#### TOWN OF DUCK TOWN COUNCIL REGULAR MEETING February 2, 2022

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 6:00 p.m. on Wednesday, February 2, 2022.

COUNCIL MEMBERS PRESENT: Mayor Don Kingston; Mayor Pro Tempore Monica Thibodeau; Councilor Sandy Whitman; Councilor Rob Mooney; and Councilor Tony Schiano.

COUNCIL MEMBERS ABSENT: None.

OTHERS PRESENT: Director of Community Development Joseph Heard; Police Chief Jeffrey Ackerman; Fire Chief Donna Black; Attorney John Leidy; Public Information and Events Director Christian Legner; Finance and Human Resources Administrator Jessica Barnes; and Town Clerk Lori Ackerman.

OTHERS ABSENT: Town Manager Drew Havens and Town Attorney Robert Hobbs.

Mayor Kingston called the meeting to order at 6:06 p.m.

Mayor Kingston asked Attorney John Leidy to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

Mayor Kingston asked for consensus from Council to add a second item to the Consent Agenda. It was *consensus* of Council to add the Government Education Access Channels Committee Proposed 2022-2023 Budget for CurrentTV to the Consent Agenda.

### **PUBLIC COMMENTS**

Mayor Kingston opened the floor for public comments. He noted that comments will be limited to three minutes as there was a timer for the time limit. He added that the public could email public comments, but they must be received by 4:00 p.m. on the day of the Council meeting. He noted that written comments must also be limited to three minutes when read aloud. He asked that any comments related to the public hearing be held off.

David Flowers of 118 Poteskeet Drive was recognized to speak. Mr. Flowers stated he wanted to speak regarding the proposed changes that were not before Council at this meeting concerning the indoor entertainment and parking. He stated that he was in the minority in that he was in favor of the indoor entertainment zoning change because he thought some of the uses that the applicant was suggesting, such as indoor miniature golf, would be a nice addition to the Town. He stated that he was not in front of Council to discuss pros and cons of what Scarborough Faire was projecting to do in Duck, but to make some slight changes regarding the procedure with the developer.

David Flowers thought the developer has a responsibility to the community to show that the project was in concert with the master plan. He felt the developer should have gone through the Master Plan and explained what they were projecting to do as well as how it would fit in. He added that he thought the project should have been between the spirit and content of the zoning regulations as they have been in place for almost 20 years, to ensure that they could complete the project.

David Flowers felt that the developer should be responsible to have a community input meeting. He stated that the developer should let the community know what they wanted to do to the property and how it would affect the surrounding community as well as the pros and cons. He stated that then the community could voice their concerns. He added that once the information was gathered, then the developer could go through the normal process for a text amendment. He thought there should be a process in which the developer's proposal meets the Master Plan, the zoning regulation and receives input from the community.

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

#### **CONSENT AGENDA**

# Minutes from the January 5, 2022, Regular Meeting; Government Education Access Channels Committee Proposed 2022-2023 Budget for CurrentTV

Mayor Pro Tempore Thibodeau moved to approve the consent agenda as presented.

Motion carried 5-0.

### PUBLIC HEARING

Public Hearing/Discussion/Consideration of SUP-21-001, an Application for a Special Use Permit to Allow as Much as Six Feet of Fill in Certain Areas of the Property to Accommodate Construction of a New Recreation Center/Offices for the Barrier Island Station Resort at 1245 Duck Road

Mayor Kingston turned the meeting over to Attorney John Leidy.

Attorney Leidy 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 Ackerman proceeded to swear in the applicants and staff for the public hearing.

The following persons were sworn to provide testimony during the hearing: Joe Heard, Michael Strader, Tom Perkins, and Walter Hancock.

Attorney Leidy opened the evidentiary portion of the hearing. He stated that Director of Community Development Joe Heard would give an overview.

Director of Community Development Joe Heard was recognized to speak. Director Heard stated that Subsection 156.128(A)(12)(a) requires approval of a special use permit to allow fill in excess of three feet in height. He stated that the applicant was seeking a special use permit to add a significant amount of off-site fill material to raise the elevation on the subject property by nearly six feet in certain areas of the property to accommodate the construction of a 7,778 square foot building containing administrative offices, a recreation center, a swimming pool, and associated amenities as well as parking for the Barrier Island Station Resort.

