

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

Tuesday, May 12, 2020

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, May 12, 2020, in the Municipal Chambers located at 202 South 8th Street, Morehead City, North Carolina.

This meeting was conducted utilizing Zoom Video Communication Inc. software due to the COVID-19 crisis and Governor Cooper's Executive Order 121 siting that no more than ten (10) persons should be gathered in the same location at the same time. Those in attendance were:

COUNCIL PRESENT: Mayor Gerald A. Jones, Jr.; Councilmembers George Ballou, David Horton, Keri V. McCann, William F. Taylor, and Diane C. Warrender.

STAFF PRESENT: City Manager Ryan Eggleston; Parks and Recreation Director Jerry Riggs, and City Clerk Cathy Campbell.

OTHERS PRESENT: Elise Clouser of the Carteret News Times;

STAFF PARTICIPATING VIA ZOOM: City Attorneys Derek Taylor and Mike Thomas, Planning Director Sandi Watkins, Fire Chief Jamie Fulk, Police Chief Burnette Morris, Communications Director Alize Proisy, IT Director Jon Snyder; Public Services Director Daniel Williams, Finance Director Jewel Lasater, Human Resources Director Susan Nixon and City Planner Mackenzie Todd.

OTHERS PARTICIPATING VIA ZOOM: Lee Hinson and Lisa Rueh of Downtown Morehead City Inc.; Crystal Hesmer and Madison Maxwell of The Big Rock; Lucy Bondlucia, George Hester, Kristi Mroch, Curtis Oden, William Rogers, Diane Tootle and Glen and Catherine White.

Mayor Jones called the regular meeting of the Morehead City Town Council to order at 5:34 p.m. with a quorum present and welcomed everyone who was participating via Zoom. Councilmember Ballou gave the invocation, and Mayor Jones led all in the Pledge of Allegiance.

CONSENT AGENDA

Councilmember Horton asked for further clarification of the \$1.3 million reflected on Budget Ordinance 2020-09 (Item 2.Q). Finance Director Jewel Lasater explained that it is the total of prior building maintenance and utility expenditures for the old school building. These are being removed from the Municipal Campus Capital Project Fund as a housekeeping measure to ensure recording of actual costs of the Municipal Campus project.

Mayor Jones reviewed the Consent Agenda. Councilmember Horton made a motion **to approve the Consent Agenda as presented.** Councilmember Taylor seconded and the motion carried unanimously. (5-0)

Included within the Consent Agenda were the following approvals:

- A. Approve Minutes of the April 7, 2020 Council Workshop Meeting.
- B. Approve Minutes of the April 14, 2020 Special Town Council Meeting.
- C. Approve Minutes of the April 14, 2020 Regular Council Meeting.
- D. Accept the Finance Director Report and Tax Collector Report.
- E. Accept Notice of Ad Valorem Tax Overpayments in the Amount of \$453.73 for the Month of April 2020 as Presented.
- F. Approve the Requests for Refunds of Overpayment of Ad Valorem Taxes in the Amount of \$2,131.82 for the Month of April 2020 as Presented.
- G. Accept Annual Audit Contract & Arrangement Letter with RSM US LLP for FYE 6/30/2020.
- H. Adopt Resolution 2020-R-18, Endorsing The Swansboro Rotary Bluewater Fishing Tournament And Authorizing Action Necessary For The Event To Be Held May 23-25, 2020 On The Morehead City Waterfront.
- I. Adopt Resolution 2020-R-20 Endorsing The 1st Annual Morehead City Open King Mackerel Tournament And Authorizing Action Necessary For The Event To Be Held October 14-17, 2020 On The Morehead City Waterfront.
- J. Adopt Resolution 2020-R-21, Endorsing The 10th Annual North Carolina Troopers Association Offshore Inshore Saltwater Challenge And Authorizing Action Necessary For The Event To Be Held October 16-18, 2020.
- K. Adopt Resolution 2020-R-22, Endorsing The Raleigh Saltwater Sportfishing Club King Mackerel Tournament And Authorizing Action Necessary For The Event To Be Held July 24-26, 2020
- L. Adopt Resolution 2020-R-23, Endorsing The Pints For A Purpose Inc. Summer Festival And Authorize Actions Necessary For The Event To Be Held Friday, July 3, 2020 On The Morehead City Waterfront.
- M. Adopt Amended Resolution 2020-R-11, Endorsing The Big Rock/Blue Marlin Fishing Tournament and Establishing July 5-11, 2020 as Alternate Tournament Dates.
- N. Approve Support For Carteret County Certified Retirement Community Designation.

