

**TOWN OF DUCK
TOWN COUNCIL
REGULAR MEETING
May 3, 2023**

The Town Council for the Town of Duck convened at the Paul F. Keller Meeting Hall at 6:00 p.m. on Wednesday, May 3, 2023.

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

COUNCIL MEMBERS ABSENT: Councilor Tony Schiano.

OTHERS PRESENT: Town Manager Drew Havens; Director of Community Development Joseph Heard; Police Chief Jeffrey Ackerman; Fire Chief Donna Black; Town Attorney Robert Hobbs; Community Planner James Gould; Senior Planner Sandy Cross; Finance and Human Resources Administrator Jessica Barnes; and Town Clerk Lori Ackerman.

OTHERS ABSENT: Public Information and Events Director Kristiana Nickens.

Mayor Kingston called the meeting to order at 6:00 p.m. He noted that Councilor Schiano was excused from the meeting. He added that the Town was having audio issues and asked the audience to be patient. He noted that only Council would be shown on the video due to severe technical issues.

Mayor Kingston asked Mayor Pro Tempore Monica Thibodeau to lead the Pledge of Allegiance. Mayor Kingston led the moment of silence.

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 asked that any comments related to the public hearings be held off. There being no one wishing to speak, Mayor Kingston closed the time for public comments.

CONSENT AGENDA

Minutes from the April 5, 2023, Regular Meeting; Contract for Legal Services with Hornthal, Riley, Ellis & Maland, LLP; Resolution 23-06, a Resolution of the Town Council of the Town of Duck, North Carolina, Declaring the Week of May 14-20, 2023 as National Memorial Police Week; Resolution 23-07, a Resolution of the Town Council of the Town of Duck, North Carolina, Supporting *The Lost Colony*; Budget Amendment

Councilor Whitman moved to approve the consent agenda as presented.

Motion carried 4-0.

SPECIAL PRESENTATIONS

VHB Presentation of the RCCP Phase 3 Final Report, a Neighborhood Resiliency Study of Five Flood-Prone Basins in the Town of Duck

JD Hines of VHB was recognized to speak. Mr. Hines went on to give a short presentation on the RCCP Phase 3 final report to Council and the audience.

Mayor Pro Tempore Thibodeau asked if there was an opportunity for the Town or individual homeowners to take an initiative for obtaining rain barrels for their homes. JD Hines stated that there were several sources available and thought they may be listed in the study report.

Mayor Kingston asked if there have been any conversations with the homeowner associations since the RCCP presentation. JD Hines stated that there have.

Mayor Kingston thanked JD Hines for his presentation.

QUASI-JUDICIAL PUBLIC HEARING

Public Hearing/Discussion/Consideration of SUP23-004, an Application by David Stormont for a Special Use Permit for the Following Allowances for the Driveways and Parking Areas at 110-B Sound Sea Avenue to Allow Parking Spaces to be Located within 2.8 Feet of the Front Property Line where a Five-Foot Setback is Required in Section 156.092(D); to Allow a Reduction in the Minimum Separation between Multiple Drive Aisles to 10 Feet rather than the 25 Foot Required in Section 156.092(E); and to Allow a Combined Aggregate Drive Aisle Width of 28 Feet where a Maximum of 24 Feet is Permitted in Section 156.092(E)

Mayor Kingston turned the meeting over to Town Attorney Robert Hobbs.

Town Attorney Robert Hobbs was recognized to speak. 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 if any member of Council needed to disclose any communications about the subject of the hearing that they may have had with the applicant or any person prior to the hearing.

Councilor Whitman stated that he was the Council Liaison for the Planning Board and had sat through the approval, but it would not have any effect on his vote for this public hearing.

Town Attorney Hobbs stated that anyone that would be presenting evidence in connection with the hearing would need to take an oath. He asked that anyone wishing to testify come forward to be sworn in.

Town Clerk Lori Ackerman was recognized to speak. Town Clerk Ackerman went on to swear in the applicants and staff for the public hearing.

The following persons were sworn to provide testimony during the hearing: Joseph Heard, Sandy Cross, David Stormont, and Joseph Blakaitis.

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

Director of Community Development Joseph Heard was recognized to speak. Director Heard noted that the public hearing was properly advertised. He stated that the applicant was requesting a special use permit for the following allowances for the driveways and parking areas at 110-B Sound Sea Avenue: (1) to allow parking spaces to be located within 2.8 feet of the front of the property line where a five foot setback is required in Section 156.092(D); (2) to allow a reduction in the minimum separation between multiple drive aisles to 10 feet rather than the 25 feet required in Section 156.092(E); and (3) to allow a combined aggregate drive aisle width of 28 feet where a maximum of 24 feet is permitted in Section 156.092(E).

Director Heard stated that the property at 110-B Sound Sea Avenue was 7,516 square feet and zoned Single Family Residential. He noted that the property was recently developed as a single-family residence with accompanying driveways and parking improvements. He stated that the subject property is surrounded entirely by other properties in the Sound Sea Village neighborhood, which is zoned Single-Family Residential, with one of the parcels abutting the rear of the property that was undeveloped.

Director Heard stated that the subject property was recently developed with a single-family residence with accompanying driveways and parking improvements. He noted that when the property owner provided an as-built survey at the completion of the project, it showed several inconsistencies with Town standards relating to parking and driveways. He added that after staff discussed a variety of alternatives for compliance with the property owner, the owner decided to submit this special use permit application with the intent of bringing the existing, nonconforming driveway/parking layout into compliance. He stated that a Temporary Certificate of Occupancy was issued for the residence on December 13, 2022 with the conditions that the parking be brought into compliance and a revised as-built survey provided to verify the compliance.

Director Heard stated that Subsection 156.155 of the Duck Town Code establishes review criteria for special use permit applications, with the following standards that should be considered as part of the Town Council's review:

1. The use meets all required conditions and specifications of the ordinance.
2. The use does not materially endanger the public health or safety.
3. The use will not substantially injure the value of adjoining property unless the use is a public necessity.
4. The use will be in harmony with the area in which it is located and be in general conformity with the Comprehensive and CAMA Land Use Plan.

Director Heard pointed out that in addition to the criteria, Section 156.096 of the Town Code contains the following additional criteria for special use permits requesting modification of parking or loading requirements:

5. Will not result in increased traffic congestion or otherwise negatively impact existing traffic flow or pedestrian and vehicular safety.
6. Will not be contrary to the objectives specified in the CAMA Comprehensive & Land Use Plan.
7. Is necessary to permit the reasonable use of the subject property.
8. Will not adversely impact adjacent property or the surrounding areas.