Director Heard stated that following the Planning Board meeting, the applicant made some minor adjustments to the site and grading plans. He noted that staff considered the amendments to be positive since they further reduce the amount of grading necessary and preserves more of the existing vegetation on the property. He noted that the special use permit application related solely to the request to add more than three feet of fill in certain areas to be graded. He stated that the applicant provided plans and information about the proposed project to construct an office/recreation center building to help the Council understand the context and necessity for the proposed fill/grading. He pointed out that the proposed improvements were all permitted uses that would undergo more detailed technical review by Town staff at a later date. He reiterated that Council was not reviewing the entire development project but only the request for fill in excess of the Town's standard.

Director Heard stated that Section 156.128 of the Duck Town Code establishes standards for filling and grading activities, adding that the standard applicable to the proposed fill in the special exception application read as follows: "No ground elevation anywhere on the lot, including beneath the final house footprint location, may be increased by more than three feet or 36 inches above the pre-disturbance ground elevations."

Director Heard stated that Subsection 156.128(C) of the Town Code establishes review criteria for special use permit applications involving fill and grading activities. He stated that the following standards must be considered as part of the Town Council's review:

- 1. The site for the proposed fill is otherwise adequate in size, shape, and other characteristics to accommodate the proposed project.
- 2. The applicant has demonstrated that the requirements of this chapter are unreasonable or impractical due to the necessity for the fill, lot shape,

topographical features, location of mature vegetation, or location and characteristics of existing improvements on the lot.

- 3. The amount of fill proposed is the minimum necessary to accommodate the proposed project, especially for soundfront properties.
- 4. The proposed fill will not negatively impact adjacent properties or the surrounding area, especially for soundfront properties.
- 5. The special exception will be consistent with any applicable goals, policies and objectives specified in the Town's adopted CAMA Land Use Plan and Vision Statement. This review includes the Town's evaluation of the proposal's consistency with its adopted CAMA Land Use Plan, which may be more flexible or more stringent than interpretations by others.
- 6. The applicant has submitted a drainage plan consistent with the requirements described in Subsection 156.128(A)(4)(c).

Director Heard noted that at the Planning Board's public meeting on January 12, 2022, the Board found that the request complied with all applicable findings and voted unanimously to recommend approval of the special use permit for the design and depth of fill proposed for the recreation center project, subject to the following conditions:

- 1. The applicant must submit required application materials and obtain a land disturbance permit prior to commencing fill and grading work.
- 2. A separate development permit must be reviewed and approved by staff prior to construction of structures on-site.

Mayor Kingston asked which color on the graphic that was displayed represented the 24-foot elevation that the applicant was looking to achieve. Director Heard stated that the colors did not add up to the final elevations. He explained that the colors were where fill was being added or where it was being reduced and not an elevation drawing where the colors tie into the topography.

Mayor Pro Tempore Thibodeau understood that one of the suggested requirements from the Planning Board was to obtain a land disturbance permit prior to commencing with fill and grading and the second requirement was that a separate development permit must be reviewed and approved by staff prior to construction of structures on-site. She asked for clarification, further asking if the applicant would normally obtain the one permit and move forward. She clarified that the second requirement was asking for an interim step. Director Heard stated that they were points of clarification in that the Planning Board wanted to be clear that approval of this special use permit did not grant the owner/developer the right to begin construction. He noted that Council would be granting the applicant some flexibility in the standards that would be applied to that project, but there were still other steps that the applicant would have to go through to obtain the necessary permits even if they didn't meet the fill. He pointed out that the land

disturbance permit was for the site work and the other was a development permit, adding that all of the uses proposed on the site were permitted uses in the zoning district and the development project as a whole will not have to come back to the Planning Board or Council for approval as it will be completed administratively.

Mayor Pro Tempore Thibodeau clarified that if the applicant was not required to come before Council with the special use permit, they would have gone through the steps as a matter of course. Director Heard stated she was correct.

