

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

Tuesday, September 8, 2009

The Honorable Council of the Town of Morehead City met in regular session on Tuesday, September 8, 2009, at 5:30 p.m., in the Municipal Building Auditorium at 202 South 8th Street, Morehead City, North Carolina. Those in attendance were:

MAYOR: Gerald A. Jones, Jr.

MAYOR PRO TEM: George W. Ballou

COUNCILMEN: Paul W. Cordova

David Horton

John F. Nelson

Demus L. Thompson

CITY MANAGER: R. Randy Martin

CITY CLERK: Jeanne M. Giblin

CITY ATTORNEY'S OFFICE: Nelson W. Taylor, III, Derek Taylor, Michael Thomas

OTHERS: Planning Director Linda Staab; Mike Shutak, Reporter, CARTERET NEWS TIMES; Pam Brecheison; Julie Elker; Vernon Mountcastle; Jean Sutherland, Dwight Fulcher 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. Special Presentation: Carteret Literacy Council

The Carteret Literacy Council is a non-profit organization, founded in 1984, which provides one-on-one tutoring through trained volunteers to adults, out of school youth, and high school, middle school and elementary school students. Each year the Council raises funds through the Carteret Literacy Council's Annual Business Spelling Bee. This, the 8th year of the event, will be held at 11:30 a.m., on Wednesday, October 21st at Glad Tidings Church on Country Club Road in Morehead City.

Jean Sutherland and Pam Brecheison, representatives of the Carteret Literacy Council, made brief comments and accepted a proclamation from Mayor Jones.

III. Adoption of the CONSENT AGENDA

III.A. Approval of Minutes: Tuesday, August 11, 2009, Regular Meeting

Approved the minutes of Tuesday, August 11, 2009, Regular Meeting and dispensed with the reading.

III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for August 2009, in the amount of \$5,411.43; and Accept the Tax Collector and Finance Director Reports for August 2009

Approved the requests for release of overpayment of ad valorem taxes for August 2009, in the amount of \$5,411.43; and accepted the Tax Collector and Finance Director Reports for August 2009.

III.C. Adopt Resolution 2009-41 Declaring Police Property as Surplus and Authorizing for Disposal

Periodically the City needs to dispose of property that is deemed surplus. The adoption of Resolution 2009-41 formally declares specific equipment items as surplus and authorizes the Police Chief to offer the items for sale at an online auction at www.propertyroom.com. Terms of the sale shall be a reserved auction, cash, certified check, travelers check and/or money order. All property is sold as is, where is, with no warranty of condition by the City. [Resolution 2009-41 is attached to and made part of these minutes].

Adopted Resolution 2009-41 Declaring Police Property as Surplus and Authorizing for Disposal. [Attached to and made a part of these minutes is Resolution 2009-41.]

III.D. Adopt Ordinance 2009-42 Amending the Code of Ordinances of the Town of Morehead City, Chapter 3, Animals, Article II, Dogs and Cats, Sec. 3-17 Listing dogs and cats with the city and Sec. 3-18 License

Every dog/cat residing within Morehead City has been for years required by code to be registered with the Morehead City Police Department and obtain a license tag. Unfortunately, there have been a lot of pet owners who have not complied with the code required process. In an effort to improve compliance and as a cost-savings and time-savings measure the Morehead City Police Department Animal Control Division has requested that only permanent one-time license tags be issued for those dogs and cats which reside within the township. This would eliminate the yearly license and hopefully encourage registration and compliance. The one-time permanent license is a measure to help identify those pets which become “found” in Morehead City. The Public Safety Committee of the Council reviewed the proposed amendment and recommend its adoption.

Adopted Ordinance 2009-42 Amending the Code of Ordinances of the Town of Morehead City, Chapter 3, Animals, Article II, Dogs and Cats, Sec. 3-17 Listing dogs and cats with the city and Sec. 3-18 License. [Ordinance 2009-42 is attached to Ordinance Book #6 in the vault.]

III.E. Amend The Fee Schedule regarding Chapter 3, Animals, Article II. Dogs and Cats, Section 3-28(b); Chapter 8, Licenses, Permits & Business Regulations, Article VI. Taxicabs, Section 8-158 (d); and Chapter 10, Offenses/Miscellaneous, Copy of Accident Reports

The Morehead City Police Department has requested that certain fees be changed to keep pace with the costs of the administration process. These fees include establishing a one-time fee for issuance of permanent pet licenses, increase in the taxi driver administrative fees and an increase in the fee for copies of accident reports. The Public Safety Committee of the Council reviewed these fees at their last meeting and recommended approval.

