TOWN OF DUCK
TOWN COUNCIL
REGULAR MEETING
April 1, 2015

The Town Council for the Town of Duck convened at the Duck Meeting Hall at 7:00 p.m. on Wednesday, April 1, 2015.

COUNCIL MEMBERS PRESENT: Mayor Don Kingston; Mayor Pro Tempore Monica Thibodeau; Councilor Nancy Caviness; Councilor Chuck Burdick; and Councilor Jon Britt.

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Town Manager Christopher Layton; Director of Community Development Joseph Heard; Police First Sergeant Jeffrey Ackerman; Police Sergeant Melissa Clark; Fire Chief Donna Black; Town Attorney Robert Hobbs; Public Information Officer Denise Walsh; Administrative Assistant Bethany Morr; and Town Clerk Lori Kopec.

OTHERS ABSENT: None.

Mayor Kingston called the meeting to order at 7:02 p.m. He asked Councilor Chuck Burdick to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

PUBLIC COMMENTS

Mayor Kingston opened the floor for public comments. He asked that any comments related to the public hearings be held off.

First Sergeant Jeff Ackerman and Sergeant Melissa Clark were recognized to speak. First Sergeant Ackerman and Sergeant Clark presented Officer Jason Garrett with a plaque that awarded him with his Advanced Law Enforcement certificate.

There being no one else wishing to speak, Mayor Kingston closed the time for public comments.

CONSENT AGENDA

Minutes from the February 18 and 19, 2015, Council Retreat; Minutes from the March 4, 2015, Regular Meeting; and Resolution 15-02, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Month of April as Child Abuse Prevention Month

Councilor Caviness moved to approve the Consent Agenda as presented.

Motion carried 5-0.

PUBLIC HEARINGS

Public Hearing/Discussion/Consideration of CUP 15-001, a Conditional Use Permit Application by C.S. Friedman, on Behalf of 4 Seasons Resort, Inc., Property Owner, to Consider a Conditional Use Permit to Establish a 28-Seat Restaurant in the Existing Duck Commons Plaza Located at 1211 Duck Road

Mayor Kingston turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs stated that the Council would be sitting as a quasi-judicial body for the public hearing, meaning that they will sit as a court and must make its decision based upon competent material and substantive evidence that will be presented during the course of the hearing. He stated that anyone wishing to give testimony would have to give it while under oath with the applicant afforded due process rights including the right to present evidence, examine and cross-examine witnesses. He asked that anyone wishing to testify come forward to be sworn in.

Town Clerk Lori Kopec proceeded to swear in the applicant and staff for the public hearing.

The following persons were sworn to provide testimony during the hearing: Joe Heard and Tom Yurasek.

Town Attorney Hobbs opened the evidentiary portion of the hearing. He stated that Director Heard would give an overview.

Director of Community Development Joe Heard was recognized to speak. Director Heard stated that the applicant was requesting approval of a conditional use permit to convert 3,770 square feet of retail space to use as a restaurant and storage in the existing Duck Commons Shopping Plaza at 1211 Duck Road. He noted that a restaurant was a conditional use in the Village Commercial zoning district. He added that there were no proposed changes to the layout of the site or the dimensions of the existing building.

Director Heard stated that the proposed project did not involve any changes to the site layout or existing improvements on the property and because of that, there was no consideration necessary for many of the development standards that may typically be reviewed for a commercial development. He explained that the only significant issue concerned the amount of parking available to accommodate the proposed change of use. He stated that the estimated existing lot coverage was approximately 13,135 square feet or about 39%. As the maximum lot coverage requirement in the Village Commercial District was 60%, the existing development appeared to comply with the standard.

Director Heard stated that Duck Commons Shopping Plaza has used roll out carts to accommodate their trash needs; however, the applicant has expressed a strong interest in adding a dumpster to serve his needs. He pointed out that the site plan showed an approved location for a dumpster just west of the driveway off Schooner Ridge Drive. He stated that when staff inspected the site, it appeared that there was enough room to accommodate a dumpster in the location shown. He added that the applicant has solicited input from Waste Management concerning the location and orientation of the dumpster, but staff had not received that information to date.

Director Heard noted that, if approved, the dumpster would require a fence or wall enclosure around three sides. He added that the Planning Board recommended that screening for the dumpster be constructed so that the dumpster could not be seen from Duck Road or Schooner Ridge Drive. He stated that if the dumpster was to be located elsewhere on the property, it wasn't clear where it could be located without resulting in a loss of any on-site parking spaces.