Mayor Kingston noted that in the letter from the Planning Board, the manager from Ships Watch was taking exception. He asked if they concurred with the stormwater plan. Director Heard stated that all of the parties involved in the conversation were present for this meeting. He stated that there were questions asked by the Ships Watch president regarding some existing stormwater issues that was brought to the attention of the Planning Board and a lot of the discussion revolved around whether this proposal would contribute to the existing problem. He added that after discussing it, the Planning Board concluded that it would reduce the amount of stormwater.

Councilor Whitman pointed out that the Planning Board had spent a lot of time reviewing and discussing the stormwater issue at their meeting.

Attorney Leidy asked if the applicant had any questions for Director Heard. There were none.

Attorney Leidy asked if the applicants had any questions for Director Heard. Tom Perkins of 107 Ships Watch Drive was recognized to speak. Mr. Perkins stated that he was concerned about the additional stormwater runoff, adding that Ships Watch had serious problems after Hurricane Michael. Attorney Leidy explained to Tom Perkins that he would be given an opportunity to present evidence, adding that this was the time to ask questions of Director Heard. He asked if Mr. Perkins had a question. Tom Perkins stated that Ships Watch has had serious problems previously with flooding on the road. He wanted to be assured that additional runoff would not compound the issue. Attorney Leidy reiterated that this was the opportunity to ask questions of Director Heard. He stated that if Mr. Perkins did not have any questions, he would have the opportunity to present his concerns later in the public hearing.

Attorney Leidy asked the applicant to make a presentation.

Michael Strader of Quible and Associates was recognized to speak. Mr. Strader stated that outside of the request for fill in excess of 36 inches in some areas of the project, the project was in complete compliance with the Town's conventional criteria specified in the ordinance, State regulatory requirements – including stormwater, and environmental health and other requirements. He stated that, given the existing site constraints that Director Heard discussed, there wasn't going to be a way to develop a plan without filling in excess of 36 inches. He pointed out that a few of the site constraints were specifically in the northeast quadrant of the property as there was high, steep grading as well as in the

southeastern quadrant due to Building 300 having a steep, high grade. He added that some of the highest priorities as the project was developed was to minimize land disturbance, minimize earth work, and attempt to preserve any existing vegetation where it could be feasibly done. He stated that early in the process, they changed the building size orientation footprint to accommodate those goals.

Michael Strader pointed out that the building pad elevation for the building has specifically been set so that they could meet all of the stormwater and runoff requirements. He added that there were no stormwater measures for the site previously, but as part of the new development, they were required to honor those requirements now and will do so. He explained that the site plan captures all of the runoff from all impervious surfaces and directs it back to where the stormwater filtration basins were being proposed.

Michael Strader stated that the elevation has been set and the building was required to be gutted and all runoff from the parking areas would be captured in the stormwater collection system and routed back to the southwest of the project area. He felt they were doing everything possible to make the situation better. He pointed out that the northern existing roadway would have the north entrance graded down at a steep grade into the northern parking area to try to keep the building pad and grading to a minimum. He added that the runoff would go down the existing road into the proposed stormwater collection system.

Michael Strader stated that the grid that was before Council illustrated the change in elevation from existing to finish. He stated that 24-foot elevation was in the center of the building, meaning that the entire building footprint was at the 24-foot elevation.

Councilor Whitman asked if the 24 feet was above sea level. Michael Strader stated that it was. Councilor Whitman clarified that the applicant was filling that section to five feet six inches. Mr. Strader stated he was correct and was just at the one point with some areas of the building being less than 36 inches.

Mayor Kingston asked if additional fill would need to be brought in. Michael Strader stated that additional fill would need to be brought in.

Councilor Schiano clarified that Michael Strader was trying to create a level building while managing the stormwater runoff. Michael Strader stated that he was correct, noting that they have to be able to capture the runoff from the parking lots.

Councilor Mooney clarified that the previous construction did not have a stormwater runoff basin that will be installed with the new project. Michael Strader stated that he was correct. Councilor Mooney clarified that it should solve the existing problem that Tom Perkins was concerned about. Mr. Strader explained that it will not solve any pre-existing problems, but it will not make it worse. He felt that it will reduce the runoff that is currently happening on the site.