Amended The Fee Schedule regarding Chapter 3, Animals, Article II. Dogs and Cats, Section 3-28(b); Chapter 8, Licenses, Permits & Business Regulations, Article VI. Taxicabs, Section 8-158 (d); and Chapter 10, Offenses/Miscellaneous, Copy of Accident Reports.

III.F. Approve and Authorize Execution of a Memorandum of Agreement between Carteret County and the Town of Morehead City for Disposal of Storm Debris

Each year Carteret County provides locations for municipalities to dispose of storm related vegetative debris. If needed, this year’s location for the area serving this section of the county including Morehead City would be behind the Flea Mall located on Carl Garner Road in Newport. The Public Works Committee of the Council discussed the agreement and recommended approval. The City Attorney also reviewed the agreement.

Approved and Authorized Execution of a Memorandum of Agreement between Carteret County and the Town of Morehead City for Disposal of Storm Debris. [Attached to and made a part of these minutes is a copy of the Memorandum of Agreement.]

III.G. Adopt Ordinance 2009-43 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Sec. 9-188 Speed Limits (c) of the Morehead City Code of Ordinances

The City periodically has new streets constructed which need to be added to the City maintained street system. The following streets have been recently added to the Morehead City street system and need to be included in our traffic schedules for enforcement of speed limits:

Barnacle Ln.
Cove Ct.
Fathom Way
Galley Cir.
Hogan Ct.
Lantern Way

Main Sail Rd.
Meridian Blvd
Mickelson Way
Navigation Way
Old Farm Rd.
Pinnacle Pt.

The adoption of this amendment is routine so that speed limits are approved and listed in the code. The Public Works Committee of the Council recommended the adoption of the proposed amendment.

Adopted Ordinance 2009-43 Amending Chapter 9, Motor Vehicles and Traffic, Article VII, Traffic Schedules, Sec. 9-188 Speed Limits (c) of the Morehead City Code of Ordinances. [Ordinance 2009-43 is attached to Ordinance Book #6 in the vault.]

III.H. Adopt Resolution 2009-43 Declaration of Official Intent to be Reimbursed from Borrowed Funds for Police Station/E-911 Center Project Expenditures

At the last Council meeting, the Council authorized a contract with D. H. Griffin Construction Company for up to \$5,105,500 for the proposed Morehead City Police Station/County E-911 Center to be located on a portion of the Wallace School property site on 12th Street. In April the Council adopted a budget ordinance amendment for \$6 million for the total budget appropriation for all related expenses for the project. This included total costs for the building construction, equipment, furnishings, architectural fees, contingencies and alternates, etc. Carteret County will share in the expenses. Since all costs are not finalized including the county and City share, the resolution states the maximum borrowing will not exceed \$5.0 million. The final borrowed amount will reflect the actual amount of CITY ONLY costs for the project. By adopting Resolution 2009-43 the Council formally declares its official intent to pursue a loan for the project as previously agreed upon and the City's intent to be reimbursed from the proceeds of the borrowing for eligible expenditures incurred by the City prior to the issuance of the borrowing. This is standard procedure for the period while the City undertakes requesting financial proposals from interested banks and while awaiting the required formal State Local Government Commission's approval of the loan terms. The City has employed this procedure in previous projects funded with debt proceeds. This is a requirement for the use of tax exempt financing instruments by local governments.

Adopted Resolution 2009-43 Declaration of Official Intent for Morehead City to be reimbursed for expenditures incurred prior to borrowing funds for Police Station/E-911 Center construction. [Attached to and made a part of these minutes is Resolution 2009-43.]

III.I. Approve the Authorization to negotiate a Contract not to exceed \$31,000 with the Louis Berger Group of Raleigh, N.C., to develop the Morehead City Comprehensive Pedestrian Plan and to Appoint Members to the Morehead City Pedestrian Plan Committee

Morehead City is in receipt of a grant in the amount of \$24,800 from the North Carolina Department of Transportation [NCDOT] with a City match of \$6,200 for a total project amount of \$31,000 to develop the Morehead City Comprehensive Pedestrian Plan. City staff received six [6] proposals of which four [4] finalists were selected for interviews. The consultant with the best qualifications was The Louis Berger Group of Raleigh, N.C. The Planning Committee of the Council supported the staff recommendation to award the contract to The Louis Berger Group. The Council was requested to authorize the City to enter into a contract with The Louis Berger Group in an amount not to exceed \$31,000.