Director Heard noted that when granting a special use permit, the Council may prescribe appropriate conditions and safeguards to the location, nature and extent of the proposed use and its relation to surrounding property, for purposes of (1) ensuring that the conditions of permit approval will be complied with; and (2) minimizing any potentially injurious effect on the proposed use on the adjoining properties, the character of the surrounding area, or the health, safety and general welfare of the community.

Director Heard stated that there were three different allowances being requested as part of the special use permit application: (1) parking space setback; (2) minimum separation between drive aisles; and (3) aggregate drive aisle width. He stated that the Planning Board found that granting the first two allowances would be consistent with elements of the Town's adopted Comprehensive and CAMA Land Use Plan as they help to preserve existing, mature trees and would not appear to negatively impact the surrounding neighborhood; however, the Board did not find the same justification for the requested allowance for wider driveways, which are not consistent with the Comprehensive and CAMA Land Use Plan. He stated that at their meeting on April 12, 2023, they voted 2-1 to recommend approval of SUP 23-004 for the requested allowances to the minimum parking setback from the front property line and minimum distance between driveways, but recommended denial of the requested allowance for wider driveways in aggregate.

Director Heard noted that subsequent to the Planning Board meeting, the applicant submitted a letter expressing his openness to considering a reduction in relief from the aggregate driveway width requirement if the Council was not inclined to grant the full request.

Town Attorney Hobbs asked Council if they had questions for Director Heard.

Mayor Kingston asked Director Heard if the Planning Board had discussed any options with respect to the 28-foot issue. Director Heard stated that it was brought up as an option and the majority of the Board felt that it wasn't their role to redesign the site and tell the applicant what the proper width was, adding that they were uncomfortable with it and decided to recommend denial. He thought the applicant was prepared to discuss it if that was the direction Council wanted to go. Mayor Kingston asked if the Town approved the original design for the driveways. He clarified that the driveways were not in existence. Director Heard stated that they were in existence, explaining that the staff-approved site plan was different than the one in front of Council. He stated that what is currently on the site is different than what was on the approved site plan and the applicant came in after the fact to try to address the situation through the special use permit.

Councilor Mooney asked if staff had the original site plan. Director Heard stated that they did. He noted that the driveway in the original site plan complied with the Town's regulations as it was a single driveway that complied to the width requirement and the setbacks. He explained that the need for the setback change happened when the applicant changed the configuration of the stairwell. He stated that it was approved originally by staff and complied thoroughly with the Town's standards. Councilor Mooney clarified that the changes that were made from the original site plan concept were done to preserve the trees. Director Heard stated he was correct.

Mayor Pro Tempore Thibodeau clarified that in the original site plan, the width of the two driveways shown was compliant but then they had to be moved to allow for the trees which caused them to be a little wider. Director Heard pointed out that there was only one driveway on the original site plan but now there were two.

Town Attorney Hobbs asked if Council decided to approve the requests as part of the permit, they would incorporate the findings that were included in the staff report. Director Heard stated that if Council agreed with the Planning Board, then they could reference the findings in the staff report. Town Attorney Hobbs asked if there were any recommendations as far as conditions. Director Heard stated that no conditions were recommended as part of the approval.

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

Town Attorney Hobbs asked the applicant to make a presentation.

David Stormont of 6036 Currituck Road, Kitty Hawk was recognized to speak. Mr. Stormont stated that Sound Sea Village was the first development platted in the Town of Duck and was platted in the early 1960's. He stated that the subject property was purchased by his parents in 1967 and he built a house for his son and his family on the property. He stated that the property has five mature Live Oak trees on it and his goal

with building on the property was to try to preserve as many of the trees as he could. He added that there were many saplings and pine trees where the footprint of the home was so he only had to remove one mature Oak tree while saving the others. He stated that the Health Department had originally platted the septic field to where the septic tank would be in the location where the fourth tree was located, which was the most mature tree on the property. He stated that he made the decision to shift the septic field to the south in order to preserve the tree and in doing so, it eliminated his ability to construct a circular driveway because one of the trees would have to be removed.

David Stormont stated that the reason the stairwell was reconfigured was because they would end in front of one of the trees. He stated that on the east side of the large driveway were two mature Oaks that if he had taken parking spaces and put them in that direction, he would have had to remove those trees. He noted that he moved the house on the site plan three to four times and the final site plan in front of Council was the most recent plan.

David Stormont explained that the large driveway measures 18 feet in width. He stated that he came up with that because Duck's standards were that a parking space has to be nine feet wide by 18 feet long. He stated that he has two parking spaces side by side that measure nine feet each for a total of 18 feet. He stated that in trying to work out the third parking space, which was the smaller driveway, he could have cut it down to nine feet, which was the exact size of a parking space but when one would get out of their vehicle, they would step into a flower bed. He stated that he put six inches on either side of a vehicle in order to give a person room to step out of it, which was how the 10-foot measurement came into play.

David Stormont stated that Sound Sea Village was a very old subdivision and, by today's requirements, there were many nonconformities in the subdivision with respect to driveways. He pointed out that near his driveway were two other driveways that did not have 25-foot separations and 400 feet to the east was a driveway that exceeds 24 feet in total aggregate, which was similar to his. He noted that a similar driveway could not exceed 20 feet. He stated that he has not completed anything different than what one would see if they drove through the subdivision, adding that they were gravel and not asphalt. He pointed out that his neighbors on either side have submitted letters of support for his project, adding that he thought the Town sent multiple letters to the adjacent property owners without receiving any objections.

Town Attorney Hobbs asked Council if they had questions for David Stormont.

Mayor Kingston clarified that the lot was 7,500 square feet. David Stormont stated he was correct. Mayor Kingston asked how many parking spots were required on the lot with the house the size it was. Mr. Stormont stated it was three, adding that it was a three-bedroom home with 2.5 baths and was 2,000 square feet of heated living space. Mayor Kingston asked what other options were considered. He clarified that a circular driveway was considered. Mr. Stormont stated that he had thought of installing a circular driveway, but it meant two trees would have to be removed.