Attorney Leidy if there were any questions for Michael Strader. Tom Perkins asked if there will be a bump on the road to direct the water down the road. He pointed out that it currently runs through a parking area into a back yard. Michael Strader stated that they were not proposing any bumps for the water conversion mechanisms. Mr. Perkins asked if the work would be extended to address the parking area. Mr. Strader asked if Mr. Perkins was referencing the parking spaces on the north side. Director Heard explained that the water was running down and hits a parking area and runs to a concrete area where the stormwater was being directed to drain in the parking area. He noted that there was one instance during a major storm where Barrier Island Station experienced heavy flooding. He pointed out that the lowest area on the property was on the Ships Watch property and impacted the homes there with flooding. He stated that project proposed at this meeting was not impacting that situation other than in a positive way. He pointed out that this was not the only source for that water as Ships Watch has a road that comes through the area which was the low point and the water coming off that was contributing to the flooding.

Mayor Kingston asked if the fix was put in after the fact. Director Heard stated that he wasn't sure. He added that Barrier Island Station was one of the Town's earlier developments with all of the existing buildings dating back to the mid 1980's.

Tom Perkins stated that the Barrier Island Board of Directors approved spreading the water out over a year ago but no action has been taken. He asked if any action would be taken. Walter Hancock of Barrier Island Station was recognized to speak. Mr. Hancock stated that they would be open to discussing it. He noted that they were a different management company and the work was not done under their care but they would be open to discussing it. He wasn't sure it pertained to the project in front of Council, but Barrier Island did lose a few units in the flooding. He reiterated that they would be open to discussing it and would handle theirs if Ships Watch handled theirs.

Attorney Leidy asked if the applicant had any further evidence to present. Tom Perkins reiterated that the major problem they have had was after Hurricane Michael hit and flooded the parking lot. He stated that Barrier Island came in back in April and added three feet of sand behind the condominiums to help reduce the problem, but it created more of a problem.

Attorney Leidy asked if Council had any questions for Tom Perkins. Councilor Schiano asked where the three feet was added. Tom Perkins stated that it was added behind the three homes on the north side of the property.

Attorney Leidy asked if any sworn witnesses wished to address the application. There were none. He asked if Council had any remaining questions. There were none. There being no one else wishing to speak, Attorney Leidy closed the evidentiary portion of the public hearing and turned the meeting back over to Mayor Kingston. He noted that a vote of the majority of Council would be required to approve the application. He added that as part of Council's deliberation and if there was a motion to approve the application, there

were various findings that would need to be made and it would be helpful if the motion referenced the findings as well as the two proposed conditions.

Councilor Whitman clarified that Council was only looking at the area outside of the red on the aerial map. Director Heard explained that as far as the proposal, if Council determined that all of the work that was to happen was having an impact outside of the area noted, they could place a condition on the proposal to help mitigate the fill creating an issue. He added that in order to do that, Council would need to find that there was evidence that it was the case.

Mayor Kingston thought it was a good design and felt that the engineer stepped up to do what needed to be done. He hoped that in the future, the two organizations could work together on the other situation, which was not part of this project.

Councilor Schiano stated that he was mindful of Tom Perkins' concerns as Duck is an area where stormwater could be a problem for everyone and everyone has to be careful with regard to work that is completed. He thought the applicant took the extra effort to address the stormwater issue and felt confident that this will not worsen the situation. He agreed with Mayor Kingston that both organizations do need to communicate.

Mayor Pro Tempore Thibodeau moved to approve SUP 21-001 as presented including the two conditions that were recommended by the Planning Board.

Mayor Pro Tempore Thibodeau encouraged communication between the two organizations.

Motion carried 5-0.

## OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

# Discussion/Consideration of Establishing a Town Property Advisory Committee

Director Heard stated that, following a brief proposal by Town staff, Council engaged in preliminary discussions about the potential establishment of an appointed Town Property Advisory Committee at its December 1, 2021 meeting. He stated that Council requested that staff draft additional details concerning the role and function of the committee to present for further discussion at this meeting.

Director Heard explained that in the coming years, staff envisions a need for improvements to Town programs and facilities on the Town Hall, Town Park, and other Town-owned properties. He added that some potential physical improvements discussed by staff include the replacement of the playground equipment, the expansion of the playground facilities, the northern extension of the boardwalk to Resort Realty, activity areas by the cul-de-sac deck, and sunshades on the Town Green. He stated that in order to obtain input from the community regarding the potential improvements to programs

and facilities, the idea of establishing a Town Property Advisory Committee was discussed.