In conjunction with the development of a Comprehensive Pedestrian Plan for Morehead City, the following individuals have been suggested to serve on the Pedestrian Plan Committee: Tim Guthrie, David McCabe, Demus Thompson, David Horton, Bob Coles, Sheila Martin, Michael Lupton, Matt Graham, Cass Flowers, Louise Hughes, Dick Gambill, Bill Hettler, Gaye Mashburn, David/Terri Robertson, Gina Williams, Ken Wood, Craig Hassler, Bill Taylor, Curtis Fleshman and Gordon Thayer. The Planning Committee of the Council recommended approval of the suggested appointees and City staff will contact the individuals to determine their willingness to serve. Additional names can be added by the Council if desired as there is no specific limit on the number of members.

Approved the Authorization to negotiate a Contract not to exceed \$31,000 with the Louis Berger Group of Raleigh, N.C., to develop the Morehead City Comprehensive Pedestrian Plan and to Appoint Members to the Morehead City Pedestrian Plan Committee.

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

IV.A. Public Hearing: Adopt Ordinance 2009-37 granting the City Initiated Request Amending the Unified Development Ordinance [UDO] and Map of the

Town of Morehead City to include in the CH [Highway Commercial] District all Properties currently zoned CS [Shopping Center] District; and adopt Ordinance 2009-41 Amending Articles 9, 11, 13 and 15 of the UDO to Eliminate Language Associated with the CS District

Planning Director Staab explained that following a review of the City's zoning map, it was discovered that there are only 38 parcels totaling 79.5 acres which are currently zoned CS [Shopping Center]. Both CH [Highway Commercial] District and CS Districts were evaluated and it was determined that the differences in the permitted and special uses and the development standards are minimal. It was recommended that the CS classification be eliminated and all properties [and portions thereof] currently zoned CS be rezoned to CH. Property owners were notified of the proposal in early June. All properties are located within the corporate limits.

The five [5] major map changes are as follows:

The Cypress Bay Plaza area is located in Neighborhood 10 of the Land Use Plan and is classified as General Commercial. The area is surrounded by CH zoning with the exception of R20 across Highway 24 to the south. Although "adult establishments" and "bar/cocktail lounge" are listed as permitted uses in the district, the location of four churches within ¼ of a mile of this shopping center would currently prevent either use to locate on the site, as the UDO prohibits adult establishments and bar/cocktail lounges from locating within ¼ mile of any existing or proposed church, school or daycare facility. Adult establishments are further restricted by a 500' buffer from any residential zoning district, they must not be located within ¼ mile of a public park, and they must be located on a site at least two acres in size. Although the minimum lot size requirement for the CS district is 2.18 acres, only 8 of the 38 CS zoned parcels contain over 2 acres.

The Parkway Shopping Center Area is located in Neighborhood 6 of the Land Use Plan, and is classified as General Commercial and Medium Density Residential. Adjacent zoning includes CH, OP, IC, R5, R15, and R20. There are two schools and two churches within ¼ mile of the area.

The Taco Bell/Bistro by the Sea area is located in Neighborhood 6 of the Land Use Plan and is classified as General Commercial and Medium Density Residential. Surrounding zoning includes CH, CH-CU, R10 and PD.

The Sports Center is located in Neighborhood 5 of the Land Use Plan and is classified as Low Density Residential. Surrounding zoning includes R5S, R20 and OP. There are three daycares located within ¼ mile of the property.

The Morehead Plaza area is located in Neighborhood 4 of the Land Use Plan and is classified as General Commercial. Adjacent zoning includes: CH, CH-CU, CN, OP, PD, R5, R10, and R5S. There is a church within ¼ mile of the property. The uses within the existing CS zoned areas currently include: Retail and wholesaling indoor, Restaurant, Personal services, Recreation use, for profit, Retail, marine-related, Motor vehicle sales, Financial institution, Mobile home park, Office, all, Theater, and Single-family dwelling.

The proposal does not appear to conflict with policy statements contained in the CAMA Land Use Plan. All property owners within 300 feet of the rezoning site were notified of the Planning Board meeting as well as the Town Council public hearing. All property owners have been notified by letter and all changes were advertised in the Carteret County News Times.