Director Heard stated that the Planning Board voted unanimously at their March 11, 2015 meeting to recommend approval of the conditional use permit and staff was also recommending approval.

Town Attorney Hobbs asked Council if they had any questions.

Mayor Pro Tempore Thibodeau asked if the trash truck would enter the property from Duck Road. Director Heard stated that it would depend on the orientation of the dumpster in that location. He added that if it was oriented more to the east-west, it may make more sense for Waste Management to come in through the driveway on Schooner Ridge Drive. He stated that if it was oriented more towards the building, the maneuvering area would be larger and the dumpster could be accessed either from Duck Road or Schooner Ridge Drive. Mayor Pro Tempore Thibodeau thought if Waste Management had to come into the parking lot, it may take up some parking spaces. She clarified that Waste Management could access the dumpster from Schooner Ridge Drive. Director Heard stated she was correct. Mayor Pro Tempore Thibodeau clarified that the screened opening would be towards the west. Director Heard stated that the location was to the west of the drive and the screened opening would be toward the east.

Councilor Britt asked if commercial trash trucks currently drive on Schooner Ridge Drive. Mayor Pro Tempore Thibodeau didn't think they drove on the street. Councilor Britt agreed.

Councilor Caviness asked if the opening of the screening was to the east, it would come in conflict with one of the findings in the conditional use permit in that it had to be screened from Schooner Ridge Drive. She noted that going into the subdivision, one would only see the screening but going out of the subdivision, the dumpster would be in full view. Director Heard stated that if it was angled significantly towards the north, it would be visible. He added that it was inset from the road and thought the applicant could comply with the standard.

Councilor Burdick thought another consideration had to be made. He stated that the dumpster noise has been a problem in the past. He suggested that staff work with the applicant on the dumpster location to minimize the noise in the surrounding neighborhood.

Councilor Caviness thought having the trash trucks going in and out of the subdivision would not be good due to the hill and the hazards with trucks coming up that hill. Mayor Pro Tempore Thibodeau didn't think they should go up the street. Director Heard noted that the trash trucks would not have a need to go up Schooner Ridge Drive since they would be turning into the entrance to the shopping center.

Mayor Kingston clarified that the roll out trash cans were gone from the shopping center. Director Heard stated that the dumpster would be for the restaurant's use only with the other business owners continuing to use the roll out trash cans. Mayor Pro Tempore Thibodeau asked if the business owners lined their roll out cans along Schooner Ridge Drive for the trash truck to service them. Director Heard stated that they did.

Mayor Pro Tempore Thibodeau thought if Waste Management needed to pull into the shopping center to access the dumpster, it would work due to the amount of parking available to the shopping center through the agreement with Duck United Methodist Church. Councilor Burdick thought there were appropriate places at the shopping center that could minimize the visibility and noise.

Councilor Britt thought moving the dumpster west would help. He added that putting it in the corner would not hide the dumpster from view. He thought moving it west could be a consideration.

Councilor Burdick thought Council gave staff guidance on the parameters to help them work with the applicant on the location of the dumpster.

Mayor Kingston asked if any input had been received from other businesses or neighboring properties. Director Heard stated that he had been contacted by one business and two residential neighbors, but none had any concerns.

Town Attorney Hobbs asked the applicant to make a presentation.

Tom Yurasek was recognized to speak. Mr. Yurasek stated that he would be operating the proposed establishment. He added that the dumpster would be a four yard one – six feet wide, four feet deep and four feet high – and would not be one of the larger ones. He stated that it would not be an issue for him to construct the three sided screening. He noted that the vegetation in that area would also hide the dumpster from Duck Road. He didn't see any issues in accommodating the Waste Management truck.

Town Attorney Hobbs asked if the site plan could show the screening in addition to the location of the trash dumpster. Director Heard stated that it was required as part of the site plan.

Councilor Caviness asked if the entire shopping center could use the dumpster or if it would require a larger one. Director Heard stated that he wasn't sure. Town Manager Layton stated that it would require a larger one. Mayor Pro Tempore Thibodeau thought there wouldn't be any recycling if the applicant didn't have the recycling dumpster like other shopping centers had. Councilor Burdick thought all of the restaurants in Town were required to have a recycling dumpster. Town Manager Layton stated that the applicant would be required to have one if they have an alcohol permit. He added that the applicant did not have one and further added that there wasn't a requirement that the Town provide the dumpster for restaurants, only that they recycle their bottles. He stated that the Town provided recycling cans and trash toters in that area; however, he wasn't sure how Sweet T's, which was in the same shopping center as the applicant, was handling their recycling.