Director Heard stated that Council was being asked to consider the following steps:

- 1. Further evaluate and consider establishing a Town Property Advisory Committee. If a decision is made to establish a committee, then the following would need to be completed:
- 2. Review guidelines outlining the role and function of the committee. A draft set of guidelines for the committee was in Council's packets for review and discussion.
- 3. Consider if Council wanted to appoint a Council member to serve as an ad hoc member and liaison to the committee.
- 4. Adopt a resolution establishing the Town Property Advisory Committee along with the accompanying guidelines.
- 5. Advise staff on how Council wanted to conduct the process of soliciting members for the committee.

Director Heard noted that if Council valued public input on these issues but did not think it would be necessary to form a committee, then staff can pursue other alternatives for obtaining broader public input including using surveys, public meetings, or open houses.

Mayor Kingston appreciated Town staff researching the issue more after Council's December 1, 2021 meeting. He stated that he still has mixed opinions on the issue. He thought Council wanted public input, but his biggest concern regarding the committee was focus and direction. He pointed out that the Town has a Wall Décor Committee and their responsibilities are to change the artwork every three months in the first-floor conference room. He thought this type of committee becomes more blue sky as once there are a group of people together and, based upon their backgrounds or who was sitting on the committee, there will be a lot of ideas. He wondered how those ideas will be filtered. He stated that he would like to see a focus generated for a committee, such as discussing playground equipment, and soliciting public input as to what was needed and how big it would need to be as well as the age range to be targeted. He thought it would provide more focus as well as giving more direction to staff. He thought there needed to be more discussion on the issue than what would occur at this meeting and suggested having the discussion at the Retreat or holding a mid-month meeting. He thought Director Heard did a good job of putting the draft resolution together as well as guidelines, but he reiterated that he still had mixed emotions with respect to how it should be approached. He further reiterated that the committee needed to have a focus.

Mayor Pro Tempore Thibodeau stated that as a background the Town had the Municipal Property Committee to help with the finer points of the development of the assets in Town. She stated that there was a lot to do and not a lot of staff back then. She noted

that there was a lot of public input on the Town Park and how the Town Hall and Meeting Hall buildings should look. She stated that there were a lot of public meetings completed in a low-tech way because technology was not as advanced back then. She stated that she was still grappling with the best way to obtain direction and using staff but not making staff come up with the ideas. She added that Council was very reliant on the staff but it should be enhanced with more direction. She agreed with Mayor Kingston's comment that it should be focused but did not want a survey to decide on what should be on the playground. She stated that having vested interest in the community was a good way to get the focus. She wasn't sure if she would extend it to the sidewalk improvements since it has been done exceptionally well with the current process in place. She stated that she wanted to think about it more and put more thought into what the committee would be helping Council with. She thought the process to form the committee was good.

Councilor Mooney pointed out that Director Heard had mentioned that this would be more of a staff-driven experiment. He thought that it would keep everyone in a focused position. He thought it was a good idea.

Councilor Whitman stated that he needed more time to think about the way things would be done and how it would work. He didn't want one item to have such a focus that other items are not attended to.

Councilor Mooney reiterated that if staff was directing things, it keeps the focus in the right place. Councilor Whitman thought Director Heard had stated that there would be a staff member overseeing the committee and coming up with the ideas. Councilor Mooney disagreed. Director Heard stated that the thought as it was drafted, was that staff would ask directed questions of the committee members as to what kind of help was needed. He stated that community input will be needed on some items.

Mayor Kingston thought when Council first discussed this at their December 1, 2021 meeting, it was wide open. He thought Council was trying to narrow the scope and make sure there was a point at the end that needed to be focused on.

Councilor Schiano agreed with the other Council comments. He stated that he liked the process that was designed as well as the structure of it. He thought it would be more effective if the committee had specific tasks rather than just creating tasks and giving them to them. He thought that spending more time thinking about it and coming up with things that Council definitely wants to task them with would be good. He thought Council needed to take into consideration the DCBA as they may need to change their focus to become more engaged. He thought it was good to get input from the Town citizens but there needed to be a focus and direction.