This recommendation includes both map and text amendments. The text amendment's include:

- Eliminating the CS District - Article 9
- Remove CS District from Table of Permitted/ Special Uses – Article 11
- Remove CS reference from Schedule of Development Requirements – Article 13
- Remove CS references from Buffers/Screens – Article 15

During its August 18, 2009 meeting, the Planning Board recommended unanimously approval of eliminating the Commercial Shopping [CS] and rezoning the 38 parcels totaling

79.5 acres to Commercial Highway [CH]. The motion was made by Gordon Thayer and seconded by Corinne Geer. The Planning Committee of the Council reviewed the proposed ordinance amendments and recommended adoption.

Councilman Horton expressed concern that if all the possibilities or uses of the CH District could go where shopping centers are now, it could change the entire nuance of shopping centers in terms of tenants and usage. He was also concerned that although property owners were notified of the zoning change, tenants were not. He continued that tenants, especially those with long term leases, should also be notified of the proposed amendment. He proposed that City staff should contact those tenants.

Councilman Thompson stated his main concern was about vacancies in shopping centers versus occupied buildings. He continued that at the Planning Board meeting all inquiries were answered satisfactorily and the public seemed amenable to the rezoning.

Mayor Jones opened the public hearing.

Julie Elker with U.S. Properties Group which manages the Cypress Bay Shopping Center commented that she has spoken with those tenants and some were concerned. She continued that most of her leases have restrictions already in place as to occupancy uses, but her tenants wanted to know the impact of the rezoning. They expressed concern with some of the uses which are allowed in the CH District and wanted clarification.

Manager Martin explained that if the lease entity constricts the uses, it would not be impacted by the rezoning. The adoption of the proposed amendments would not change those restrictions. He continued that most of our large commercial properties are under single use management and have their own restrictions.

Dwight Fulcher who owns property right by the Morehead Plaza stated he is in favor of the rezoning change. In his opinion, most properties in the CS District are too small to really be considered shopping centers and the CS zoning is too restrictive.

Mayor Jones advised, if desired, that the public hearing can be continued to further address Council concerns.

Councilman Horton further commented that he owns a strip mall and when new tenants rent the premises, the established tenants are very interested in the type of the new business coming in.

When questioned about advising tenants of the proposed amendment, Planning Director Staab reported that the regular procedure was followed which in addition to mailing notices to all property owners and people within 300 feet, the property was posted and the meeting and public hearings were advertised in the newspaper.

The other members of the Council concurred that Morehead City should make an effort to notify tenants of the proposed rezoning.

Councilman Horton MOVED, seconded by Councilman Ballou, and carried unanimously, to continue the public hearing to the October 13, 2009, Town Council Meeting to allow the City staff the opportunity to notify the lease tenants about the proposed rezoning.

IV.B. Public Hearing: Adopt Ordinance 2009-38 Amending Articles 4, 14 and 15 of the Unified Development Ordinance [UDO] to Revise Landscaping and Buffering Requirements

Planning Director Staab reported that in response to concerns raised about the City Unified Development Ordinance [UDO] landscaping and buffering requirements, the City initiated a review of the applicable code provisions. A Committee was formed with representatives of the Council, Planning Committee of the Council, the Planning Board and City staff. The Landscaping Committee met with landscaper Greg Garner to get his professional expertise on types of plantings and also gathered information from Carteret County's Agricultural Extension during the review process of revising the landscaping and buffering regulations of the Unified Development Ordinance [UDO]. The final document incorporates plants from the Carteret County Tree Awareness Group [CCTAG] lists. The proposed ordinance requires planting plans for new subdivisions for areas fronting along

major and minor thoroughfares and additional protective measures for trees. In general, reference to any plantings/plans will be considered landscaping whether it's a landscape strip, screen or buffer required around outdoor storage or forestry/agricultural areas. Screening is a protective measure between incompatible zoning uses, buffering is screening without a fence and landscaping is supposed to help beautify an area. Commercial development will no longer be allowed the option of a buffer adjacent to a different, less intensive zoning district or use, but will be required to install a screen which will add more protection from noise, lights, dust and trash. The Planning Board unanimously recommended approval of the proposed ordinance and the Planning Committee of the Council also reviewed and had input into the proposed revisions.

Mayor Jones opened the public hearing.

No one spoke for or against the proposed ordinance.