Councilor Burdick clarified that recycling wasn't required of the applicant because he did not hold a liquor permit. Director Heard stated that the restaurant was not required to recycle. Councilor Burdick asked if the applicant needed to recycle, he could obtain a recycling can. Director Heard stated that they could.

There being no one else wishing to speak, Town Attorney Hobbs closed the public hearing and turned the meeting back over to Mayor Kingston.

Councilor Burdick moved to adopt CUP 15-001, granting the conditional use permit with the findings of fact and conditions as presented.

Motion carried 5-0.

Public Hearing/Discussion/Consideration of Ordinance 15-04, an Ordinance to Amend Town Code Section 156.026, Interpretation of District Boundaries; to Eliminate and Correct Unnecessary Wording

Mayor Kingston turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs stated that the public hearing was open. He asked Director Heard to give a presentation.

Director Heard stated that the proposed wording that would be eliminated or corrected was considered boilerplate wording from another community's zoning ordinance. He stated that the wording was not relevant to the Town of Duck and could be removed from the Town's ordinance without any impact to the Town's development standards.

Director Heard stated that the Planning Board voted unanimously at their February 11, 2015 meeting to recommend approval of the text amendment and staff was also recommending approval.

Town Attorney Hobbs asked Council if they had any questions for Director Heard. There were none.

Town Attorney Hobbs asked if members of the Planning Board wished to comment or make a presentation. There were none.

Town Attorney Hobbs asked if members of the public wished to comment or make a presentation. There were none.

There being no one wishing to speak, Town Attorney Hobbs closed the public hearing and turned the meeting back over to Mayor Kingston.

Councilor Caviness moved to adopt Ordinance 15-04 as presented.

Motion carried 5-0.

OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

Discussion/Consideration of an Interlocal Agreement among Dare County, the Town of Duck, the Town of Kill Devil Hills and the Town of Kitty Hawk related to the Financing and Construction of Beach Nourishment Projects

Town Manager Layton stated that over the past several months, representatives from Dare County and the Towns of Duck, Kitty Hawk and Kill Devil Hills have been working on an Interlocal Agreement that would finalize the previously discussed financial details related to the beach nourishment projects. He stated that the Interlocal Agreement, as presented, has been approved by him and Town Attorney Hobbs. He went on to review the proposed Interlocal Agreement with Council and the audience, requesting that Council authorize the Mayor to execute it.

Mayor Pro Tempore Thibodeau asked why the Town of Kill Devil Hills did not have a transfer in Section 4.3 of the Agreement. Town Manager Layton stated that he wasn't sure, but thought it could be that they may not be getting any help with the debt service. Mayor Kingston noted that the Town of Kill Devil Hills has reviewed the Agreement.

Councilor Caviness clarified that the Town of Kill Devils Hills has approved the Interlocal Agreement. Mayor Kingston did not think any Council had approved it and have been asked to

approve it in early April so the Dare County Board of Commissioners could move ahead in mid-April. Councilor Caviness clarified that if there were any changes on the part of the municipalities or Dare County, it would have to come back before Council. Mayor Pro Tempore Thibodeau stated that it would not if it was not substantive. Councilor Caviness asked if there was any type of situation, such as a huge change in the financial aspect, that would bring the Agreement back to Council. Town Manager Layton did not believe there would be. He thought the Agreement covered the main piece, which was the money for the financing. He added that there was another contract that the Town may not see since it was one with Dare County, which was the construction management piece with Coastal Planning and Engineering. He stated that CP&E would be paid directly by Dare County for it and would help the towns get through the bidding.

Councilor Burdick assumed that any project overruns would be put on each town for each one to cover. Town Manger Layton stated he was correct. Councilor Burdick asked if it was normal to specify some standard mediation in an Interlocal Agreement. Town Attorney Hobbs stated that it was common in arbitration. Councilor Burdick asked if the towns would have to select an impartial mediator by mutual consent. Town Attorney Hobbs stated that typically the parties will agree upon a mediator who was usually a lawyer in North Carolina that was certified by the courts to be a mediator. Councilor Burdick asked if it should be noted in the Agreement. Town Attorney Hobbs stated that it was in there due to State statute.

Councilor Britt moved to authorize the Mayor to execute the Interlocal Agreement with the language regarding non-substantive changes made by the Town Attorney and Town Manager.