Mayor Pro Tempore Thibodeau stated that the Planning Board had concerns that they could not redesign the project and David Stormont had sent a letter stating that he would be willing to complete some mitigation of the width. She asked what that would entail. David Stormont explained that, technically, he could shave one foot off of the 10-foot driveway to make it no greater than nine feet which was the size of a parking space. He added that there were other possible options available but he was so close to the property line as well as the street at Sound Sea Avenue. He stated that by reducing the total width on the 18-foot driveway, he could not reduce the width of the parking space because he needed nine feet in order to stay compliant. He added that coming off the back of the parking space and cutting it down in order to gain four feet would mean he would lose two feet on the side and a car would end up in the woodchips on the property. Mayor Pro Tempore Thibodeau asked where the gravel would come into play on either side of the driveway. She asked if rock would be installed and counted as lot coverage. David Stormont understood that if he was to install loose stone that could sink into the ground, it would be pervious and would not count against lot coverage. He added that if he installed crush and run under the stone to support it, it would become an impervious surface.

Councilor Whitman asked David Stormont if he considered having the single driveway with all stone instead of concrete. David Stormont pointed out that there was no reason to remove the concrete under the parking space. He added that, by definition, he was noncompliant because he was four feet over the 24-foot maximum aggregate. He stated that he was at 28 feet maximum aggregate as measured at the property line. He added that everything to the house side of the property line and everything to the right-of-way side of the property line had nothing to do with the requirements. He explained that the requirements say that it is as measured at the property line.

Director Heard stated that there was not an issue with lot coverage, but it had to do with width. He stated that it didn't matter what material was used for the driveway, as long as the width did not exceed 24 feet. He noted that if the applicant replaced the driveway with gravel, it would still be 10 feet wide, which would not resolve the issue. He added that staff understood the point that the applicant made in that there were limitations. He didn't think it was feasible with the way it was spaced, to cover all the way to 24 feet but it could be tapered somewhat. He pointed out that there was not a lot of room, but maybe the driveway width could be tapered so that it would reduce further at the property line where it would be measured. He stated that this was what was brought up at the Planning Board meeting, adding that David Stormont had noted that the driveway length and width could be reduced.

Councilor Mooney asked if the 24 feet encroached on the setbacks on either side of the house. Director Heard stated that it did not under the design in front of Council. Councilor Mooney clarified that the design in front of Council is what is currently at the property. Director Heard stated he was correct, adding that if it was reduced further, it would not intrude into the setbacks. Councilor Mooney clarified that it didn't currently intrude into the setbacks. Director Heard stated he was correct.

Mayor Kingston asked, from an engineering standpoint, if it was feasible to have a 20-foot driveway leading to the three parking spaces. Director Heard stated that it was, explaining that where the parking was located, a minimum of 27 feet was needed for each space. He added that the driveway coming in could be 24 feet. Mayor Kingston clarified that the 24 feet was measured at the lot line at the street. Director Heard stated that it was measured at the front property line and not the street.

Councilor Whitman clarified that the applicant was asking for a reduction in the 24 feet in a 2.5-foot distance. Director Heard thought it would be difficult to do that and maintain the function of the parking in its current location. Councilor Whitman asked if there was a size of the opening that the Town could live with. Director Heard stated that it was up to Council. He thought six inches could be picked up on each side, but it was for Council to make that decision and not staff. Councilor Whitman thought Council needed staff's help to come up with a width since Council were not engineers. Director Heard pointed out that staff were not engineers as well. He stated that he could see shaving width off of the one driveway as David Stormont had suggested and possibly tapering it and picking up another foot on the double driveway. He reiterated that he was not an engineer.

Councilor Mooney clarified that the objection the Planning Board had was with the complete width of the driveways because the applicant was over by four feet. Mayor Pro Tempore Thibodeau and Director Heard agreed. Councilor Mooney asked if it was based on the existing statute or if there was some other reason. Director Heard thought Planning Board Vice Chair Joe Blakaitis could answer the question.

Joe Blakaitis of 115 Sandpiper Cove was recognized to speak. Mr. Blakaitis did not think it was based on the existing statute, adding that it did not comply with the Comprehensive & Land Use Plan. Councilor Mooney clarified that there were no other objections. Joe Blakaitis stated that there were not.

Mayor Kingston clarified that the Planning Board did not have any other issues with the exceptions. He further clarified that the Planning Board had an issue with one of the three exceptions. He asked what the Planning Board's rationale was in approving two of the three exceptions. Joe Blakaitis stated that Special Use Criteria #5 was the one that staff had an issue with and was also the one that that Planning Board agreed with staff on. He thought the denial was for the widening of the driveway. Director Heard stated he was correct.

Director Heard stated that the rationale had to do with the justification that the applicant has on the other two were saving trees, which was consistent with the Comprehensive and CAMA Land Use Plan. He stated that the rationale for having wider driveways does not help to preserve the trees so the Planning Board did not find the same justification in the Land Use Plan that they did for the other two.

Mayor Pro Tempore Thibodeau stated that David Stormont had suggested in his letter that he was prepared to complete some kind of mitigation. She asked what he was

planning to do. David Stormont stated that it was possibly shaving the 10 foot down to nine feet. Mayor Pro Tempore Thibodeau clarified that when one drove in to the driveway, it would be nine feet wide and then it would widen to 10 feet. Mr. Stormont stated she was correct, adding that it would be once one cleared the property line. Mayor Pro Tempore Thibodeau clarified that it would functionally work. Mr. Stormont stated that he could definitely make that work.

Councilor Mooney clarified that David Stormont would end up being three feet over. David Stormont stated that he was correct.

Town Attorney Hobbs asked if any of the sworn witnesses wished to make a presentation. There were none.

Town Attorney Hobbs asked Council if they had any final questions. There were none.

Town Attorney Hobbs 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. He pointed out that no conditions were suggested to be added in the decision. He stated that there were three different requests and Council could look at them individually and if they approved the permit, they would know which ones would be included. He stated that, due to the nature of the special use permit, he thought Council would want to direct staff, if they approved the permit, to prepare the permit that would be drafted for the Mayor's signature.

Mayor Kingston stated that the special use permit was intended to deal with exceptions. He pointed out that these were very small lots in a very old neighborhood with not a lot of room to maneuver. He stated that things have changed such as the requirements for septic. He thought Council was looking at a couple of exceptions with the Planning Board agreeing on two. He thought the third one was not an unreasonable request and thought it was better to save the trees. He pointed out that the applicant did not have much room to work with and was willing to shave down the driveway, which he did not see much use in that. He thought the pieces of the turning part by the road could be removed. He stated that he would support the special use permit with all three exceptions.

