

CAROLINA BEACH

Regular Town Council Minutes
Tuesday, March 13, 2018 @ 6:30 PM
Council Chambers
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Regular Town Council was held on Tuesday, March 13, 2018 at 6:30 PM at Council Chambers.

PRESENT: Mayor Joe Benson, Council Member LeAnn Pierce, Council Member Steve Shuttleworth, Council Member JoDan Garza, and Mayor Pro Tem Tom Bridges

ABSENT:

ALSO PRESENT: Town Manager Michael Cramer, Finance Director Debbie Hall, Town Clerk Kim Ward, and Town Attorney Noel Fox

1. MEETING CALLED TO ORDER WITH INVOCATION BY PASTOR DANNY KECK WITH KURE MEMORIAL LUTHERAN CHURCH FOLLOWED BY THE PLEDGE OF ALLEGIANCE

2. ADOPT THE AGENDA

ACTION: Motion to adopt the agenda.

Motion: Joe Benson

Vote: UNANIMOUS

3. CONSENT AGENDA ITEMS INCLUDE

- a. Repeal the old State ordinance #1060902 and adopt the new ordinance #1072247 as well as Carolina Beach Ordinance 18-1081, the Certificate of Municipal Declaration to repeal and replace speed limits. This will reduce the speed limit from 45 to 35 mph between Dow Road to just south of the base of the Snow's Cut Bridge.
- b. Budget Amendments & Transfers as presented by the Finance Director.
- c. Set a Public Hearing for April 10, 2018 at 6:30 PM to consider a text amendment to amend Article II. - Peddling and Soliciting Chapter 14, review Sec. 14-22 to amend allowances for Food Trucks. Applicant: Planning & Zoning Commission
- d. Set a Public Hearing for April 10, 2018 at 6:30 PM to consider budget requests from standing committees.
- e. Set a Public Hearing for April 10, 2018 at 6:30 PM to consider a text amendment to amend Article II. Weeds, Junk Etc. to address high grass and repeat offenders. Applicant: Town of Carolina Beach
- f. Adopt Resolution 18-2179 designating Ed Parvin, Jeremy Hardison, Gigi Baggarley and Miles

Murphy as Map Review Officers.

- g. Adjustment to the Town Council Procedure Manual for Committees removing the requirement to have a Freeman Park property owner on the Freeman Park Committee.
- h. Approval of Minutes from February 13th and 27th.

ACTION: Motion to approve the consent agenda as presented.

Motion: Joe Benson

Vote: UNANIMOUS

4. SPECIAL PRESENTATIONS

- a. Employee Recognition

Ed Parvin recognized Jerry Haire for 5 years of service and Brenda Butler for 15 years of service.

Chief Spivey presented Tess Casals with her Advanced Law Enforcement Certificate.

- b. Donation from the Carolina Beach Presbyterian Church Youth Ministry to the Carolina Beach Help Center

The Carolina Beach Presbyterian Youth Ministry raised money and presented a check to the Help Center in the amount of \$703. Youth Minister Jason Clamme and the youth presented check.

- c. Special Events - March & April

Brenda Butler presented the upcoming events for March and April.

5. PUBLIC COMMENT

- a. Miles Bielec 633 Spencer Farlow asked Council to reconsider the ban on animals on the boardwalk during the off season. He asked that they take another look at the ordinance.

Patricia Jones stated that there are several items on the agenda that have to do with small business. She asked that Council support small businesses.

Jeannette Morales asked about the pollution around the lake and how often it gets cleaned up.

Mr. Cramer stated that in the summer they are there on a daily basis. They should be starting up soon.

Mayor Benson said that he wants to have a deep discussion on the future of the lake in a workshop soon.

6. PUBLIC HEARINGS

- a. Public Hearing - Non-Profit Requests for Funding from the General Fund

Mayor Benson made a motion to open the public hearing. Motion carried unanimously.

Paul Laird, Friends of Fort Fisher presented a request for funding in the amount of \$5,000 for educational programs.

Teresa Clontz and Debbie Sullivan with Island of Lights presented a request of \$8,000 for additional lights and displays.

Jeannie Mintz and Joe Needham from Friends of Feline presented a request for \$3,000 for the feral cat program.

Darlene Bright with the Federal Point Historic Preservation Society presented a request for \$7,500 for public education.

Nancy Busovne with Pleasure Island Sea Turtle Project presented a request for \$7,700 for sea turtle patrol.