Motion carried 5-0.

Discussion/Consideration of Authorizing the Following Text Amendments for Public Hearing:

An Ordinance Amending the Buildings and Structures Ordinance of the Town of Duck, North Carolina, by Defining the Activities that Constitute "Commencement of Work"

Director Heard stated that during its December 3, 2014 meeting, Council voted unanimously to authorize the Planning Board to evaluate and prepare recommendations regarding several potential text amendments identified by Community Development staff. He added that the text amendment proposal would define the activities that constitute Commencement of Work in Subsection 151.23(B) of the Town's Buildings and Structures Ordinance.

Director Heard stated that at its March 11, 2015 meeting, the Planning Board voted unanimously to recommend approval of the proposed text amendment for public hearing.

Mayor Pro Tempore Thibodeau moved to authorize the public hearing for May 6, 2015.

Motion carried 5-0.

An Ordinance Amending Tree and Vegetation Preservation and Planning Standards in the Zoning Ordinance of the Town of Duck, North Carolina

Director Heard stated that during its November 5, 2014 meeting, Council authorized the Planning Board to evaluate and prepare recommendations regarding potential text amendments to the Town's Tree and Vegetation Preservation and Planning standards in Section 156.137 of the

Zoning Ordinance. He stated that the text amendments proposed the following changes to Section 156.137:

1. Adding standards for the measurement of multi-trunk trees
2. Adding requirements for documentation of emergency tree removal
3. Not permitting shrubs to be planted as a substitute for replacement trees
4. Eliminating a prohibition against tree topping
5. Adding greater requirements for replacement tree planting as a penalty for improper tree removal
6. Establishing provisions for off-site planting or payment in lieu for situations where it is infeasible to replant all required plantings on site.

Director Heard stated that at its March 11, 2015 meeting, the Planning Board voted 4-1 to recommend approval of the proposed text amendment for public hearing.

Councilor Burdick moved to authorize the public hearing for May 6, 2015.

Motion carried 5-0.

NEW BUSINESS

Overview of Senate Bill 369, "The Sales Tax Fairness Act" and SB 160, "Enhance Safety & Commerce for Ports/Inlets"

Town Manager Layton stated that Senate Bill 160 had language that would allow Dare County to unilaterally use occupancy tax revenues. He added that there was concern that it could result in a reduction of occupancy tax revenues for the towns and others; however, the language had been changed on March 31, 2015. He stated that Senator Bill Cook had promised to make the change and it has been done.

Mayor Kingston asked if was eliminating Dare County or all counties. Town Manager Layton thought it was just Dare County, because the legislation was initially started by another county that wanted the authority. Mayor Pro Tempore Thibodeau thought for inlet management, some of the other areas wanted it.

Town Manager Layton stated that Senate Bill 369 would redistribute sales tax revenues to less urban areas by tweaking the current formula for the distribution of the revenue source. He noted that if it was passed and fully implemented in Fiscal Year 2018-2019, the impact on the Town could be a loss of $468,880 to $1,030,251. He added that it equated to a 3.01 cent to a 6.6 cent real estate tax increase. He stated that the loss of this revenue could also impact the financing for the Town's beach nourishment project.

Town Manager Layton stated that Senate Bill 608, which would allow Dare County to utilize occupancy tax proceeds to fund dredging projects such as Oregon Inlet, was currently alive in the Senate, although Senator Cook promised to remove Dare County from the legislation. He stated that this bill could also potentially impact a vital Town revenue source. He added that Dare County was proposing that it be authorized to levy a half cent sales tax increase to fund dredging and was set to make a decision on a resolution to request legislation for this purpose.

Town Manager Layton stated that the fundamental flaw in Senate Bill 369 and Senate Bill 608 make the local sales tax the Town collects a state tax. He added that it would mean that the State

would take a local, dedicated revenue source and put it under their control to do as they see fit. He stated that over the last several years, there has been a desire to cut taxes but not taxes that the State controls. He noted that when taxes are cut, a municipality could not come up with the difference without seriously cutting services and/or raising taxes if the bills were passed. He stated that what's left on the local level, keeps getting chipped away and the only revenue source a town controls was the ad valorem tax. He stated that if Senate Bill 369 passes, it will mean that Council will have to have a serious discussion, starting with the presentation of the Town's budget as there will have to be decisions made because the bills will impact the Town in the future if they do pass.