- O. Approve Personnel Policies Amendment In Adherence To The Families First Coronavirus Response Act (FFCRA).
- P. Adopt Ordinance 2020-O-04 Establishing A Utility Payment Plan For The Town Of Morehead City In Accordance With Governor Cooper's Executive Order 124.
- Q. Adopt Budget Ordinance Amendments 2020-07, 2020-08, And 2020-09 as Presented.
- R. Approve NC Public Beach And Coastal Waterfront Access Program Kayak Launch Grant Application.
- S. Approve Support of NC Public Beach And Coastal Waterfront Access Program Carteret Community College Shoreline Trail Application.
- T. Approve Reappointment of Gina Sanderson to the Board of Adjustment In-City Seat for a Three-Year Term Beginning August 27, 2020 and Ending August 27, 2023, and Approve Recommendation to the Carteret County Board of Commissioners to Reappoint Diane Gagnon to the ETJ Alternate Seat for a Three-Year Term Beginning August 27, 2020 and Ending August 27, 2023.

The above noted resolutions are attached to and made a part of these minutes herein by reference. The above noted Ordinances are filed in Ordinance Book #8. The RSM US LLP Annual Audit Contract & Arrangement Letter are on file in the Clerk's office.

PUBLIC HEARINGS:

Consider Adoption of Ordinance 2020-O-02 Approving Request To Rezone 3408 Pine Street (Parcel #637615530758000) from R10 (Single-Family Residential) District to OP (Office and Professional) District, and Resolution 2020-R-27 of Plan Consistency in Accordance with N.C.G.S. 160A-383 for Map Amendment.

Planning Director Sandi Watkins presented request from Will Rogers, on behalf of Elba McLawhorn, to rezone 3408 Pine Street (Tax PIN #637615530758000) from R10 (Residential District) to O&P (Office Professional), and Resolution 2020-R-27 of Plan Consistency.

This 0.58 acres property is currently undeveloped. Surrounding zoning includes R-10 (Residential) to the northeast and east, and O&P (Office Professional) to the north, west, and to the south across Pine Street.

Surrounding land use includes residential to the northeast and east and a mix of office uses to the north, south, and west.

The Planning Board reviewed the request at their April 21, 2020 meeting and voted unanimously to recommend approval of the rezoning as presented. Tom Saunders made the motion and Frank Eastman seconded.

Property owners within 300 feet of the property were notified of the Planning Board

meeting as well as the date of this public hearing. The property was posted, and the hearing was advertised twice in the Carteret News Times on April 26 and May3, 2020.

At this time, Mayor Jones opened the public hearing inviting anyone who would like to speak in favor of or in opposition to the proposed zoning request to come forward.

PUBLIC COMMENTS

William “Will” Rogers, 811 Bay Street, Morehead City: Joining the meeting via Zoom, Mr. Rogers stated that the request is straightforward since the property is surrounded by other office and professional uses, and this aligns with how they plan to use it.

At this time, IT Director Jon Snyder gave instructions to those participating via Zoom or phone on how to indicate a desire to be heard. No further requests to be heard were observed.

COUNCIL COMMENTS

Hearing no further comments or questions, Mayor Jones closed the public hearing.

Councilmember Taylor made a motion to **Adopt Ordinance 2020-O-02 approving request to rezone 3408 Pine Street (Parcel #637615530758000) from R10 (Single-Family Residential) District to OP (Office and Professional) District, and Resolution 2020-R-27 of Plan Consistency in accordance with N.C.G.S. 160A-383 for Map Amendment.** Councilmember Ballou seconded and the motion carried unanimously. (5-0)

Ordinance 2020-O-02 is filed in Ordinance Book #8. Resolution 2020-R-27 is attached to and made a part of these minutes herein by reference.

Consider Adoption of and Order Affixed to the Code Of Ordinances Ordinance 2020-O03 Approving Request to Amend Article 2-2 of the Unified Development Ordinance to Add a Definition for "Event Venue, Residential", Amend Article 11-1 to Add "Event Venue, Residential" as a Special Use in the Single-Family Residential (R10) District, and Add Article 14-50 to Establish Special Requirements for Residential Event Venues, and Resolution 2020-R-28 of Plan Consistency in Accordance with N.C.G.S. 160A-383 for Map Amendment.