Mayor Kingston suggested that the item be put on the Retreat agenda or have a midmonth meeting to discuss the issue in more detail. It was *consensus* of Council for Mayor Kingston to discuss when the discussion should be had with Director Heard and Town Manager Drew Havens.

#### **NEW BUSINESS**

# $\underline{Discussion/Consideration\ of\ Authorizing\ Staff\ to\ Study\ Potential\ Amendments\ to}$ the Town Code

Director Heard stated that after running across issues with the application of the Town Code in several situations, the Community Development Department identified a number of potential text amendments to the Town Code that may be worthy of further study and consideration. He stated that staff was asking for Council's authorization to work with the Planning Board, the Town Attorney, the Town's engineer, and other resources as necessary on the potential amendments as follows:

- Subsection 150.26(C)(1) Elevation Certificate Requirements
- Subsection 150.027(M) and 150.28(E) Criminal Misdemeanor to Civil Penalty
- Section 156.002 Definition of Drug Paraphernalia Sales and Smoke and Vapor Shops
- Section 156.002 Definition of Lot Coverage
- Subsections 156.030(D)(6), 156.031(D)(6) and 156.032(D)(6) 35% Lot Coverage Allowance
- Subsections 94.01 and 156.124(C)(1)(b) Elevation of Dune Walkover Structures
- Subsection 156.124(C)(2)(d) Pools Flush with Adjacent Grade

Mayor Kingston asked if there was a prioritization on the text amendments. Director Heard stated that a couple of them were simple fixes which would go before the Planning Board at their February 9, 2022 meeting. He added that a number of them would require some study and putting together some background information for the Planning Board, which will take longer. He noted that they were not in any order of priority, but in order as they appear in the Town Code.

Councilor Schiano moved to authorize the review of potential text amendments as presented.

Motion carried 5-0.

# ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY

Attorney Leidy stated that he had nothing to report.

# ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER

### **Departmental Updates**

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.

Police Chief Jeffrey Ackerman was recognized to speak. Police Chief Ackerman gave a brief overview of the past month's police activities to Council and the audience.

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

Public Information and Events Director Christian Legner was recognized to speak. Director Legner gave a brief overview of activities to Council and the audience.

### January FY 2022 Financial Presentation

Finance and Human Resources Administrator Jessica Barnes was recognized to speak. Administrator Barnes gave a short presentation on the January Fiscal Year 2022 financials to Council and the audience.

### MAYOR'S AGENDA

Mayor Kingston stated that he has his mayors/chairmen meeting on February 15, 2022, which will be hosted by the Town of Kill Devil Hills. He stated that he has an Executive Committee meeting with the League of Municipalities on February 14, 2022; a Finance Committee meeting on February 18, 2022; and a Board meeting on February 24-25, 2022 in Greensboro. He stated that he was looking forward to the Retreat, noting that the agenda would be somewhat different than in prior years. He congratulated Mayor Pro Tempore Thibodeau for being elected to Vice Chair of the Dare County Tourism Board.

## **COUNCIL MEMBER'S AGENDA**

Mayor Pro Tempore Thibodeau thanked Mayor Kingston for his congratulations, adding that she enjoys serving on the Tourism Board. She went on to give a short update on the recent Tourism Board meeting to Council and the audience. She commended Director Legner and Town staff on the information that's been disseminated regarding the beach renourishment project that has been put out to date.

Councilor Mooney stated he had nothing to report.

Councilor Whitman stated he had nothing to report.

Councilor Schiano stated he recently attended the Essentials of Municipal Government and Ethics course virtually and found it very interesting.

### OTHER BUSINESS

## **Additional Public Comments**

Mayor Kingston opened the floor for public comments. There being no one wishing to comment, he closed the time for public comments.

Mayor Kingston noted that the next meeting would be the Retreat on Wednesday, February 16 and Thursday, February 17, 2022 at 9:00 a.m.

### **ADJOURNMENT**

Councilor Schiano moved to adjourn the meeting.

Motion carried 5-0.

The time was 8:16 p.m.

Lori A. Ackerman, Town Clerk

approved: March 7 2022

Don Kingston, Mayor