Town Manager Layton stated that, last year, the General Assembly removed privilege licenses, which did not impact the Town. He stated that other towns and cities were impacted because they were significant figures. He stated that the sales tax bill will impact these same cities and the numbers will not be able to be absorbed in existing budgets by the municipalities because they are so devastating. He stated that he and Town Attorney Hobbs have been working on two pieces that may impact the Town. He stated that there was language in Senate Bill 608 that read: "...An ineligible city is disregarded for all purposes under this section. A city incorporated on or after January 1, 2000 is not eligible for a distribution under this section unless it meets both of the following requirements – it is eligible to receive funds under General Statute 136-41.2 and a majority of the mileage of streets is open to the public..." He noted that the majority of the Town's streets were open to the public but the Town doesn't maintain the streets. He believed that the language had to do with Powell Bill funding at some point, which the Town lost a few years back. He stated that, in reading the section, it seemed that the Town could be in danger of being ineligible for any sales tax.

Town Manager Layton stated that he had been told by the League of Municipalities that the section was one that already existed and was already logged. He added that Town staff has been told by Senator Cook's office that they didn't think it applied to the Town. He stated that Senator Cook's office asked the question and the response from a Legislative Office representative was: "...I've looked at the website for the Town of Duck and it does not appear to be impacted by this provision as property tax rates are greater than .20 cents and streets are open to the public and it provides many services. The provision is a general one that's been improving the sales tax distribution statutes for a while. It would prohibit a city that does function as a city from receiving various sales tax distributions. I've attached a copy of GS 136-41.2 because it is referred to in the section of the bill that you included..."

Town Manager Layton stated that it doesn't appear that the language was intended to cut the Town out of sales tax. He added that the Town was included and would still receive money according to official sources. He stated that the question was to make sure that it doesn't impact the Town in determining what it does if the bills do pass.

Mayor Kingston suggested adding where the House and the Governor were with regard to the bills. Town Manager Layton stated that the Governor had indicated that he would veto at least Senate Bill 369. He didn't think the Governor mentioned anything about Senate Bill 608. He added that there was no House companion bill for it, so it was all from the Senate side. He stated that it didn't look like the House had someone that would introduce a similar bill at this point. Mayor Kingston noted that the Town received a positive response from Representative Tine in that he was not in support of the bills. Town Manager Layton added that Senator Cook had indicated that he would not support them as well.

Mayor Pro Tempore Thibodeau asked if the League of Municipalities would push back on the bills and educate people about it. Town Manager Layton stated that the League was approaching the other towns that would be impacted by the bills, positively or negatively. Mayor Pro Tempore Thibodeau asked what the timeline was for seeing the bills through. Town Manager Layton stated that, in order for them to become law, they would have to pass through the House and the Senate. He noted that they haven't left the Senate and haven't been discussed in Committee yet.

Town Attorney Hobbs stated that, with regard to the comment on the use of the provision and other statutes, the statute dealing with the distribution of telecommunications taxes to cities along with beer and wine tax has an identical provision to the one the Council was discussing as far as the eligibility to receive funds on the GS 136-41.2 if the majority of the mileage of the streets were public. He stated that, assuming that the Town was already receiving taxes like that, it may be that the provision could be interpreted the same way.

Mayor Kingston thought the action item for Council was to get consensus that would allow him, Town Attorney Hobbs and Town Manager Layton to deal with it by contacting the legislators and counterparts moving forward. Councilor Burdick didn't think there was a choice. Town Manager Layton thought because the Town anticipated things to happen very fast, Town Attorney Hobbs and staff would keep Council informed, but as things progress, there may not be enough time to get Council to approve a letter before sending it. He added that if a resolution was needed to be passed, it would come before Council. He stated that he was asking for consensus to talk to legislators to do what's needed to protect the Town's interests.

It was ***consensus*** of Council to allow Mayor Kingston, Town Attorney Hobbs and Town Manager Layton to take action with regard to contacting the legislators with regard to Senate Bill 369 and Senate Bill 608.

Planning Board Appointment

Town Manager Layton stated that the appointment of Joe Blakaitis to the Planning Board will expire on May 1, 2015. He stated the Mr. Blakaitis indicated that he wished to remain on the Planning Board.

Councilor Britt moved to re-appoint Joe Blakaitis to the Planning Board for a term to expire on May 1, 2017.

Motion carried 5-0.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY

Town Attorney Hobbs stated that he had nothing to report.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER

Update on Departmental Activities

Fire Chief Donna Black was recognized to speak. Fire Chief Black gave a brief overview of the past month's fire activities to Council and the audience.