Planning Director Sandi Watkins presented request from Glenn and Catherine White to amend Article 2-2 of the Unified Development Ordinance (UDO) to add a definition for “Event Venue, Residential,” amend Article 11-1 to add “Event Venue, Residential” as a special use in the R10 District and add Article 14-50 to include special requirements for residential event venues. She stated that the amendment is somewhat similar to a separate amendment which allows for commercial event venues and which was approved by the Council in June of last year with the exception that residential event venues, as proposed, would allow for up to 4 non-residential events per year on a site located in the R10 residential district. Events would be limited to parcels or contiguous parcels under unified control with a minimum of 2.18 acres, and

a zoning permit would be required for each event. Parking would be required to be maintained on the site and would not be allowed to overflow onto streets.

Ms. Watkins presented several slides of the R10 district. A special use permit would be required for commercial events to occur on a site. As part of a special use permit application review by the Board of Adjustment, the application must demonstrate that the proposed use would not adversely affect the surrounding area and the request would have to meet the requirements associated with the use that are proposed to be added to Article 14.

This request does not propose to adjust requirements for non-commercial events. No special use permit would be required for a private property owner to hold an occasional event such as a wedding, baby shower, or birthday party as proposed.

A slide was presented that depicts the properties which are currently zoned R10 and appear to have at least 2.18 acres under common ownership. Only five (5) properties would qualify for this type of use within the R10 District, which includes an undeveloped tract on Hwy 24, a tract behind West Carteret High School, St. Peters Methodist Church, the White's property adjacent to the Hampton Inn, and a tract on North 20th Street.

At their April 21, 2020 meeting, the Planning Board unanimously voted to recommend approval of the text amendment as presented. Tom Saunders made the motion and Frank Eastman seconded. There was no opposition voiced at the meeting.

Notices of this hearing were posted at City Hall, the Municipal Building and on the City's website. As required, it was advertised twice in the Carteret News Times on April 26 and May 3, 2020.

Councilmember Horton asked if two adjacent property owners could apply jointly to meet the 2.18 acre requirement. Ms. Watkins stated that she did not believe two lots could be used to meet the requirement unless the same individual owns both.

At this time, Mayor Jones opened the public hearing inviting anyone who would like to speak in favor of or in opposition to the proposed text amendment request to come forward.

PUBLIC COMMENTS

Glenn White, 209 Oaksmith Blvd: Mr. White explained that following a family wedding held on their property, they received several requests to use the property for other weddings. Two others have been held since that time without complaint except for the second. There were some complaints following the second wedding regarding how garbage was handled. The neighbors and the Hampton Inn have been very supportive. The intention of the request is to ensure that they are compliant with all city ordinances and permit requirements. Mr. White stated that it is not their intention to use or advertise the property as a public venue, but would simply like to share this beautiful property on a limited and selective basis.

Catherine White, 209 Oaksmith Blvd: Mrs. White stated that the property is bordered

by the Hampton Inn, the Dowdy property on Arendell Street, Bogue Sound and the Oaksmith Boulevard residential community. She has no desire to create a public venue on the site, but would like to share it with family and friends.

Hearing no further comments or questions, Mayor Jones closed the public hearing.

COUNCIL COMMENTS

Councilmember Ballou asked for clarification as to what type of events for which the property could be leased. Ms. Watkins listed the allowable uses under a special use permit. She stated that family weddings and other events would be permissible; however, the proposed commercial use is not permitted under the current zoning. Four (4) commercial events would be permitted per year under the proposed ordinance.

Councilmember Taylor stated that with the elimination of conditional zoning, this provides a method for which to control property usage.

Ms. Watkins stated that surrounding property owners were not notified in writing of this public hearing because it applies to the entire district not a specific parcel. However, surrounding property owners will be notified of future hearings whenever a special use permit is to be considered for a specific location.

Councilmember McCann made a motion to **Adopt and Order Affixed to the Code of Ordinances Ordinance 2020-O-03 amending Article 2-2 of the Unified Development Ordinance to add a definition for "Event Venue, Residential," amend Article 11-1 to add "Event Venue, Residential" as a special use in the Single-Family Residential (R10) District, and add Article 14-50 to establish special requirements for residential event venues, and Resolution 2020-R-28 of Plan Consistency in accordance with N.C.G.S. 160A-383 for Map Amendment.** Councilmember Taylor seconded and the motion carried unanimously. (5-0)

Ordinance 2020-O-03 is filed in Ordinance Book #8. Resolution 2020-R-28 is attached to and made a part of these minutes herein by reference.