Mayor Benson made a motion to close the public hearing. Motion carried unanimously.

- b. Text Amendment to Chapter 14; Article VII, Sec 14 and Chapter 18; Article 1 to create an allowance for a Commercial Pedal Vehicle that would allow the consumption of alcohol. Applicant Tina Bell, Pleasure Island Peddler, LLC

Jeremy Hardison presented the request to create an allowance for a commercial pedal vehicles that would allow the consumption of alcohol.

Some safety concerns that staff has includes:

Tires shall be of a size appropriate for the commercial pedal vehicle with no mismatched tires per the design of the vehicle. There shall be no cuts to the tire, localized worn spots that expose the ply, or visible tread wear indicators.

The commercial pedal vehicle shall be equipped with a fully operational horn or bell.

It shall be unlawful to operate, or cause to be operated, a commercial pedal vehicle that is not equipped with a front and rear braking system capable of being manipulated by the driver from driver's normal position of operation and capable of causing a commercial pedal car with a loaded passenger compartment to come to a complete stop.

It shall be equipped with headlights, tail lights, and turn signal lamps.

It shall be equipped with at least one fixed operational mirror allowing the operator to see behind the cart.

If a Police Officer finds a commercial pedal vehicle in operation exhibiting continuing and present safety concerns, the commercial pedal car may be immediately ordered out of service until necessary repairs are made or the safety concerns are resolved. Qualifying safety concerns may

include but are not limited to the loss of control of passengers or their failure to abide by applicable ordinances, laws or rules, flat tires, inoperable head lights or tail lights, or other mechanical or operational issues making the vehicle presently unsafe to operate.

Two permits for Commercial Pedal Vehicle are authorized by Town Council. Each permit issued by Town Council allows one vehicle to operate. The same applicant or business entity shall not receive more than one permit.

A schedule of operation showing the time of arrival and departure from terminal and intermediate points and days of service and how fares are to be collected.

The following operational safety requirements shall be required unless modified by Town Council under the permit application approval process:

The primary location of the business, passenger meeting area, loading and vehicle storage shall be located on private property in a designated approved area not impeding any drive aisles or required parking spaces.

No commercial pedal vehicle operation shall load or unload passengers in the right-of-way, except in a designated on-street parking space that will not in any way impede or interfere with the orderly flow of traffic on the streets.

Commercial Pedal Vehicles shall not drive on the following areas except to cross at controlled intersections:

Dow Road

North and South Lake Park Blvd.

R-2 and R-3 zoned areas with the exception of Harper Ave and Cape Fear Boulevard

Staff is recommending that the above listed rules be applied. The applicant is requesting more flexibility from Council. Council can modify these rules under the application process.

Council Member Pierce asked if this would be an annual permit.

Mr. Hardison replied that it is a one year permit. Council would approve the initial application and staff would review it on an annual basis.

Council Member Pierce asked about violations and if the permit could be revoked.

Mr. Cramer explained that Council makes the decision on the initial application. If there were violations, the permit could be revoked and the applicant would have to bring it back to Council to get it re-instated.

Applicants Matt Hamlet and Tina Bell presented their request for the allowance and addressed some of the safety concerns that staff mentioned. Some of the facts and statistics they presented include:

PedalPub began in 2007.

There are almost 50 locations nationally, highlighting a variety of demographic locations.

150+ PedalPub® Bikes are on the roads across the US.

The entire PedalPub® licensee operation has only one at fault accident in 10 years and over 300,000 tours.

Approved loading and unloading passengers with the local business's and town council, not to impede traffic.

Route Selection created to minimize time on Lake Park Boulevard.

Electric Assist Motor will be utilized.

There will be ABC training for all drivers

No alcohol is sold on the bike. Passengers can bring up to 3 drinks (no hard Liquor).

All passengers must sign waiver prior to the tour.

The pedal pub meets the vehicle and equipment standards designated in the ordinance.

The applicant provided a map of the proposed route.

Attorney Noel Fox reminded Council that they are voting on a text amendment not a particular business.

Mayor Benson made a motion to open the public hearing.

Patricia Jones, 612 Carolina Beach Avenue South spoke about slowing the traffic down. She feels that it is not safe to ride a bicycle. She is in favor of the applicant and hopes that it will send a message that vehicles must slow down.

Kathleen Giffin, 927 Coast Walk Lane said she is on the fence about it but would like to see the route before it is decided and how it will impact the community.