First Sergeant Ackerman and Sergeant Clark gave a brief overview of the past month's police activities to Council and the audience.

Director Heard gave a brief overview of the past month's permit activities to Council and the audience.

Public Information Officer Denise Walsh was recognized to speak. Public Information Officer Walsh gave a brief overview of the past month's activities to Council and the audience.

Project Update on Beach Nourishment Project

Town Manager Layton stated that Council had the latest letter from CP&E, which indicated that they were about 97% complete with the sand search and 91.5% complete with the permitting. He stated that the Town continues to explore opportunities for access for the project. He added that the Corps of Engineers had refused to allow access so staff is now looking for other places. He stated that, originally, staff was looking seriously at the Osprey site but it won't work; so now staff is looking into some other options. He thought there were at least two areas that could work and were trying to run them through the consultants to make sure they were comfortable with the areas before staff goes any further with discussions with the homeowners associations and coming up with an agreement that will likely come back before Council.

Councilor Burdick asked where the Town was with regard to the sand areas. Town Manager Layton stated that CP&E has not made a final decision but do have areas that they identified. He added that the total volume was 17 million cubic yards of sand and would permit both of them but wasn't sure how they would use the sand that was located just off of Duck. Councilor Burdick clarified that it was still in the picture. Town Manager Layton stated that it was, adding that they will be permitting it but he wasn't sure how much they would recommend from an engineering standpoint. Councilor Burdick asked when they would know. Town Manager Layton stated that it was likely by the time they finish the engineering. He hoped it would be by the end of the fiscal year.

Mayor Pro Tempore Thibodeau asked what CP&E would have by March 27, 2015. Town Manager Layton stated that they were hoping to have the final report by then. He added that the Mayors and Managers from the three municipalities and the County were going to have a meeting around that time period, but it was canceled. He stated that he wasn't sure where the report stood, but noted that there wasn't a rush at this point.

Police Chief Search

Town Manager Layton stated that the position closed on March 16, 2015 and 131 applications were received. He stated that the initial review panel, which consisted of Town Manager Layton, Fire Chief Donna Black and Master Police Officer Joe Knight, went through the applications and chose 14 for interviews. He added that he will be setting up interviews over the next several weeks and anticipated two or more interviews. He noted that it will be a long process and he will not be ready to bring someone on board for a few more months. He stated that the process was moving along with 25 states represented in the application pool. He felt that within the 14 applicants, one would be chosen to fill the position.

Financial Statements for the Month of March for FY 2015

Town Manager Layton stated that he did not have an updated financial report because he did not receive the occupancy tax revenue report. He went on to review the draft report with Council and the audience.

MAYOR'S AGENDA

Mayor Kingston stated that he would be hosting the mayor's lunch in Duck. He added that the interaction with Chairman Bob Woodard has been very positive and he has been a good replacement for Warren Judge. He stated that there has been a lot of good discussion among the mayors. He stated that he would be attending the League of Municipalities' Listening and Visionary meeting on April 7, 2015 in Manteo. He thought Town Manager Layton would be attending as well. He stated that he and Town Manager Layton would be attending the County and Town beach nourishment meeting on April 22, 2015. He believed that the Town of Kill Devil Hills would be voting on their MSDs the week of April 6, 2015, but wasn't sure what the Town of Kitty Hawk's schedule was.

COUNCIL MEMBERS' AGENDA

Mayor Pro Tempore Thibodeau thanked Mayor Kingston and Town Manager Layton for their leadership with regard to the Senate bills.

Councilor Burdick had nothing to report.

Councilor Caviness gave a Tourism Bureau meeting update to Council and the audience. She also gave an update on the scholarship committee for the Outer Banks Community Foundation.

Councilor Britt echoed Mayor Pro Tempore Thibodeau's comments. He stated that the Duck Merchants Association recently held a meeting and made good progress.

OTHER BUSINESS

Additional Public Comments

Mayor Kingston asked the public for comments.

A citizen brought up concerns about lighting at the crosswalks in the evening hours.

There being no one else wishing to speak, Mayor Kingston closed the time for public comments.

Mayor Kingston noted that the next meeting would be the mid-month meeting on Wednesday, April 15, 2015 at 1:00 p.m.

ADJOURNMENT

Councilor Britt moved to adjourn the meeting.

Motion carried 5-0.

The time was 9:44 p.m.

Lori A. Kopec

Lori A. Kopec, Town Clerk

Approved: May 6, 2015

Don Kingston, Mayor