Mayor Pro Tempore Thibodeau agreed with Mayor Kingston's comments. She stated that the amount of effort involved in shaving down to get one more foot seemed like a lot. She thought Council did not want to set a precedent on the driveway, but over the years, the Town has required new construction on very small lots to fit in to some new requirements. She thought David Stormont had done an exceptional job in creating something that looked like the Town as well as saving the trees. She stated that for those reasons, she would support all three requests of the special use permit.

Councilor Whitman agreed with Mayor Kingston and Mayor Pro Tempore Thibodeau's comments. He stated that saving trees had a greater effect than shaving the driveway down by four feet.

Councilor Mooney moved to approve SUP23-004 as presented, direct staff to prepare a permit and adopt the findings of fact as well as finding consistency with the Land Use Plan for all three of the items; proposing no conditions be added to the permit and approving all three requests as far as the application for the permit.

Motion carried 4-0.

LEGISLATIVE PUBLIC HEARINGS

Public Hearing/Discussion/Consideration of Ordinance 23-01, an Ordinance Amending the Definition of Lot Coverage in the Zoning Ordinance of the Town of Duck, North Carolina

Mayor Kingston turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body. He stated that Director Heard would give a presentation.

Director Heard stated that Council had two ordinances in front of them that relate to the same thing. He stated that Ordinance 23-01 proposes to amend the definition of *Lot Coverage* and Ordinance 23-02 deals with how the Town applies permeable surface materials in instances where owners were seeking a 5% lot coverage bonus for implementing stormwater management features on residential properties.

Director Heard pointed out that in recent years, Community Development staff members have received an increasing number of proposals involving property owners seeking approval for lot coverage allowances for alternative surfaces such as permeable pavers and artificial turf.

Director Heard stated that the Planning Board discussed both ordinances at their March 8, 2023 meeting and voted unanimously to recommend approval of Ordinance 23-01 and Ordinance 23-02.

Councilor Whitman noted that in Ordinance 23-02, a homeowner would be gaining 5% more lot coverage. He asked if they sold the property, it would be in the deed that it has to be maintained. Director Heard stated that it would not be required to be recorded in the deed, adding that it would be possible if a homeowner sold their property that that message would not get passed along to the new homeowner. Council Whitman asked if the property sold and the new homeowner wants to increase their lot coverage using pervious pavers, how would the Town know what they could or could not do. Director Heard stated that staff would evaluate the existing lot coverage at that time and would have a record on whether or not they were approved for use of pervious materials. He

noted that staff would know what they were approved to do. He added that the homeowner would have to show compliance with the standards with the changes they were making.

Mayor Pro Tempore Thibodeau clarified that the record the homeowner has on the property would be kept in the Town offices so that any future improvements would be looked at to compare what was approved. Director Heard stated that some of the burden would be on the buyer to complete their due diligence and see what was approved on the property they were purchasing. He noted it did not require anything to be recorded but staff would maintain the record of approval at the Town offices.

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

Town Attorney Hobbs asked if any members of the public wished to address the proposal. There were none.

Town Attorney Hobbs asked if Council had any remaining questions. There were none.

There being no one else wishing to speak, Town Attorney Hobbs closed the public hearing and reminded Council that they were sitting as a legislative body and in order to adopt the ordinance on the first read, it would require a two-thirds vote of all members, which was four members. He turned the meeting over to Mayor Kingston for deliberation.

Mayor Pro Tempore Thibodeau felt that Council had seen the two ordinances presented in a good, comprehensive way over the last few months and it all seemed very reasonable.

Mayor Pro Tempore Thibodeau moved to approve Ordinance 23-01 as presented.

Motion carried 4-0.

Public Hearing/Discussion/Consideration of Ordinance 23-02, an Ordinance Amending Standards for Lot Coverage Calculations for Residential Properties in the Town of Duck, North Carolina

Mayor Kingston turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body.

Director Heard stated that he did not have additional comments to make on this ordinance since it was discussed in the previous public hearing.

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

Town Attorney Hobbs asked if any members of the public wished to address the proposal. There were none.

Town Attorney Hobbs asked if Council had any remaining questions. There were none.

There being no one else wishing to speak, Town Attorney Hobbs closed the public hearing and reminded Council that they were sitting as a legislative body and in order to adopt the ordinance on the first read, it would require a two-thirds vote of all members, which was four members. He turned the meeting over to Mayor Kingston for deliberation.

Councilor Whitman thought the proposal would put a lot of pressure on Town staff for the extra 5% and thought it should be recorded when it is taken to the County Clerk's office so an owner could not come back at a later date and try to blame the Town for the property they purchased.

Mayor Pro Tempore Thibodeau moved to approve Ordinance 23-02 as presented.

Councilor Whitman asked if his comments were part of the motion. Mayor Pro Tempore Thibodeau stated that they were not. Mayor Kingston asked Councilor Whitman if his comments were in the form of a motion. Councilor Whitman stated that he wanted his comments added to the motion. Mayor Pro Tempore Thibodeau pointed out that it would be a motion he would have to make. Councilor Mooney thought the issue was that Councilor Whitman's suggestion was something that the Town would not be doing so Council could not require someone else to do it. He added that Council could not require the County to do that. He pointed out that Director Heard had explained that whatever happens would be recorded and maintained in the Town's files, therefore Council has fulfilled every responsibility it has regarding the change in the ordinance. He stated that, to require the Dare County Clerk to record it was beyond Council's scope and they could not make them do it.

Mayor Kingston pointed out that the Dare County Register of Deeds does not record lot coverage. He clarified that there was no recording of lot coverage when the plat was completed. Senior Planner Sandy Cross was recognized to speak. Senior Planner Cross explained that the Register of Deeds does not record that, but if there was documentation that a homeowner has that was associated with the property when it was recorded, it could be done. She thought Councilor Whitman was asking if there was a certification by an owner that they were permitted to have permeable pavement and/or an additional 5% based on certain specifications/installations, that it be recorded with the Register of Deeds so that there was a record of it other than in the Town offices. Councilor Whitman agreed.

