they chose not to. The plans already show going around these specific well areas. If the route did not have to go around these areas, it would save a substantial amount of money.

***Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to approve a Special One-Time Offer for area residences with existing wells within 25 feet of the public road right-of-way and whose residences are along portions of Arthur Farm Road, Business Drive, Gloria Dawn Road, Bridges Street Extension, Country Club Road, Tootle Road, Mayberry Loop Road and Wastewater Treatment Plant Road to connect to the Morehead City Water System at the aforementioned special connection rates and agreements.***

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

### **6.A. Appointment of an Acting City Manager in the Absence of City Manager David Whitlow**

City Manager Whitlow reported that he will be out of the country and not accessible by either cell phone or email during much of the time from February 15, 2017 until February 28, 2017. Normally, when he was away, he can leave contact information should an emergency arise, and normally would have a faster return to Morehead City if necessary. This will not be possible on this occasion.

§160A-149 of the General Statutes of North Carolina states: "By letter filed with the City Clerk, the manager may designate, subject to the approval of the Council, a qualified person to exercise the powers and perform the duties of manager during his temporary absence or disability. During this absence or disability, the Council may revoke that designation at any time and appoint another to serve until the manager returns or his disability ceases."

With the approval of the Council, he designated Jewel Lasater to serve as the Acting Manager from February 15, 2017 until February 28, 2017. In addition to being in a position to know most of the activities and programs that are ongoing in Morehead City, Jewel is also a signatory for our various accounts, therefore not requiring additional signature cards from our depositories.

***Councilman Walker MOVED, seconded by Councilman Ballou, and carried unanimously, to appoint Finance Director Jewel Lasater to serve as Acting City Manager from February 15, 2017 until February 28, 2017 in the absence of City Manager David Whitlow.***

### **6.B. Approval to Enter into an Agreement for a School Resource Officer**

City Manager Whitlow reported that the Carteret County Board of Education requested that the Morehead City Police Department assist the alternative school, adjacent to West Carteret High School, by entering into an agreement to provide a School Resource Officer. In return, the schools would provide \$45,000 for this service.

It was determined that the amount offered by the school system would cover the cost of salary and benefits for an officer for that portion of time that the officer was dedicated to the alternative school, but not for any additional costs. The City would have the use of the officer during non-school hours and when school is not in session. Chief Morris has identified an existing officer who is already certified as a school resource officer who is already on staff and interested in the position, so no additional hiring would be required.

#### Calculation of Cost

Annual Salary and Benefits for Existing Certified Officer	\$64,337.92
Total Hours Dedicated to SRO Duties	1,554
Total Hours of Annual Employment for Sworn Officers	2,184
Percentage of Cost Borne by SRO Agreement	71.154%
Cost for SRO Service	\$45,779.00

At the regular Public Safety Committee meeting, the Committee recommended that the Council enter into an agreement with the Carteret County Board of Education to provide the requested services.

Upon a question from Mayor Jones if this will impact the Police Department, Police Chief Bernette Morris replied “no”.

***Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously, to grant the request of the Carteret County Board of Education and enter into an agreement to provide a School Resource Officer for the alternative school adjacent to West Carteret High School.***

#### 6.C. Set the Date of a Budget Work Session

The Council set the date of **Wednesday, February 8 at 4:00 p.m.** in the Council Chambers at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina for a Budget Work Session/Special Meeting.

#### 7. Council Requests/Comments:

The Council thanked everyone for their interest and wished all a Happy New Year.

#### 8. CLOSED SESSION AS PER G.S. 143-318.11.[A][3][6] TO APPROVE THE CLOSED SESSION MINUTES OF TUESDAY, NOVEMBER 8, 2016 AND TUESDAY, DECEMBER 6, 2016, AND TO DISCUSS PERSONNEL ISSUES

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

City Manager David Whitlow and City Clerk Jeanne Giblin were excused from the CLOSED SESSION.

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

***Councilman Taylor MOVED, seconded by Councilman Walker, and carried unanimously, to rescind and overturn the motion and action of Council taken on December 6, 2016 which ceased any further action to fill any vacancy in the Town Clerk or Town Clerk Trainee position and suspended the funding for such positions, to further move that the Council make and establish a personnel policy and job requirement that any candidate for the position of Town Clerk, Assistant Town Clerk, Deputy Town Clerk, or Town Clerk Trainee must have at least two [2] years full time employment experience in one of those positions before they will be considered for employment into such a position with the Town.***

**Councilman Taylor MOVED, seconded by Councilwoman Warrender, and carried unanimously, to offer City Manager David Whitlow a .7 percent COLA [cost of living adjustment] and a 2.3 percent merit raise for a total of 3 percent.**

**Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously, to approve and release the CLOSED SESSION Minutes of Tuesday, November 8, 2016 Regular Meeting and Tuesday, December 6, 2016 Special Meeting.**

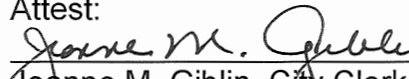
City Manager David Whitlow distributed a letter to the Council requesting to consider January 3, 2018, as his retirement date. He will be fully qualified to retire on September 6, 2017, but if the Council desires this date could be extended until January 3, 2018, with an amendment to his current employment contract.

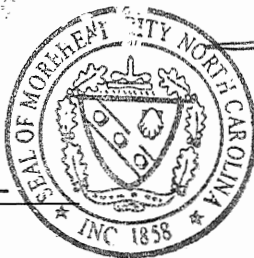
The Council concurred to let him know of their decision regarding his retirement dates at the next Council Meeting on February 14, 2017.

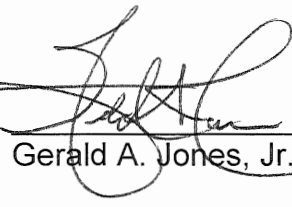
## 9. Adjournment

There being no further business, the meeting was adjourned at 7:30 p.m.

Attest:

  
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Jeanne M. Giblin, City Clerk



  
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Gerald A. Jones, Jr., Mayor