Fred Grady, Cape Fear Boulevard said he thinks it's a good idea. He recommends lowering the speed limit to 25 mph.

Kelly Wyckoff, 204 Peninsula Drive feels that it would be a good idea to bring people to the Island. This would help other businesses.

Mark Miller, 702 Seafarer Drive feels this is a great idea. He feels it should be on the east side of town and not on Dow Road.

Mayor Benson made a motion to close the public hearing. Motion carried unanimously.

Council Member Garza asked why staff is recommending to stay off Lake Park Boulevard.

Mr. Hardison responded that Lake Park and Dow are the only ways on and off the Island. They are the thoroughfare through town. This is staff and public safety's recommendation.

Council Member Shuttleworth said that he feels they certainly need to stay off of Dow Road. He is willing to have a discussion about Lake Park Boulevard, subject to seeing a map of the route.

Council Member Pierce mentioned that it sounds like a conditional use permit. She doesn't feel a business could operate on the way the ordinance is written without having to come before Council.

Ms. Fox explained that the way the process is written in the ordinance is that the applicant would have to apply for the permit and would have to bring a number of things. They would have to meet with staff to show that they meet the requirements and then they would go before Council and provide a proposed route. If Council didn't approve the route, they would not get a permit.

Council Member Shuttleworth did not like totally excluding North Lake Park Boulevard as written on Item (d)13(b). You are setting up an application that has to come in and ask for an exception. He recommended having a limited review ahead of time.

Mayor Benson said that, he too does not like the omission of Lake Park Boulevard.

Council Member Garza would like to omit the restriction of Lake Park Boulevard.

Council Member Shuttleworth wants to leave it in there but state that there will be limited access. Each application would need to be reviewed.

Council Member Pierce would not be in favor a cart being on Lake Park for more than a block or two.

Council Member Shuttleworth would like to see the hours of operation and possibly loosening the restrictions in the off season.

Council Member Pierce asked if the community could handle two pedal pubs.

Ms. Fox clarified that the way the ordinance reads is that the applicant has to propose a route and they have to come before Council unless Council waives it, they cannot operate on Dow Road, North and South Lake Park Boulevard, and R-2 and R-3 areas with the exception of Harper Avenue and Cape Fear Boulevard. Staff is giving Council the option to waive it.

Council Member Shuttleworth said it is easier to restrict something than to waive something.

Council Member Pierce suggested having some language on violating the ordinance.

MPT Bridges said it would be complaint driven if the pub was in violation. He does not like ignoring staff's recommendation.

Council Member Shuttleworth said he would like to see 13(b) left in there but maybe with limited access. It needs to be reviewed.

Council Member Garza said it's not just bar hopping, it also seeing the community and you are blocking off the whole south end of Carolina Beach. If Council feels that this would impeded traffic then they must feel the same way about golf carts.

Council Member Shuttleworth and Pierce replied that they do impede traffic but they are not asking to do away with golf carts.

Council Member Shuttleworth asked if they are supposed to use the bike trail or the street on Cape Fear? (No response)

Council Member Pierce asked if Council wanted to allow two permits.

Mayor Benson said to let the market dictate the demand.

Council Member Shuttleworth agreed and doesn't want to create the appearance of a monopoly.

ACTION: Mayor Benson made a motion to approve Ordinance 18-1076, a text amendment to Chapter 14, Article 7, Section 14 and Chapter 18, Article 1 to create an allowance for a commercial pedal vehicle that would allow the consumption of alcohol.

Joe Benson (Moved By)

LeAnn Pierce

Steve Shuttleworth

JoDan Garza

Tom Bridges

Against

Vote: CARRIED.

- c. Text Amendment: Consider a text amendment to Chapter 40, Article III to amend the dimensional criteria for accessory structures. Applicant: Planning & Zoning Commission

Jeremy Hardison presented the request from the Planning and Zoning Commission

At the March 9th Planning and Zoning Commission (PZ) meeting, staff was asked to prepare a discussion on the Town's current Accessory Structure regulations for residential uses. A few of the Commissioners had concerns that the regulations were too restricting in allowing property owners to fully utilize their property. Staff researched and facilitated a discussion at the June 8th P&Z meeting. Each of the eight criteria for residential accessory structures, and five criteria for commercial accessory structures, were reviewed in detail. The Commissioners asked staff to analyze and revise the language for the following regulations:

MAX FOOTPRINT OF ACCESSORY UNITS

Accessory buildings associated with residential uses shall not constitute a proportionate size greater than 25% of the principal building's lot coverage, regardless of the lot size. The Commissioners felt that this was too restrictive on larger lots that may have the available lot coverage to build an accessory building exceeding 25% of the principle structure's footprint. It was directed to staff that the size of an accessory structure should be determined based on available lot coverage and the principle structure's footprint. Upon review of recent permits for accessory buildings, Staff found that for 5,000sf and 6,250sf lots, remaining lot coverage amounts typically limited the allowable size of accessory buildings. The 25% of the principle structure's footprint usually governed on large lots where there was a greater amount of remaining lot coverage. Applicants of larger parcels have worked around the 25% limit by attaching larger accessory

structures, such as garages, to principle structures when possible. Others have increased the footprint of the principle structure by attaching porches and decks, thus increasing the allowable 25% footprint for their proposed accessory building. These additional steps property owners must take in order to work around the requirements add additional cost to the property owner. Currently the only size requirement for commercial accessory structures is limited by the size of the principle structure and remaining lot coverage.

STAFF RECOMMENDATION:

Allowing the size of residential accessory buildings to be limited to the footprint of the principle structure and remaining allowable lot coverage would be consistent with the existing commercial accessory building requirements.

HEIGHT

Accessory structures associated with residential uses are limited to 15' in height. The Commissioners questioned why this regulation was necessary if accessory structures could be permitted with finished space such as offices and gyms outside the special flood hazard. They felt the height of an accessory structure should be limited to the maximum height of the zoning district. The 15' height restriction was amended in 2009 in order to restrict accessory buildings to 1-story in height with storage above. The intent of the change was to allow owners to have an additional storage space above the first story while deterring possible second-story, occupied space areas. A common request from property owners is the allowance for an office or other usable space above a detached garage. In order to permit this structure with a conditioned space above, the building must be attached by exterior walls and a roof to the primary structure in order to exceed the height limit of 15'. By attaching with an enclosed and roofed section, the building becomes part of the principle structure and then thus the height regulations of the zoning district apply. The height of commercial accessory structures is not currently regulated in the Town's code.

STAFF RECOMMENDATION:

Increasing the allowable height of accessory buildings to 25' would accommodate the possibility of additional usable space over storage or garage areas.

ALLOWANCE TO OCCUPY ACCESSORY BUILDINGS

Staff was also directed by the Commissioners to reevaluate criteria on four of the residential accessory building requirements which states "not be occupied, leased, rented or otherwise used for profit, income or for gain". A few of the Commissioners voiced the opinion that finished space within an accessory structure should be allowed to be utilized for occupied space such as additional bedroom space.

STAFF RECOMMENDATION:

Accessory buildings cannot be occupied, leased, rented or otherwise used for profit.

At the August 10, 2017 Planning and Zoning meeting, the amendment was expanded by P&Z to allow for accessory dwelling units as long as they are not rented. Staff has many concerns with this recommendation. The concerns are listed below:

1. WHAT IS OUR VISION FOR RESIDENTIAL DEVELOPMENT IN CB?

Planning and Zoning voted that the amendment was consistent with the 2007 Land Use Plan (LUP). However, based on the language adopted the Town is allowing for accessory units in all zoning districts. This would be an increase in density and inconsistent with the LUP. There is nothing wrong with making a motion and stating that the amendment is inconsistent with the LUP. In fact, there is new legislation that was adopted this year stating that if Town Council adopts a zoning amendment with a statement that the amendment is inconsistent with the LUP, their motion automatically and simultaneously amends the LUP. Having said this, the Town is required to adopt a CAMA LUP (state approved) so there will still be a need to go through a process to amend the LUP prior to an inconsistent zoning amendment taking affect. This is new legislation and the General Assembly did not take into consideration that coastal counties have a state mandated LUP. Moving forward, staff would at a minimum need to bring back portions of the LUP that are inconsistent with the proposed amendment. For example, the LUP has policy statements about each of the land classification areas (synonymous with our zoning districts). Each of these land classification areas is limited in density consistent with our zoning ordinance. The R-3 zoning district has a density of 3.5 units per acre, while R-1 allows 15 units per acre. If you do the math that will equate to 1 unit on a 12,000 square foot lot in R-3 and 2 units on a 5,000 square foot lot in R-1. Adding accessory dwelling units would increase density and require this language to change. All of the LUP policies would have to be thoroughly reviewed to ensure they did not run afoul with the vision for the community. Staff did not complete this detailed of a review for the August P&Z meeting simply because staff's original discussions with P&Z was to only loosen up some of the dimensional restrictions of accessory buildings.