Mayor Pro Tempore Thibodeau thought it was another mechanism of requiring it which may be a different ordinance. She thought it was complicating the issue. Town Attorney Hobbs stated that he does record special use permits, but he didn't think anything dealing with lot coverage was recorded. He noted that many people have a survey but the vast majority were not recorded and were not required to be. He thought a recommendation or a change could be developed where that could happen. He suggested that Council ask staff to monitor the issue and if necessary, come back to Council with a text amendment to potentially do that. He stated that if Council wanted to do it at this meeting, it may require some additional wording and could be harder to add. He pointed out that there were other lot coverages that were required in the code but he wasn't aware of any requirement that they be documented on the public records.

Mayor Kingston clarified if a homeowner installed a pool, it was recorded. He added that it does show up on the tax records. Town Attorney Hobbs stated that it was not in the Register of Deeds records.

Mayor Kingston pointed out that Councilor Whitman had made a recommendation but Mayor Pro Tempore Thibodeau moved to approve the ordinance as presented. Mayor Pro Tempore Thibodeau stated that she was not opposed to having staff monitor the issue. She thought there would be a note or letter in the homeowner's file where they agree to maintain it, which was a good red flag in the file. She stated that she was just as concerned about the homeowner maintaining things. She thought the idea of trying to tighten it up and define it as well as having a methodology for holding people accountable, was something that the Town was making good progress, which was why she was in favor of the existing ordinance as presented. She reiterated that staff could continue to monitor it after it's implemented to see if there were any issues that arise.

Mayor Kingston asked Councilor Whitman if he would be willing to adopt the ordinance as written and then have a separate item where Council directs staff to look at how things are recorded and tracked over time. Councilor Whitman stated that he would.

Motion carried 4-0.

Councilor Whitman stated that he would like staff to come up with a way that they will monitor this after one year for two years and if someone sells a property and wants to make changes in order to obtain an additional 5% that the Town accounts for the first 5%.

Mayor Kingston asked if it was enough direction to look at how things would be tracked over time. Senior Planner Cross stated that staff has a software system that can handle the tracking.

It was *consensus* of Council to direct staff to track the information.

Public Hearing/Discussion/Consideration of the Proposed FY 2024 Budget

Mayor Kingston turned the meeting over to Town Attorney Hobbs.

Town Attorney Hobbs opened the public hearing, noting that the Council would be sitting as a legislative body. He stated that Town Manager Havens would give a presentation.

Town Manager Drew Havens was recognized to speak. Town Manager Havens stated that at Council's April 19, 2023 meeting, he presented the Proposed FY 2024 budget. He pointed out that the proposed budget was based on an Ad Valorem tax rate of \$0.22 for Fiscal Year 2023-2024 which was unchanged from Fiscal Year 2022-2023. He added that the proposed budget also sets the tax rates for the two MSDs as follows: MSD-A would be at the rate of \$0.1296 and MSD-B at the rate of \$0.285. He noted that both remain unchanged from the Fiscal Year 2022-2023 budget. He noted that Council may hold additional work sessions, as needed, on the budget and that the budget needed to be adopted by June 30, 2023. He reviewed the proposed budget with Council and the audience.

Town Attorney Hobbs asked Council if they had questions for Town Manager Havens.

Mayor Kingston thought Town Manager Havens and Town staff did an excellent job with the draft budget, adding that Council had an intensive April 19, 2023 mid-month meeting. He thought it was a very good budget for the following year. He stated that with respect to the tax rate, he thought with everything increasing and the taxes holding flat in Duck, it was an outstanding job that everyone was doing. He cautioned that there may be tax increases with the other towns, which will have a longer-term impact on the Town two years out with regard to Occupancy Tax. He stated that Town Manager Havens had mentioned that the draft budget was on the website and thought he would be available to answer questions from the budget. Town Manager Havens stated that he would. Mayor Kingston asked how the May mid-month meeting would be determined if any questions come in. Town Manager Havens stated that he would communicate with Council if a mid-month meeting were needed. Mayor Kingston stated that he did not have any questions regarding the budget.

Mayor Pro Tempore Thibodeau thought that the budget was very easy to get to on the Town's website. She thanked Town Manager Havens and Town staff, adding that the budget was really well laid out and easy to understand. She commended Town Manager Havens for his work. Town Manager Havens pointed out that in addition to the budget document, there was a shorter version available that was a four-page summary of the draft budget.

Town Attorney Hobbs asked if any members of the public wished to comment on the proposed budget. There were no comments.

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

Mayor Kingston stated that the next step would be Council voting on the budget at their June 7, 2023 meeting unless some significant issues come up before then.

OLD BUSINESS/ITEMS DEFERRED FROM PREVIOUS MEETINGS

Discussion with Mirek Dabrowski of Duck Surf Rescue regarding Lifeguard Service

Surf Rescue Director Mirek Dabrowski was recognized to speak. Surf Rescue Director Dabrowski gave a short presentation on his lifeguard services to Council and the audience.

Mayor Pro Tempore Thibodeau knew the personnel costs were increasing. She asked Surf Rescue Director Dabrowski if he had any big concerns for next year. Surf Rescue Director Dabrowski stated that the consistent issue has been housing. He hoped to address that moving forward, adding that 75% of his lifeguards were from out of town. He stated that of the other 25%, maybe 5% were from out of town but their families have homes nearby that they can use; and the rest were locals. He noted that there was no housing available for those that live out of town, adding that he has a house he rents as well as one he owns that were side by side that handles his needs. He stated that he was working on relieving some of the pressure on those two houses with another house in Currituck, but it was another year out before it would be finished. He stated that the end of the season was another issue because of the lifeguards going back to school earlier in the year than in the past.

Mayor Kingston asked Surf Rescue Director Dabrowski if he was fully staffed for the summer. Surf Rescue Director Dabrowski stated that he was. Mayor Kingston asked with respect to the number of lifeguard stands if there were enough for the beach. Surf Rescue Director Dabrowski stated that there was a small gap between Charles Jenkins Road and Plover Drive, adding that one or two additional stands in that area would be great. He did not see the population as great as he felt it needed to be in order to fill those areas, but he saw down the road filling those areas in. He noted that it gets more and more difficult for the four-wheelers to traverse through the population part of the day. Mayor Kingston asked if the hiring rate was raised and if things worked out. Surf Rescue Director Dabrowski stated that it was and it worked out.

Mayor Kingston thanked Surf Rescue Director Dabrowski for his presentation.