NEW BUSINESS:

Consider Adoption of Resolution 2020-R-29 Approving the Revised Pamlico Sound Regional Hazard Mitigation Plan

City Manager Ryan Eggleston stated that adoption of the revised Hazard Mitigation Plan is presented as a matter of procedure. Local municipalities must adopt a Hazard Mitigation Plan every five-years to remain eligible for disaster recovery assistance, and such adoption is to be made under new business to allow for discussion.

Councilmember Ballou made a motion to **adopt Resolution 2020-R-29, approving the Revised Pamlico Sound Regional Hazard Mitigation Plan.** Councilmember McCann seconded and the motion carried unanimously. (5-0)

Resolutions 2020-R-29 is attached to and made a part of these minutes herein by reference.

CITY MANAGER'S REPORT:

Purchasing Policy Update – Staff continues to work on the purchasing policy manual although progress has been hampered by COVID 19. As an interim step to guard cash flow, the threshold at which the manager and finance director must approve a purchase was lowered to \$5,000. The goal is to have the manual ready for presentation at the July Regular Town Council meeting.

COVID-19 Update – Restrooms are open at most public parks and the Newport River boat ramp. City will continue to plan for re-opening in conjunction with Governor Cooper's three-phase plan.

Mr. Eggleston shared that Downtown Morehead City, Inc. cancelled their first "Alive At Five" concert, and the City will also be cancelling its first "Music In the Park" concert.

Summer Camp – Mr. Eggleston recommended that the Summer Camp program be cancelled for this year based on guidance received from the NC Department of Health and Human Services. Parks and Recreation Director Jerry Riggs distributed copies of the document that specifies camps and programs serving children and teens may only open if they are in full compliance with the Interim Coronavirus Disease 2019 (COVID-19) Guidance for Day Camp or Program Settings Serving Children and Teens. Facilities opening after extended closure must follow the Centers for Disease Control and Prevention (CDC) guidelines. The stated requirements and guidelines would be difficult to administer under the Department's structure, and the Recreation Center would have to be closed to all other users for the duration of the camp as no one may enter the building except staff and campers. He went through the list of restrictions noting those that would prove most challenging. One of the most challenging is the requirement to keep children separated into smaller groups in order to maintain the six-foot social distancing requirement, and these groups must consist of the same children each day, with the same camp providers, and that they meet in the same space each day. Field trips are prohibited; therefore, participants would be restricted to activities that could be conducted within the assigned space. The Department does not have sufficient space to maintain the required separation for 100 children.

Mr. Riggs advised that Emerald Isle Parks and Recreation is also requesting that their Boars cancel summer camp for their jurisdiction. In lieu of these camps, Mr. Riggs suggested offering one-day activities, in July or August, for smaller groups where safety restrictions can be more easily managed.

If cancelled, all collected funds will be refunded. The same would apply to the Police Department's summer camp.

Council agreed by consensus to cancel the summer camps.

In closing, Mr. Riggs reported that the playgrounds are scheduled to reopen in Phase 2, which begins May 22, 2020. He cautioned that the cleaning requirements are going to be very challenging for staff to manage; therefore, the City might want to delay the opening.

CITIZEN REQUESTS/COMMENTS (2 Minute Time Limit)

No requests to be heard indicators were observed.

COUNCIL REQUESTS/COMMENTS

Councilmember Warrender had no comment.

Councilmember Taylor shared that he prepared minutes of the meeting with the Concerned Citizens of Morehead City that he will share with Council.

Councilmember Horton stated that the meeting with Concerned Citizens of Morehead City went very well, and feels it was a very positive first step.

Councilmember Ballou had no comment.

Councilmember McCann had no comment.

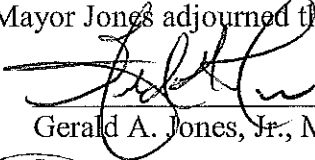
CLOSED SESSION PER NCGS 143.318.11(a) (3) TO CONSULT WITH CITY ATTORNEY.

Councilmember Ballou made a motion to enter into Closed Session at 6:45 p.m. per NCGS 143.318.11(a)(3) to consult with city attorney. Councilmember Warrender seconded and the motion carried unanimously (5-0).


Councilmember Warrender moved to return to OPEN SESSION at 8:54 p.m. Councilmember Taylor seconded and the motion carried unanimously. (5-0)

ADJOURNMENT

There being no other business to discuss, Mayor Jones adjourned the meeting 8:55 p.m.



Gerald A. Jones, Jr., Mayor

Attest: 

Cathy Campbell, City Clerk