2. WHEN DOES AN ACCESSORY BUILDING BECOME AN ACCESSORY DWELLING??

Allowing for living space in accessory buildings creates additional concerns that need to be thought through prior to moving forward. For instance, if you have habitable space are you automatically a unit. Most likely not, but staff would need to establish thresholds that protect the community from negative impacts. Failing to address these issues could result in increased problems associated with parking, water, sewer, trash and even safety issues. Many community police and fire departments have weighed in on zoning regulations to require units behind a principal structure have some visibility from the street. In other words, the units would be offset from the front facing unit. The actual addressing of units would also be an issue that could easily be resolved but we would want to have a plan prior to moving forward. Thresholds could be linked to the indoor gross floor area, height, number of fixtures, etc. We also may want to limit this accessory dwelling units to larger lots or in specific areas of town. By building/fire code if you allow three units on one lot all units have fire sprinkler systems. This will require additional capacities and design criteria.

3. DO WE HAVE THE INFRASTRUCTURE TO SUPPORT MORE UNITS?

When the Town engineer originally designed the waste water treatment capacity, the study looked at all lots in Carolina Beach. A build out scenario was constructed assuming each lot would have one 2 bedroom dwelling per lot. The density is much higher than this in many parts of Carolina Beach. There are two family dwellings on many 5000 square foot lots. Many areas have condos, hotels or intense commercial uses. Knowing this staff looked at where we are now in relation to water/sewer capacity.

We have a waste water treatment plant designed to process up to 3 million gallon per day. The monthly average is 1.7 million gallons per day. In September, the average has been 2.23 million gallons per day. At 80% the Town will be required to do a mandatory upgrade to this facility. Knowing there are approximately 900 lots remaining in Carolina Beach, there is the potential to add

on 700,000 million gallons per day. None of these calculations include the development of the Tucker property on the west side of Dow Road. If you increase density on the existing lots and continue toward build out, the Town will quickly be in a situation where you need to spend approximately \$15 million to transition the waste water treatment plant from 3 million gallons per day to 4.5 million gallons per day or larger.

Currently, the Town is exceeding the daily water capacities on a regular basis. Fortunately, there are plans to move forward with a 3 million gallon water storage tank and several additional wells, however none of the plans have been approved to date.

Accessory units have not been discussed with Duke Energy Progress, however there will likely be a need for an additional service (100 or 200 amp) for the accessory units. With those additional demands, there will likely be a need for more transformers and overhead and underground lines.

Council Member Shuttleworth summarized that what is being proposed is two significant changes. One is the height going up to 25 feet and the second is doing away with the maximum 25% ratio of the primary structure.

Mr. Hardison said that was correct.

Mayor Benson and Council Member Pierce both mentioned that this will be hard to enforce.

Mayor Benson made a motion to open public hearing.

Dale Walters, 916 Canal Drive feels the Town should limit accessory structures.

Fred Grady, Cape Fear Boulevard said that he lives in R-3 in a single family dwelling. It should stay single family.

Patricia Jones said that you have a limited number of lots. This will lead to higher density. She asked why P&Z would bring this up. She feels that there may be a conflict of interest having builders on the Planning and Zoning Commission.

Mayor Benson made a motion to close the public hearing. Motion carried unanimously.

Council Member Pierce feels that the Town needs to protect single family areas.

MPT Bridges said he would not want this beside his house. He does not feel this is a good change. It would be an enforcement nightmare.

Council Member Shuttleworth said that he is not totally against the height request. His biggest concern is increasing the square footage. He has a problem with doing away with the 25%.

Council Member Pierce asked why this is coming before Council if staff does not support it.

Mr. Cramer said the committee brought this to staff and asked that it go to Council.

Council Member Garza said that it sounds like no one is in favor and recommending moving to the next item.

Mayor Benson said that no action would be taken and moved to the next item.

7. ITEMS OF BUSINESS

- a. Adoption of Ordinance to Amend the Capital Project Ordinance for the Island Greenway Project

Jerry Haire presented a request to adopt Ordinance 18-1077 to amend the existing capital project budget for the Greenway Project for two reasons.