Mayor Jones closed the public hearing.

Councilman Thompson MOVED, seconded by Councilman Cordova, and carried unanimously, to adopt Ordinance 2009-38 Amending Articles 4, 14 and 15 of the Unified Development Ordinance [UDO] to Revise Landscaping and Buffering Requirements. [Ordinance 2009-38 is attached to Ordinance Book #6 in the vault.]

IV.C. Public Hearing: Adopt Ordinance 2009-39 Amending the Unified Development Ordinance [UDO] Articles 11, 14 and 19 to establish "Itinerant Merchant" as a permitted use in the CH [Highway Commercial] District and to set forth associated requirements

Planning Director Staab reported that presently Itinerant Merchants are allowed to locate in the CH [Highway Commercial] District. This has been by policy, rather than written regulation other than police power regulations which primarily apply to areas located within the City limits. Due to the increased number of inquiries, it is necessary for the Unified Development Ordinance [UDO] to formally regulate the location of their use. This is especially important regarding regulations of such uses outside the city in the ETJ [extraterritorial jurisdiction] area. City staff proposes amending Article II of the UDO to establish the use "itinerant merchant/vendor" as a specific use in the permitted and special use table and to allow the use in the CH District as well as any other districts which the Council might consider appropriate. Additional requirements for itinerant merchants should be that: neither signage, merchandise or displays may be located within required parking spaces, required landscape areas, travel paths/vehicle access areas in a manner that impedes travel. The current code allows itinerant merchants one [1] freestanding sign per lot with the regulation that the sign must be in accordance with Section 12 of the Zoning Ordinance. To clarify this regulation, City staff also recommends an amendment of Article 19 to add that Itinerant Merchants are allowed one [1] freestanding sign which shall not exceed sixteen [16] square feet. Such signs may be posted on private property but not within a right-of-way or travel path. The sign must be removed at the end of each business day.

The Planning Board unanimously recommended approval of the proposed ordinance amendments. The Planning Committee of the Council reviewed the amendments and recommended consideration by the Council.

Mayor Jones opened the public hearing.

No one spoke for or against the proposed amendment.

Mayor Jones closed the public hearing.

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to adopt Ordinance 2009-39 Amending the Unified Development Ordinance [UDO] to establish "Itinerant Merchants" as a use under Articles 11, 14 and 19 and to set forth associated requirements. [Ordinance 2009-39 is attached to Ordinance Book #6 in the vault.]

IV.D. Public Hearing: Adopt Ordinance 2009-40 Amending Articles 12 and 13 of the Unified Development Ordinance [UDO] to correct clerical errors

Planning Director Staab explained that the adoption of Ordinance 2009-40 is an effort to provide consistency within the Unified Development Ordinance [UDO] and to correct a typographical error. The Planning Board unanimously recommended approval of the ordinance amendments. The Planning Committee of the Council recommended Council consideration of Ordinance 2009-40.

Mayor Jones opened the public hearing.

No one spoke for or against the proposed ordinance.

Mayor Jones closed the public hearing.

Councilman Horton MOVED, seconded by Councilman Ballou, and carried unanimously, to adopt Ordinance 2009-40 Amending Articles 12 and 13 of the Unified Development Ordinance [UDO] to provide consistency and correct clerical errors. [Ordinance 2009-40 is attached to Ordinance Book #6 in the vault.]

V. Old Business: Adopt Ordinance 2009-29 Amending Article 14 of the Unified Development Ordinance [UDO] to Provide Requirements for Solar Panels

By way of history, Planning Director Staab reported that the Council held a public hearing at the July 14, 2009, Town Council Meeting to consider adding a provision for solar panels to the Unified Development Ordinance. During the meeting, the Council discussed the implications of limiting the height of the panels over the peak of the roof and had further questions regarding the placement of the solar panels on roofs. At that time, Councilman Thompson suggested that the proposed amendment be sent back to Committee for further review in consideration of the comments noted. The Council concurred.

To address the concerns raised during the public hearing, the Planning Committee of the Council reviewed the proposed amendments and recommended adding language “**To the maximum extent feasible**”, solar panels shall not project over the peak of the roof and shall only project five [5] feet above the flat roof.