NEW BUSINESS

Discussion/Consideration of a Request to Begin the Process of Obtaining an Appraisal to Determine the Value of the Land Proposed to be Leased from the US Army Corps of Engineers for a New Public Safety Facility

Town Manager Havens stated that staff has been in contact with a realty specialist with the US Army Corps of Engineers regarding leasing a new parcel of land for a Public Safety building and working to get a determination if the US Army Corps of Engineers wants to retain the current building as an "in kind" payment for a new lease. He stated that the Field Research Facility and the Army Corps of Engineers have determined that

they want to receive the existing building once the new building is built and staff have moved into it. He explained that the first step in the process was to obtain an appraisal of the building and the land that the Town plans to lease for the new facility. He added that the Army Corps of Engineers will develop the scope of the appraisal and will review the appraisal submitted in response to the scope. He noted that the \$10,000 payment being sought is for their role in this work and the Town will have to contract with an independent appraiser to perform the work. He added that the cost of that work will be dependent on the scope of work the Army Corps of Engineers will do once the payment is submitted.

Town Manager Havens explained that after the appraisal is complete and staff knows the value of the lease as well as the value of the "in kind" payment of the building, he would come back to Council for approval of additional expenses related to the lease process, including updating and completing the environmental assessment and the balance of the lease process work. He noted that the Town paid \$35,000 to begin the environmental assessment process; \$5,000 for unexploded ordnance research; and \$5,000 in lease work fees to the Army Corps of Engineers in 2018. He added that since then the process was delayed because the Army Corps of Engineers and the Field Research Facility wanted to determine if they wanted to retain the current building.

Town Manager Havens stated that he was looking for Council to direct him to remit payment to the Army Corps of Engineers to develop a scope of and review the product of an independent appraisal, which would be paid by the Town, in the amount of \$10,000.

Mayor Kingston thought the Town needed to move forward with the appraisal. He hoped when the appraisal was done, they would take into account what the Town will be spending on the new building. Town Manager Havens stated that he had talked to the chief at the Field Research Facility and was told that the Town needed to keep really good records because what will be put in the building will help towards that. Mayor Kingston asked if the current Public Safety building had ever been appraised. Fire Chief Donna Black was recognized to speak. Fire Chief Black stated that an appraisal has never been completed.

Mayor Pro Tempore Thibodeau agreed with Mayor Kingston that the Town needed to move forward. She asked what the timeline was after the Town gave them the \$10,000. She clarified that the Town would give the Army Corps of Engineers the money, they would develop the criteria for the appraisal and then the Town would find an appraiser. She asked if it was about a year of that before getting to the next step. Town Manager Havens stated that they seem to have an interest in moving this along. He expected that the Town would get through the entire process of these negotiations by the end of the calendar year. Mayor Pro Tempore Thibodeau stated she was in favor of that.

Town Manager Havens stated that he would come back to Council to show what it was and what it will look like in terms of what the lease value will be. He cautioned Council that market leases were nowhere near what the Town is currently paying. He thought

Council should expect a fairly sizeable price tag, but he wasn't sure what it will be. He noted that it would not be \$5,000 per year, which it was currently.

Councilor Mooney asked if there was any indication on the length of the lease that the Army Corps of Engineers was willing to give the Town. Town Manager Havens stated that his initial recommendation was a 50-year lease and they came back saying they could not do 50 years but could do five years. He stated that he countered with 50 years as the Town could not put a 40-year asset on a 10-year piece of land. He added that the construction would need to be financed. He stated that there was a path to getting a longer lease and leases in the 50-year range were not uncommon and were usually for recreation leases. He pointed out that the Army Corps of Engineers owns large recreation lands and has had those lease terms. He noted that it was a different path to the approval and everything needs to clear their district in Savannah, Georgia and then it goes to the office in Washington, DC. Councilor Mooney clarified that the answer was unknown at this time. Town Manager Havens stated that all he knew was that it was doable.

Councilor Whitman moved to authorize the Town Manager to move forward with the \$10,000 payment to the Army Corps of Engineers in order to develop a scope of an appraisal for the new Public Safety building.

Motion carried 4-0.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN ATTORNEY

Town Attorney Hobbs stated he had nothing to report.

ITEMS REFERRED TO AND PRESENTATIONS FROM THE TOWN MANAGER

Departmental Updates

Senior Planner Cross gave an overview of the past month's permit activities to Council and the audience.

Senior Planner Cross reminded Council that at their strategic planning session, Council had listed trash enforcement as one of their priorities. She stated that as of March 2, 2023, staff started a complaint and staff-initiated enforcement program and the timeline was now available on the Town's website as well the ordinance that was passed. She added that it was also available on the Town's main webpage due to the seasonal trash collection that started on May 1, 2023.

Senior Planner Cross stated that since March 2, 2023, staff have gone out on 12 different non-collection days, whether they were complaint driven or staff was already out doing site visits for other things, to look at trash cans left on the streets. She stated that, as a result of the 12 days, staff sent out 180 notices to homeowners and reached 22

subdivisions. She noted that some of the subdivisions were skipped because they employ a trash roll in/roll out service. She stated that since the letters have gone out, she has spoken to multiple property management agencies, received emails from some, and were told by some that this was a problem that will never be solved.

Senior Planner Cross stated that staff has had conversations with many of the neighborhoods in Duck as well as individual property owners, adding that she also had discussions with other communities regarding their trash situation. She stated that she talked to the service providers to see what they were charging for the roll in/roll out service. She noted that this all has taken a lot of staff's time.

Senior Planner Cross stated that staff were now shifting gears and expected things to be a little more challenging. She explained that the plan was to send out an educational letter, like what has been done, that will be followed by a second educational letter if a home was found to be in violation again, and then a third letter letting the homeowner know they were in violation of the Town's ordinance and a fourth letter will result in the homeowner given a civil citation. She stated that if Council wants this enforced, staff will do so. She noted that once people start receiving civil citations, she will need more direction because it will cost money.

Senior Planner Cross stated that, based on conversations with providers, homeowners were more in favor of paying for the roll in/roll out service versus paying a fine. She stated that they are coordinated through their community because if the homeowner is fined repeatedly, it could be costly.

Councilor Mooney asked Senior Planner Cross to review the timeline, adding that he had heard from people that it was an off the cuff decision. Senior Planner Cross stated that staff started receiving comments from homeowners and homeowner associations about a new ordinance. She stated that they were told it wasn't a new ordinance, but an amended one to be more concise, direct, and easily read, which is what Council took action on at their April 5, 2023 meeting. She noted that it started well before the ordinance was amended, adding that staff had documented discussions regarding trash collection back in January 2022 and thought it went back even further than that. She pointed out that staff had received complaints about trash and that homeowners were complaining of rats. She added that Waste Management started doing better and trash was collected on a regular basis, but the Town was still having trash issues and still getting complaints about rats as well as the trash cans being left on the streets. She stated that if a trash can gets rolled to the curb later than usual and does not get collected, then the can sits for a week, full of trash, adding that even after the trash is collected, the can remains at the street.

Senior Planner Cross stated that since the comments have started coming in, she put together a timeline that went back to January 2022, which was available on the Town's website and links to Council meetings that discussed the issue. She stated that homeowners have to take responsibility to find out what is happening in Duck as well as advocate ownership of their property. She stated that how staff choose to manage or enforce was up to Council to decide. She thought her direction was that Council wanted

staff to enforce the ordinance and prior to this year, it was handled on a complaint basis. She added that her policy was that if someone had an issue with trash, they could send her a letter and she would investigate the entire community. She pointed out that if Council wanted staff to enforce the ordinance, staff would enforce it across the board and not pick and choose, unless Council wanted staff to handle it differently.

Mayor Pro Tempore Thibodeau thought the issue was raised most recently due to conversations and priorities to make sure the trash issue was discussed. She stated that some of it was predicated on the problems with Waste Management and then asking for a second collection day. She stated that it seemed okay but it really wasn't because the trash cans sat at the curbs for five days out of seven based on in and out rolling. She stated that since that time, Waste Management has improved their procedures and there was better communication. She stated that what staff has done has really raised awareness and created a buzz. She noted that it was the responsibility of the property owner, regardless if they have a management company, if they are renting the home on their own, or they live in the home. She noted that she received a notice for leaving her trash can out, adding that it was nondiscriminatory and was raising awareness. She stated that it was falling on the property owner to be ultimately responsible, which is the only way it could be, and everyone was sharing in the awareness.

Mayor Pro Tempore Thibodeau asked, with regard to enforcement, if the violations were being cited just for the roll back or if staff was planning to go out and investigate on a non-trash day. She further asked Senior Planner Cross what she was looking for with regard to both roll in and roll out. She knew property management companies were handling it differently, adding that some have started charging the homeowner. She added that Senior Planner Cross had heard the charge for the service was \$40. She knew as a business owner; she was trying to use existing staff to go out and check to make sure the trash cans were not sitting at the curb. She asked what was being checked. Senior Planner Cross stated that staff were checking for trash cans that are out at the curb. She noted that prior to May 1, 2023, staff would go out anywhere from Tuesday afternoon to Friday, not including the weekends. She added that she was getting notices from a lot of people and recruited people for that purpose as the Town gets into the season, because she wasn't going to check on the weekends. She stated that the level of enforcement needed to be dictated by Council. She asked Council how intense they wanted this to be. She agreed with Mayor Pro Tempore Thibodeau that staff has raised awareness, but people were looking for solutions. She stated that whether it comes from rental property management companies, the community associations, or the individual property owner, that was not for staff to decide. She stated that staff can provide contact information for service providers that provide roll in/roll out service. She added that there were approximately four to five year-round residents that do not rent, visit during the year, leave on a Sunday and are not at the home to roll the can back. She stated that she explained that they have a community that could manage that. She thought this should increase community awareness and participation amongst homeowner associations, adding that there were solutions if the homeowner wished to find them.

Councilor Mooney thought Senior Planner Cross could suggest to those owners that are here on the weekends that they need to make sure their cans are rolled back so their neighbors don't have to look at it sitting on the curb. He thought property owners could figure out how to solve the problem. He thought Senior Planner Cross was doing what she should be doing, reiterating that people need to figure things out. He stated that telling staff that it's a rental property or the property owner will not be in town on trash day was not an excuse and they needed to figure it out. Senior Planner Cross stated that some associations were taking action to deal with the issue and others were not. She thought homeowner associations could assess the rental properties to deal with the issue. She pointed out that it was a matter of sitting down with the community and figuring out a solution. She stated that if Council wanted it to be staff's solution, then she would have to come back with what it would cost to do that because it was already costing staff a lot of time.

Mayor Pro Tempore Thibodeau stated that this was a perfect time for staff to use their resources, adding that Council appreciated the time it has taken staff to document the issue. She thought the letters were very clear and had a nice tone to them. She stated that this time of year was perfect because everyone was ramping up for the season, so the awareness was being raised, solutions were being discussed, and she wanted more than three strikes for a variety of reasons. She thought there needed to be more time for the citations and felt it would be a lot of administrative work. She could not remember any other big citations that had been issued other than zoning violations. She stated that she would like to continue raising awareness because she thought the Town would get some results.

Mayor Kingston asked if it would be possible to go after the homeowner associations that have the greatest problems. He stated that they could be told that they have ongoing issues and need to step up within the association because the Town would not back off on the inspections and fines. He pointed out that his subdivision had an issue and the homeowner association put out a notice to the homeowners with a copy of the ordinance as well as what was expected, and if they were still in violation, the Town would be notified. He asked if that was an approach that could be done now that staff has some data. He thought there were some subdivisions that used a roll in/roll out service and were probably in compliance. Senior Planner Cross stated that she would not make that assumption as some of the communities have a roll back service but do not have a roll out service. She explained that when renters were checking out on a Thursday in the off season, trash would sit out until Monday. She stated that now, people would be checking out on Saturday with full trash cans that will sit out until Monday. She stated that compounding the problem was the weather, especially if it is extremely windy because then trash ends up all over the road. She stated that she could encourage it, but ultimately the ordinance was very clear that it was the property owner's issue that they needed to manage. She added that it goes back to accountability on the property owner.

Mayor Kingston thought it was a difficult issue, adding that Council and staff were now seeing the backside of the complaints which was nastiness. Senior Planner Cross agreed. Mayor Kingston thought maybe staff could go after the pockets of homes but thought it

was all throughout Duck. Senior Planner Cross stated that as of yesterday, during her investigation, she went through the entire Sanderling Property Owners Association subdivision and not a single trash can was at the curb. She noted that they have roll out and roll back service that went into effect on May 1, 2023. She reiterated that it was manageable. She asked Council what they wanted the community to look like.

Community Planner James Gould was recognized to speak. Community Planner Gould stated that contacting homeowner associations was happening by default because their residents were receiving letters from Town staff that encourage cooperation and compliance with the ordinance and they were asking how they could change things. He stated that staff talks to them on the telephone and gives suggestions and the most cost-effective suggestion was to get to know the neighbors. He pointed out that staff could not rely on or put the pressure on the full-time residents to take care of the community's trash as it should not be their responsibility. He stated that he has been speaking with people daily about the enforcement of the ordinance, adding that sometimes it goes well. He added that he has had homeowner association presidents ask him what other ordinances were involved so they could get the word out.

Councilor Mooney thought staff were doing a good job and hopefully the learning curve would be very short and by the middle of the summer, it will no longer be an issue. He thought the way Council was choosing to handle the situation was correct, people just need to figure it out. He pointed out that property owners could not expect their neighbor that lives in Town full-time to constantly roll in and out the trash can, especially if it was a rental home.

Mayor Pro Tempore Thibodeau stated that, historically, housekeeping has rolled the trash can out to the curb for the rental homes so that the new renters do not have to deal with someone else's trash. She stated that now the Town was asking the renters to roll out someone else's trash during the week, which could be a lot. She stated that unless it gets resolved by communities, property management companies, or individually, it was a problem. She wanted to make sure that the Town makes it easy for people to order more trash cans if they needed them because that could be another issue during the summer.

Councilor Whitman asked what people that are complaining about not having their trash cans rolled in or out do the rest of the year. He asked if they have someone watching their home or if they just leave things alone until the police find an issue. Senior Planner Cross stated that what usually happens is they wait until someone notifies them of a problem.

Mayor Kingston asked if the ordinance was too restrictive. He thought about the part where people could not put their trash cans out before 5:00 a.m. Senior Planner Cross stated that it was a common question with owners and property management companies because they service so many homes and it would be impossible to get everything done if they started at 5:00 a.m. Mayor Kingston asked if homeowners and property management companies were given suggestions when they received letters from the Town. Senior Planner Cross stated that they are reaching out to staff and staff are talking

through things with them. She stated that they are focusing on education of the ordinance, the requirements, why they were receiving the letter, and asking them to speak to whomever manages their property to make sure they know. She noted that the letters are being sent to the homeowners and emails have been sent to the property management companies to let them know about the regulations. Mayor Kingston asked if this could be addressed on a complaint basis and have staff contact the continual violators. He thought the activity could be slowed down. Senior Planner Cross stated that she would do whatever Council wanted. Mayor Kingston thought Council wanted the ordinance enforced but thought it may be better on a complaint basis, especially if it was impacting staff's workload. He pointed out that the education was available and people were getting the word and understanding what was going on. He stated that he would like to see it cleaned up.

Councilor Mooney stated that last time Council had a discussion on things, Senior Planner Cross had asked for the ability to have discretion with businesses in Town. He thought the same principle applied in this instance. He thought if Senior Planner Cross reasonably suspected that there was a problem, she would handle it properly. He stated that he trusted her judgement in handling things accordingly.

Mayor Pro Tempore Thibodeau agreed with Councilor Mooney's comments that Council was not making this a huge priority for staff as well as using discretion. She stated that staff has Council's vote of confidence. She pointed out that one thing that had come up were trash cans that cannot be rolled back off the property line, which were subdivision cans because there was nowhere to go with them. Senior Planner Cross stated that there was not a requirement for them other than they have to have them.

Councilor Whitman asked if the people that call or send emails mention the stickers that are on the cans. Senior Planner Cross stated that they do not.

Mayor Kingston asked staff what they wanted Council to do. Senior Planner Cross stated that staff has been hitting it pretty hard and wanted to be sure that was what Council wanted them to do. She pointed out that Mayor Kingston wanted it to be complaint driven, adding that her concern was that Council had already suggested that staff target the community, which she didn't want to happen. She stated that one of the reasons with a complaint driven policy was that she would have to investigate the entire community. She stated that now that the issue was public, staff couldn't pick and choose which community to go after. She added that there needed to be consistency but offered to scale back on site visits and streamlining it. She thought the direction was good.

Town Manager Havens thought staff were good and appreciated the comments about staff having discretion. He stated that Council had this issue as a high priority, adding that staff would not stop abruptly nor would they have a forward charge. He noted that Senior Planner Cross has been doing this a long time and has a good sense on how to balance her time. He stated that this was a big push and staff did get the attention that they were looking for. He added that staff wanted people to be aware of the ordinance, which they now were. He stated that staff were now reinforcing people that this was not

a new ordinance, but one with some clarity to it. He stated that staff will continue to enforce the ordinance.

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.

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

April FY 2023 Financial Presentation

Finance and Human Resources Administrator Jessica Barnes was recognized to speak. Administrator Barnes gave a short presentation on the April Fiscal Year 2023 financials to Council and the audience.

MAYOR'S AGENDA

Mayor Kingston stated that the mayors/chairmen meeting will be on May 16, 2023 hosted by Duck. He stated that the volunteer event that was held on April 29, 2023 was excellent. He thought it was a great idea to separate that from the Celebration of Community. He thanked the staff members that attended. He thought all of the volunteers appreciated it.

COUNCIL MEMBER'S AGENDA

Mayor Pro Tempore Thibodeau thanked Town staff for everything they do. She added that she was sorry to have missed the volunteer party.

Councilor Mooney thanked Town staff for their good work.

Councilor Whitman thanked Town staff for the volunteer party and felt it was a great evening.

OTHER BUSINESS

Additional Public Comments

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

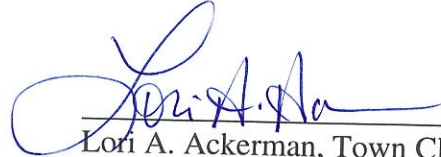
Mayor Kingston noted that the next meeting would be the Regular meeting on Wednesday, June 7, 2023 at 6:00 p.m.

ADJOURNMENT

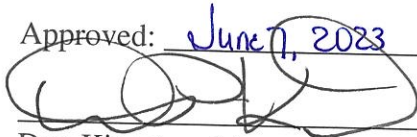
Councilor Whitman moved to adjourn the meeting.

Motion carried 4-0.

The time was 9:55 p.m.



Lori A. Ackerman, Town Clerk

Approved: June 7, 2023


Don Kingston, Mayor