1- NCDOT is requiring the Town to track everything separately for the two projects.

2- The Town received additional grant money from NCDOT and the WMPO in the amount of \$387,000. That will change the total for the matching funds as well which is an 80/20 match.

ACTION: Motion to adopt Ordinance 18-1077 amending the General Fund Budget Capital Project Ordinance for the Island Greenway Project.

Motion: JoDan Garza

Vote: UNANIMOUS

- b. Canal Drive Flooding Committee Appointments

Council Member Shuttleworth made a motion to change the Canal Drive Flooding Committee By-laws to allow for 9 voting committee members instead of 7. Motion carried unanimously.

Council Member Shuttleworth explained the reason for his request is that they received 9 applications and he found it difficult to have to choose two that would not be able to participate. He feels that all nine applicants have good qualities and would be assets to the committee.

The following applicants will be appointed to the Ad-hoc Canal Drive Flooding Committee:

Bill Skinner, Dale Walters, David Rheim, Kevin Dovel, Gregory Higgins, James Sanderford, Jerry Hall, Robert Gordon, and Stephen Taylor

ACTION: Motion to appoint the following applicants to the Canal Drive Ad-hoc Committee:

Vote: UNANIMOUS

- c. Freeman Park Committee Appointments

ACTION: Motion to appoint the following applicants to the Freeman Park Committee:

Keith Bloemendaal with a term ending 6/30/2019

Brian Graybush with a term ending 6/30/2019

Alex Torres with a term ending 6/30/2020

Vote: UNANIMOUS

- d. Adopt a motion to purchase Lot 6B Freeman Park for Open Space

Noel Fox presented the contract to purchase property on Freeman Park.

ACTION: Motion to approve the purchase of Lot 6B Freeman Park from Richard Burnett Jr. et al at a price of \$500,000 for open space.

Shuttleworth mentioned that the money to pay for this property is coming from fees from the users of the park. There will be no loan for this property.

Motion: Steve Shuttleworth

Vote: UNANIMOUS

8. NON-AGENDA ITEMS

- a. Council Member Shuttleworth recognized Jeremy Hardison for his work on the flood plain management and bringing the community rating down.

Mayor Benson said that he has received complaints from restaurant owners on the boardwalk wanting the Town to review the outdoor patio spacing from 54 to 72 inches so that servers can get around the tables. He asked staff to bring this back to Council. He is specifically referring to the outdoor cafes that are on the boardwalk facing the beach that do not have buildings on the opposite side.

Council Member Pierce asked if anything had been done about the entry to Frank's Pizza. She said that she owned the building but that's not why she is asking.

Mr. Cramer replied that the Town will contract out the work but the property owner and tenant will pay for it.

Council Member Shuttleworth said that he would like to discuss code enforcement issues on the boardwalk when they discuss grass violations at the next Council meeting.

Council Member Garza said that he had three non-agenda items.

He would like for Council Members to meet once a quarter to have some checks and balances with one another to see how they are doing and if they are moving forward with the community. He would like to format to be similar to the retreat that was held in January.

He feels that committee chairs need to meet together every six months with one or two Council Members.

He would like for council liaisons to committees report what their committees are doing at workshops.

Mayor Benson said that he was in favor.

Council Member Pierce feels that twice a year would be sufficient. Once before the season and again after the season.

Council Member Shuttleworth feels it is a good idea to have a committee report but feels it would

be a little hectic to have a retreat quarterly.

MPT Bridges mentioned that Operations has done a great job at the Help Center.

9. CLOSED SESSION

Mayor Benson made a motion to go into closed session to discuss an attorney/client matter in accordance to 143.318.11(a)(3). Motion carried unanimously.

Mayor Benson made a motion to return to open session. Motion carried unanimously.

Council Member Shuttleworth stated that he would like to make a motion in reference to the action that was taken during closed session.

Council Member Shuttleworth made a motion to direct the Attorney to move forward with mailing the Notice of Intent as authorized by Resolution 18-2178 that was approved on February 27, 2018. Motion carried unanimously.

- a. Motion: Joe Benson
Vote: UNANIMOUS

10. ADJOURNMENT

ACTION: Motion to adjourn at 9:45 p.m.

Motion: Joe Benson

Vote: UNANIMOUS

Adopted at a regular meeting on April 10, 2018.

Submitted by: Kimberlee Ward, Town Clerk