City Attorney Taylor raised concerns with the situation of an irregular roof line instead of a straight roof line on a primary structure. A question was, were the panels going to exceed just the roof line where they are attached or any roof line on a single structure? He suggested that the ordinance be changed to read “Solar panels shall not project over the peak of the roof to which the panels are attached.” With regard to free standing solar panels he recommended that the ordinance be amended to read, “Free standing solar panels are limited in height to the highest part of the roof of the primary structure.....”

Councilman Nelson commented that he saw no problem with the proposed ordinance as long as the solar panels do not go over the zoning district height limit of the building. If the solar panels are under the height limit regulations, there should not be a concern.

Manager Martin interjected that in order for solar equipment to work as a viable source of energy, a certain size and amount of solar panels is necessary. The City ordinance should attempt to accommodate for variances in sizes and shapes.

Mayor Jones conceded that the question came up at the last Town Council meeting because of a picture illustration of the solar panels projecting above the roof line. He conceded that this amendment to the Unified Development Ordinance will be a work in progress as solar evolves as an energy source.

The consensus of the Council was for the ordinance to reflect the most flexibility in the use of solar panels in home construction to encourage their use while protecting public health, safety and welfare and the intent of the UDO regulations.

Councilman Ballou MOVED, seconded by Councilman Thompson, to adopt Ordinance 2009-29 Amending Article 14 of the Unified Development Ordinance [UDO] to Provide Requirements for Solar Panels as amended by the City Attorney. Motion carried four [4] to one [1] with Councilman Nelson opposed. [Ordinance 2009-29 is attached to Ordinance Book #6 in the vault.]

VI. Citizen Requests/Comments: There were no citizen requests or comments.

VII. City Manager's Report: Manager Martin advised he had no additional reports.

VIII. Council Requests/Comments

Councilman Horton commented on concerns about trucks with large advertising signs parked in front of buildings. He felt that many may be resorting to this type of advertising as they may be forced to do this to circumvent our sign regulations. He commented that businesses feel that they need to advertise and signage is very important to them. He suggested that the City should review sign regulations to determine if businesses are allowed the adequate signage they need. He suggested that this may be a project for the Planning Committee of the Council to consider.

City Attorney Taylor commented that Morehead City's sign ordinance could address that particular situation, however, if there is a limitation to the parking of these vehicles with large signs attached, you also have to take into consideration the trucks which drive around town with signs affixed.

Manager Martin commented that this was also an item of discussion at a Carteret County Board of Commissioners' meeting. A major question raised at their discussion was how to regulate a sign on the side of a traveling truck. Enforcement of such an ordinance was a big concern as well.

IX. CLOSED SESSION AS PER G.S. 143.318.11[A][5][i] TO APPROVE THE CLOSED SESSION MINUTES OF TUESDAY, AUGUST 11, 2009, DISCUSS CONTRACT NEGOTIATIONS, PROPERTY ACQUISITION AND TO CONSULT WITH THE CITY ATTORNEY

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

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

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to approve the CLOSED SESSION minutes of Tuesday, August 11, 2009; to remain sealed the portion of the minutes on possible property acquisition; and to release and spread upon the record those portions pertaining to Morehead City Police/E-911 Communications Center project contract negotiations and the purchase of the former News Times Building on Arendell Street for Morehead City Fire/EMS Station No. 2.

Acquisition of the former News Times Building on Arendell Street for Morehead City Fire Station #2

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to authorize the City Manager to negotiate a contract in an amount not to exceed \$1,050,000 for the acquisition of the former NEWS TIMES Building on Arendell Street for Morehead City Fire Station No. #2.

Morehead City Police/E-911 Communications Center Project

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to authorize the City Manager to negotiate a contract for the construction of a completely new building on the site of the current Charles Wallace School cafeteria building for the Morehead City Police/E-911 Communications Center with the low bidder, D. H. Griffin Construction Company, at the same contract price of renovating the current building which is an amount up to \$5,105,500. In discussion, Councilmen Horton and Nelson noted that they favor relocation of the Police Department and consolidation of the county E-911 Center yet they are not in agreement with the scope of the construction project; however, given the two [2] choices for construction, both Councilmen prefer having a completely new building rather than renovation of the older current building for the same amount of money.

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously, to approve the CLOSED SESSION minutes of Tuesday, August 11, 2009;

to remain sealed the portion of the minutes on possible property acquisition; and to release and spread upon the record the portions on Morehead City Police/E-911 Communications Center project contract negotiations and the purchase of the former News Times Building on Arendell Street for Morehead City Fire/EMS Station No. 2.

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

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk