



DECEMBER 12, 2011
5:30pm

Opening of Meeting

Nondenominational Invocation – Councilman Gil Davis

Roll Call

Approval of Minutes from November 14 & 28, 2011 **(Page 2)**

Approval/Amendments to Agenda

Declaration of official election results

Presentation by Mayor Jennings to Councilman Davis

RECESS

Administration of Oaths

Nomination for Mayor Pro-tem

Public Comments

Benediction & Charge to Council - Rev. William Lee Kinney

RECESS

NEW BUSINESS

1. Adopt – Resolution in support of applying for grant funds from Main Street Solutions Fund and designate agents on behalf of grant (Old City Hall) **(page 19)**
2. Adopt – Resolution to designate applicant's agent per Hazard Mitigation Application (Old Health Dept. Building) **(page 22)**

RECESS AND RECONVENE AT THE CIVIC CENTER

3. Priority Planning Session

Adjourn - Until Monday January 9, 2012 in the Council Chambers at the Municipal Building.

The Washington City Council met in a regular session on Monday, November 14, 2011 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, Councilman; Ed Moultrie, Councilman; William Pitt, Councilman; Gil Davis, Councilman; Bobby Roberson, Mayor Pro tem; Josh Kay, City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Anita Radcliffe, Assistant Financial Officer; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; John Rodman, Planning Director; Keith Hardt, Electric Director; Mick Reed, Police Chief; Philip Mobley, Parks and Recreation Director; Susan Hodges, Human Resources Director; Gloria Moore, Library Director; Lynn Lewis, Tourism Director; Mike Voss, of the Washington Daily News and Delma Blinson of the Beaufort Observer.

Mayor Jennings called the meeting to order and Councilman Pitt delivered the invocation.

APPROVAL OF MINUTES

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council approved the minutes of October 10 and November 1, 2011 as submitted.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennings suggested removing/adding from the Consent Agenda:

1. Remove: Consent Item A: Adopt – Budget Ordinance Amendment for Festival Park Capital
2. Combine the report from Mr. Alvin Powell with the presentation of “Transportation Career Day Certificates”.
3. Add: Item A under Other items from the City Manager – to include a discussion concerning meetings for November 28 and December 12, 2011.

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council approved the agenda as amended.

PRESENTATIONS: “TRANSPORTATION CAREER DAY CERTIFICATES”

Mayor Jennings with the assistance of Josh Kay, City Manager and Alvin Powell, Event Organizer, presented the “Transportation Career Day Certificates to the following organizations:

- US Coast Guard
- Beaufort County Schools
- City of Washington Fire/EMS Department
- City of Washington Police Department
- Beaufort County Sheriff’s Department
- NC Corporative Extension
- Elizabeth City State University – Aviation Science Program
- Beaufort County Community College – Fire Training Programs and Special Projects
- Tradewind Skysports

Mr. Powell reported that the “Transportation Career Day” was an outstanding success with an overflow support of the community and thanked the 7th, 8th, and 9th graders for their participation. Feedback from this event was well received.

CONSENT AGENDA

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council accepted the consent agenda as amended.

- A. **Removed from Agenda** – Adopt – Budget Ordinance Amendment for Festival Park Capital Project
- B. **Accept** – Annual grants from Mid-East Commission Area Agency on Aging (\$6,665) & (\$33,205)
(copy attached)
- C. **Accept & Adopt** – Accept recommendation of the Planning Board **and** Adopt resolution of intent to consider closing and abandoning a portion of East Main Street and right-of-way
(copy attached)
- D. **Adopt** – Resolution directing City Clerk to investigate petition for non-contiguous annexation (Boddie-Noell property)
(copy attached)
- E. **Adopt** – Resolution authorizing the Mayor to sign the NCDOT Municipal Agreement for Bridge Inspection
(copy attached)
- F. **Declare Surplus/Authorize** – Electronic auction of vehicles through GovDeals
(copy attached)
- G. **Approve** – Purchase Orders >\$20,000
 - Requisition #1 0346, ITT Water & Wastewater, \$29,278, replace failed ABS flow booster. Account 32-90-8220-7400. \$24,000 budgeted, over budget amount due to damaged rail system, expect \$13,000 in insurance proceeds. Purchase order has been initiated due to oxidation ditches being down as a result of this issue.
 - Requisition #10415, Air Care, \$20,970, HVAC work at Carolina Wind for Main St. Energy Grant, Account 66-60-4930-4500. Council approved the award of this contract in a prior session.
 - Requisition #10407, Comverge Technologies, \$65,600, load management switches, Account 3 5-90-8375-7403.

SCHEDULED PUBLIC APPEARANCES:

Mr. Jason Briley presented an overview of Northgate Subdivision. Mr. Briley stated as of today the number of homes completed in Northgate is one hundred (100) and one under construction now to be completed. Homes sold are ninety-five (95) and the ones sold to low-moderate income are twenty-five (25). The twenty-five (25) homes have been confirmed by Ms. Donna Miller with the North Carolina Redevelopment Center. Also, in working with Washington Housing, Gina Amaxopulos has eight (8) lots she is working with in trying to find low-moderate income levels.

Councilman Mercer questioned the time constraint and the total number of homes needed. Mr. Briley stated the time constraint is December 31, 2011 and the number of homes is thirty-two (32) which would make him having seven (7) more homes to sell. Mayor Jennings inquired if any of the eight (8) Ms. Amaxopulos have would count toward the total and Mr. Briley responded 'yes'. Mayor Jennings asked if would get there by December 31 and Mr. Briley responded 'no-sir'. Mayor Jennings requested being proactive in notifying the State of the progress and to request an extension, if needed of the letter of credit. Mayor Pro tem Roberson expressed concerns with installing sidewalks and requested a meeting with the City Manager, staff and Mr. Briley to see where we are.

Mr. Don Wilkinson a member of the Washington Park Town Board requested the City of Washington join Washington Park in an effort to persuade Carolina Coastal Railway to repair or replace the CCR railroad crossing just west of Havens Gardens and near Runyon Creek bridge. The crossing is getting so bad that people slow down to creep over it or risk damage to their front-end alignment. Mr. Wilkinson read from a letter that Tom Richter, Mayor of Washington Park had forwarded to Mr. Virgil Holman, General Manager of Carolina Coastal Railway.

Mr. Wilkinson requested Council join Washington Park in an appropriate letter to address smoothing out that roadway. Mayor Jennings and Council agreed this crossing is in desperate need of repair.

Mr. Wilkinson noted as a concerned citizen he is opposed to closing the other end of East Main Street.

Mr. Carter Leary discussed the issues at the intersection of Market & 15th Street and requested a turn light (turn right/turn left) to be placed there and also coming south on Market there should be a turn right lane arrow. Also, the timing of the lights at the intersection of 15th & Brown Street should be addressed along with the possible installation of a traffic light at Bonner & 15th Street.

Mr. Leary moved forward with his request for the Confederate Cemetery in which he was seeking permission to remove (from Oakdale Cemetery), clean, re-paint and return to Veterans Park two 6" Mortars. Mr. Leary voiced that the ownership in Oakdale is somewhat in question but would like permission to install 20-30 new tombstones given by the Veterans Administration. They would work with the city to place them in Oakdale Cemetery at the entrance by the cannonballs. Also, they would like to request to fly the stars and bars flag daily. On May 10th (Confederate Memorial Day) fly POW/MIA. Located in front of City Hall – USS Maine armament list of 10" guns should be moved to Veterans Park.

COMMENTS FROM THE PUBLIC:

Mr. Howell Miller voiced his concerns regarding an item under New Business: Item B - Stop Intersection in reference to the intersection of Lawson Road and Eden Drive and Lawson Road and Dimock Road. Mr. Miller requested Council support to pass the action item in order to slow traffic down on Lawson Road.

Mr. Joe Taylor presented an update on Festival Park. Mr. Taylor noted that Festival Park is 95% complete and the major pieces of the project have been completed. Things that need to be done:

- Landscaping
- Swings
- Benches
- Trash Receptacle
- Completion of the walkway at the very end

Mr. Taylor stated the Park is accomplishing what he hopes the City wanted it to do and that is to be a gathering place, enjoy the waterfront and have activities there. Councilman Mercer shared we owe Mr. Taylor and his committee a tremendous round of support and applause.

Mayor Jennings suggested looking into a time frame to officially dedicate and celebrate the completion of Festival Park and turn it over to the public.

ACCEPT & ADOPT – ACCEPT RECOMMENDATION OF THE PLANNING BOARD AND ADOPT ORDINANCE TO AMEND CHAPTER 40, ARTICLE IV, SECTION 40-93, BY ADDING SHELTERS FOR THE VICTIMS OF DOMESTIC VIOLENCE AS A SPECIAL USE IN THE R-6S, R-9S, R-15S AND O&I ZONING DISTRICTS

Mayor Jennings opened the public hearing. Chairman of the Planning Board, Dot Moate stated the Planning Board received this request for the text amendment to allow shelters for victims of domestic violence as a special use in the R-6S, R-9S, R-15S and the O&I Districts. Ms. Moate stated the placement of a domestic violence shelter will be compatible with surrounding areas. The Special Use permit would allow the adjoining property owners to be notified of the possibility of a domestic violence shelter and allow them time to express their opinions. The request was presented to the Planning Board on October 25, 2011 and the Board voted 3-1 to amend the ordinance.

There being no further public comments, the public hearing was closed.

Mayor Pro tem Roberson and Councilman Mercer expressed several concerns.

By motion of Councilman Moultrie, seconded by Councilman Pitt, Council accepted the recommendation of the Planning Board and approved the Ordinance to amend Chapter 40, Article VI, Section 40-93 (b) Table of Uses and Section 40-119 Index to Listed Uses of the City of Washington Zoning Ordinance in order to allow Shelters for the Victims of Domestic Violence as a Special Use in the R-6S, R-9S, R-15S and O&I Zoning Districts.

(copy attached)

ADOPT – ORDINANCE TO CONDEMN AS UNSAFE THE STURCTURE LOCATED AT 713 NORTHGATE DRIVE AND AWARD THE DEMOLITION CONTRACT

Mayor Jennings opened the public hearing. Chairman of the Planning Board, Dot Moate stated the Planning Board received a request for the condemnation of a structure located at 713 Northgate Drive located in the Northgate Subdivision off Cherry Run Road. The Planning Board met on the 25th of October and below is the findings and conclusions:

- Currently the structure is listed on substandard housing for the City of Washington developed by the Planning Board.
- The Planning Board felt the condition of the structure warranted condemnation and removal of the structure.
- The Planning Board felt the current property owner had been given ample opportunity and time to make needed repairs to the structure with no response.

If after a notice and hearing the Code Official determines that the property has not been properly maintained and failed to meet minimum standards, an order is issued to require the owner to demolish and remove the building or structure.

On the findings and conclusions the Planning Board voted 7-0 to recommend to City Council that the ordinance for condemnation and removal be approved.

Councilman Mercer inquired who the notice was given to. Mr. Rodman stated the actual condemnation note was delivered to Ms. Francis Whitehurst, the owner of the doublewide. The owner of the property is listed as Northgate Homes LLC.

Ms. Whitehurst who owns the doublewide stated there is a dispute on ownership of property. Her son are in the process of tearing down the doublewide and removing it from the property.

There being no further public comments, the public hearing was closed.

Councilman Mercer inquired as to the period of the lien and Mr. Holscher stated in perpetuity.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council agreed to continue the request for 30 days to determine ownership and what/who to place the lien, while staff and the attorney review legalities.

MEMO – LOAD MANAGEMENT DEVICE PURCHASE:

(Begin memo): Included on the City Council agenda for the regular November 2011 meeting is a request to approve a purchase order for additional load management devices.

As of today our current available stock of LM devices is 500 units. The number of monthly installs varies from 60 to 90 devices; averaging 75 installs monthly. At the current installation rate we have a 6½ month supply. The current quote estimates a 14 week (3 ½ month) delivery time after receipt of the order. Additionally, two weeks will be needed after the receipt of the shipment to program and make the devices ready for installation.

The current LM device quote we have maintains the price per device from our last order; 1,000 units at \$65 per unit plus shipping. We can't confirm if our supplier will be able to honor this price after the first of the year due to forecasted increases in component costs as they have indicated that there may be a price increase January 2012. The current budgeted amount is \$70,000. (end memo)

MEMO – LOAD MANAGEMENT DEVICE INSTALLATION REPORT:

(Begin report):

Project Start Date: October 2010

	October 2011	Project to Date
Total Load Management Device Installations	77	975
Total Accounts Added with Load Management	61	746
Appliances Control Installations		
Air Conditioner / Heat Pump	59	787
Auxiliary Heat Strip	19	363
Electric Furnace	15	164
Water Heater	45	588
Load Management Device Expenses		\$ 66,550
Contractor Expenses		\$ 74,955
Total		\$141,505

Load Management Devices Remaining in Stock 525 (end report)

MEMO – POWELL BILL FUNDING:

(Begin memo): This is in reference to the above subject and previous discussions regarding the same, as a result of the Brown Street Bridge Project.

Please find attached a copy of Powell Bill fund balance activity since June 30, 2011, as provided by our Finance Department. (end memo)

Powell Bill Fund Activity

82,801	Fund Balance 6/30/11
	Powell Bill Allocation 2011/2012
288,135	Power bill allocation
(112,495)	DOT Deduction for HWY 17 Utilities
175,640	Total Allocation
	Transfers (Two years Hwy 17 Utilities)
143,926	Transfer from Water Fund
81,064	Transfer from Sewer Fund
224,990	Total Transfers
483,431	Total Funds Available
	Expenditures Budgeted 2011/2012
235,818	Expenditures w/o Brown St. Bridge
146,258	Brown St. Bridge 20% City share
382,076	Total Expenditures
101,355	Net Funds Available 6/30/12

REPORT – HUMAN RELATIONS COUNCIL:**Scheduled Public Appearances**

Ms. Corbett, PNS/DREAM Camp Coordinator presented a flyer for the Halloween & Spooktacular Decorating Contest – event to be held on October 28, 2011 from 5:30 pm-8:30 pm at Havens Gardens.

Update – Multicultural Festival Event

Board member Castro was absent and Chairman O'Pharrow distributed the Multicultural Festival Volunteers Spreadsheet. The Board will receive an overview at the December 13, 2011 meeting.

Report – Visit with Mr. Juvencio Rocha Peralta

Board member Barr requested placing this report on hold until former Chairwoman Roberson would be available to give an update.

Reschedule – November 8, 2011 meeting

Vice Chairwoman Cherry advised that the Immigration Action Roundtable has been scheduled for November 15, 2011. The Board agreed that 10-15 individuals should make up the Roundtable discussion and that it would be opened to the public.

Report – Domestic Violence

Board member Barr noted a meeting has been scheduled with Mr. Kelvin Johnson representing St. Peter's Episcopal Church. There are a lot of unresolved issues which will take quite a bit of time to

sort through. Board member Barr cited some of the unresolved issues and stated Ms. Roberson will update the Board at the December 13, 2011 meeting.

Chair O'Pharrow voiced keeping the HRC Board in the loop as we would hate to lose the tentative funding of approximately \$50,000-\$100,000 as mentioned by Board member Davis during the September meeting.

Discuss – All reminders

At the request of Chair O'Pharrow, Chief Reed provided an update on Gang Prevention Activities.

REPORT – WASHINGTON TOURISM DEVELOPMENT AUTHORITY:

- The City of Washington community branding project is proceeding with the collection of input from area residents. The report of information gathered during the September workshop is now available online from various sites. Partner groups are also sharing this report with their constituents. Eye Integrated will have a recommendation prepared for the November Committee of the Whole meeting.
- The WTDA Board of Directors adopted a strategic plan at its October meeting. The plan includes: civic center marketing, hospitality partner relations, funding, and organizational structure.
- Roof replacement on the Civic Center has been completed. With this work complete, the WTDA will now begin the process of relocating administrative offices. The bulk of the move will take place during the month of December.
- Round tables and white “wedding” chairs have been purchased for the Civic Center. This will provide additional revenue that has been lost almost every weekend the facility is rented. This will allow the Civic Center to offer more of a turn-key event for renters planning weddings and other special events. Seating for 150 people was purchased.
- The financial audit for the WTDA has been conducted by William Oden. Although, not in its final format Mr. Oden reports that it was a clean audit.
- Plans are moving forward to host Cycle NC in 2012. Event organizers visited and met with a local planning team that consists of IBX Outfitters, WTDA, and Parks & Recreation.
- Visits were made to all of the Washington hotels during the month of October.
- A new organization chart with job descriptions is being developed for the WTDA. With the move to the civic center positions and needs are being reevaluated to develop a more streamlined and cost effective approach to facility management.
- WTDA director participated in a regional tourism retreat with representatives from the other Northeast counties. Plans are being developed for co-op advertising, promotion of a historic church tour in the region, and tour group marketing.

- The first smart phone app has been developed for the WTDA. Final tweaks are being made to the app that takes visitors on a walking tour of the historic district. Even without promotion, there have been more than 50 downloads. This is the direction that a lot of marketing efforts are taking since so many people no longer rely on hard-copy marketing materials. If this app is successful, we will likely develop some others. (end report)

REPORT – FINANCIAL REPORTS:

Councilman Mercer expressed concerns with the following:

- Electric Director’s account - (\$49,000 expenditure for Highway 32 Bridge replacement)? Mr. Hardt explained this was highway 32 near Acre/Swamp Bridge not highway 32 at Blounts Creek - it is a different bridge.
- The 10-11 installment purchases with an unencumbered balance of \$9,800 and Mr. Hardt requested time to look at the expenditures.
- Concerns with Pacific Seacraft Center project and Mr. Rodman explained this is part of the grant awarded to Pacific Seacraft the award is based on the number of jobs that were provided. Pacific Seacraft requested and extension on the grant because of hiring and expansion. Ms. Radcliffe requested to review the purchase orders and Councilman Mercer will be given an explanation on Tuesday by email.

APPOINTMENTS:

No appointment to be made at this time.

Recess 6:25pm-6:30pm

ADOPT – RESOLUTION TO DELEGATE SIGNATORY AUTHORITY RELATED TO TALENT ENHANCEMENT CAPACITY BUILDING GRANT (11-C-2260)

City Manager, Josh Kay noted this resolution delegate’s signatory related to Community Development Block Grant (CDBG) Talent Enhancement Capacity Building grant to the City Manager, Finance Director, Planning Director and Assistant Finance Director.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted a resolution delegating signatory authority related to Community Development Block Grant (CDBG) Talent Enhancement Capacity Building grant, 11-C-2260.

(copy attached)

ADOPT & AUTHORIZE – COMPLIANCE DOCUMENTS ASSOCIATED WITH CDBG TALENT ENHANCEMENT CAPACITY BUILDING GRANT (11-C-2260) AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT BETWEEN EAST CAROLINA AND THE CITY OF WASHINGTON

City Manager, Josh Kay explained this is a follow up to the previous item – adopting compliance documents associated with CDBG Talent Enhancement Capacity Building Grant (11-C-2260). Mr. Kay

stated the documents attached included the grant agreement, the sponsor program agreement, the equal employment and procurement plan and the local economic benefit for low and very low-income persons.

By motion of Mayor Pro tem Roberson, seconded by Council Pitt, Council adopted the compliance documents associated with CDBG Talent Enhancement Capacity Building Grant (11-C-2260) and authorized the Mayor to execute contract between East Carolina University and the City of Washington.

(copies attached)

AUTHORIZE, AWARD, & APPROVE – AUTHORIZE THE CITY MANAGER TO AWARD A CONTRACT FOR DEBRIS GRINDING AND SPREADING TO BOWEN COMPANY, INC. OF BELHAVEN, NC AND APPROVE THE CORRESPONDING PURCHASE ORDER (\$50,122.80)

City Manager, Josh Kay explained we are partnering with Beaufort County on their vegetative storm debris grinding bid and directed Council attention to page 89 for the attached bid tab sheet. Bids were received from four (4) separate companies and Bowen Company, Inc. proposal is also attached.

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council authorized the Manager to award a contract for debris grinding and spreading in the amount of \$50,122.80 to Bowen Company, Inc. of Belhaven, NC for the Debris Grinding and Spreading.

(copies attached)

AMEND – CHAPTER 18, SECTION 77 – STOP INTERSECTION IN REFERENCE TO THE INTERSECTION OF LAWSON ROAD AND EDEN DRIVE AND LAWSON ROAD AND DIMOCK ROAD

Mr. Kay noted this ordinance has been amended to include two additional stop signs at Lawson and Eden and Lawson and Dimock Roads.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council adopted an ordinance to amend Chapter 18, Section 77 – Stop Intersections in reference to the intersection of Lawson Road and Eden Drive and Lawson Road and Dimock Road, as outlined in the attached ordinance, with an effective date of December 1, 2011.

(copies attached)

APPROVE & AUTHORIZE – APPROVE BUDGET ORDINANCE AMENDMENT AND AUTHORIZE PURCHASE OF A WHEEL LOADER FROM ROB'S HYDRAULICS OF GRIMESLAND, NC AND APPROVE THE CORRESPONDING PURCHASE ORDER (\$85,065.84)

Mr. Kay stated this item is from the Public Works Department which is in need of replacing a 2000 model wheel loader. The transmission on this loader seized up during hurricane Irene recovery efforts. It is the CIP with a schedule to be replaced next fiscal year. Mr. Kay explained we are currently renting one as needed. We received three (3) estimates to repair the transmission that ranged from a low \$33,353.87 to a high of \$36,504.26. Rob's Hydraulics is willing to allow the city \$22,500 for the existing loader to get the price down to the \$85,065.84. The attached budget ordinance amendment will allow for the 59 month financing of this purchase.

Councilman Mercer inquired if staff had negotiated with any of the banks for the installment purchase money and Mr. Kay responded no-sir not to his knowledge? Councilman Mercer expressed his concern with not negating borrowing monies until very late in the fiscal year and requested seeing that practice changed. Mayor Pro tem Roberson suggested doing the installment purchases for a year and then look for permanent financing on the other side for full payment. Mr. Kay voiced he felt that would be possible and will be investigating all avenues and options. Mayor Jennings clarified by stating we sometimes have a pre payment penalty.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council approved the attached budget ordinance amendment and authorized the purchase of a wheel loader from Rob's Hydraulics of Grimesland, NC, for the state contract price of \$85,065.84, and approved the corresponding purchase order.

(copy attached)

ADOPT & AUTHORIZE – RESOLUTION AUTHORIZING THE DISPOSITION OF PROPERTY LOCATED AT 126 N. MARKET STREET AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE RELATED OFFER TO PURCHASE AND CONTRACT

Mr. Kay invited Mr. Trent Tetterton with the Washington Harbor District Alliance who has been serving as a great ambassador for the City of Washington concerning the old City Hall property to provide Council with an update. Mr. Tetterton stated an executed offer to purchase was received today along with the deposit check as required per advertisement.

Mr. Tetterton requested Council declare old City Hall (also known as the Original Washington Fire House) as surplus property and accept the offer to purchase. Mr. Kay reiterated that if Council should accept this offer you will be adopting a resolution authorizing the advertisement of an offer to purchase certain surplus real property and going through the upset bid process. There will be a ten (10) day window if other entities or individuals would like to bid. The upset bid must be at least \$26,300 and the upset bid must be accompanied by a bid deposit equal to five percent (5%) of the increased bid.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the resolution authorizing the advertisement of an offer to purchase certain surplus real property of the City of Washington located at 126 North Market Street and authorized the City Manager to execute the related offer to purchase and contract, once finalized.

(copy attached)

DISCUSSION – CITY OF WASHINGTON NOVEMBER 28TH AND DECEMBER 12TH CITY COUNCIL MEETINGS

Mr. Kay recommended Council continue to have the November 28, 2011 Committee of the Whole meeting and take up all action items at that meeting (consider this meeting as a regular Council meeting). At the December 12, 2011 meeting, Mr. Kay suggested having the swearing in ceremony of all Council members and the Mayor to be followed up by a planning session to prioritize goals/strategies for the City of Washington and the City Manager. Mayor Jennings clarified that we would not have to adjust any rules but would be operating under the Committee of the Whole rules with the exception that we might have action items.

Councilman Mercer expressed his concern and suggested having the goal setting at the November 28, 2011 Committee of the Whole meeting and having the regular Council meeting on December 12, 2011. Mayor Jennings alluded to the difficulties in having the swearing in ceremony and taking up new business (it seems to be a disjointed process).

Councilman Moultrie recommended going with the City Managers suggestion and Mayor Pro tem Roberson was in agreement to go along whatever Council decides to do.

By straw poll in a 4-1 vote, Council agreed on the City Managers suggestion with Councilman Mercer opposing.

MEETING AT BEAUFORT COUNTY COMMUNITY COLLEGE

Councilman Mercer mentioned a meeting at the Community College that he, Councilman Pitt and Mayor Pro tem Roberson attended in which \$2 million was on the table for Beaufort County and would like to ensure the City has a finger in that pie.

ROUNDTABLE IMMIGRATION DISCUSSION

Councilman Pitt reminded Council of the Roundtable Immigration discussion sponsored by the Human Relations Council on Tuesday, November 15 at 6 pm.

ELECTRONICS' RECYCLING

Councilman Pitt reminded Council of the electronics' recycling on November 19, 2011.

CLOSED SESSION – UNDER NCGS § 143-318.11(a)(3) ATTORNEY CLIENT PRIVILEGE, NCGS § 143-318.11 (a)(5) POTENTIAL ACQUISITION OF REAL PROPERTY: PROPERTY LOCATED ON RESPESS STREET AND OWNED BY FIRST PRESBYTERIAN CHURCH AND NCGS § 143-318.11(a)(1) DISCLOSURE OF CONFIDENTIAL INFORMATION AND NCGS § 143-318.10 (e) PUBLIC RECORDS ACT

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council agreed to enter into closed session under NCGS § 143-318.11(a)(3) Attorney Client Privilege, NCGS § 143-318.11 (a)(5) Potential Acquisition of Real Property: Located on Respepp Street and owned by First Presbyterian Church and NCGS § 143-318.11(a)(1) Disclosure of confidential information and NCGS § 143-318.10(e) Public Records Act at 7:00 pm.

By motion of Councilman Moultrie, seconded by Councilman Mercer, Council agreed to come out of closed session at 7:30 pm.

ADJOURN

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council adjourned the meeting at 7:35 pm until November 28, 2011 at 5:30 pm in the Council Chambers at the Municipal Building.

(Subject to the Approval of the City Council)

**Cynthia S. Bennett, CMC
City Clerk**

The Washington City Council met in a continued session on Monday, November 28, 2011 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, Councilman; Ed Moultrie, Councilman; William Pitt, Councilman; Gil Davis, Councilman; Bobby Roberson, Mayor Pro tem; Josh Kay, City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; John Rodman, Planning Director; Keith Hardt, Electric Director and Mike Voss, of the Washington Daily News.

Mayor Jennings called the meeting to order and Mayor Pro tem Roberson delivered the invocation.

APPROVAL/AMENDMENTS TO AGENDA

City Manager, Josh Kay suggested the following amendments to the agenda:

1. Add purchase order > \$20,000 for EMA Resources in the amount of \$85,000 for land application of residual sludge
2. Remove item #5 Authorize & Approve - Authorize City Manager To Execute Professional Services Agreement With Rivers And Associates, Inc. For 16" Parallel Water Line From The Water Treatment Plant To Us 264 And Approve Corresponding Purchase Order -\$125,000
3. Remove item #6 Closed Session

Councilman Mercer suggested the following amendment to the agenda:

1. Add a brief discussion of Carter Leary's request regarding the removal and refurbishing of military items from Oakdale Cemetery & City Hall and returning them to Veteran's Park

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council approved the agenda as amended

**LANDEX'S JUDY SIEGEL – HOTEL LOUISE/BELK BUILDING
SENIOR LIVING PROJECT PRESENTATION**

Landex's Judy Siegel explained the proposal of converting the Hotel Louise & Belk Buildings into senior-living facilities for senior citizens on fixed incomes. David Johnston, Landex stated they have zoning issues regarding parking. Currently, 42 spaces are required by the Zoning Ordinance but they are going to request a variance from the Board of Adjustment and request a lease of 16 spaces from the City to give a total of 33 parking spaces. A van will be provided to transport tenants throughout the town as all of the residents will not have their own vehicle. The rear portion of the Belk building will be removed (2 story windowless box) that was an addition to the building sometime in the 1950's. The remainder of the Belk building and Hotel Louise will be renovated. There will be a computer center, social area along West Main Street and 6(1 bedroom) and 6(two bedroom units) on the first floor. Mr. Johnston proceeded to explain the remainder of the layout of the two buildings explaining that on the 4th floor of the two buildings a connector would be built to join the two buildings or allow connectivity

from the 4th floor to both buildings. The roof will have a terrace on the Belk building to allow a beautiful view of the waterfront.

The proposed project calls for converting the downtown buildings into 35 one-bedroom apartments and 24 two-bedroom apartments. The project would provide housing for people at least 62 years old who have a fixed income of around \$25,000 or less annually, according to the presentation. Ms. Siegel explained that the project has an estimated price tag of nearly \$10 million and that in order for them to receive any tax credits, the city would have to initiate the application process. “Yes, we are looking for the city to participate,” Ms. Siegel replied to a question by Mayor Archie Jennings. She noted that Landex is prepared to provide about \$8.5 million toward the project’s financing. The city’s participation would include help finding funding sources for the remaining \$1.5 million (approximate) needed to build the project, with that funding possibly coming from sources such as grants and/or city dollars. The very first step is to find out whether the elected officials are comfortable with this going forward. We would work with your staff to see whether we can put those pieces of the puzzle together.

Councilman Mercer stated regardless of the amount needed, Landex will need a commitment from the city that we’re either going to apply for a (Community Development Block Grant) or something to get that amount of money.

Councilman Mercer also expressed concerns about the city having enough time to review details of the proposed project before a January 13, 2012, deadline for submitting an application regarding the project to state officials. If that deadline is missed, Landex would have to wait until January 2014 to submit an application, Ms. Siegel said. Construction could begin in the spring of 2013 and would be a 12 month project.

Councilman Davis said we should “explore our options” in regard to the project. He and other council members said additional information about the project is needed to determine its viability.

Council would like more details, especially about financing, before deciding whether to support the project or not. The City Manager was directed to obtain further information and report back to Council.

Total development costs @\$9,713,000

Estimated sources of funds:

First mortgage of @\$ 287,000

Private equity from the sale of Historic Tax Credits @\$1,800,000

Private equity from LIHTC @\$6,200,000

GAP @ \$1,426,000

State requirements

City must have initiated the project

City must have invested in the area

City must strongly support the project

TYRONNE WILSON – ABA BASKETBALL PRESENTATION

Tyronne Wilson, East Carolina Trojans of the American Basketball Association explained, three ABA games have been played to date. The games have been very successful, although very costly. He is contacting local businesses for sponsorship of the games. Mr. Wilson voiced concern over the cost of the gym rental at Washington High School as well as the cost of having police officers at the game. Mayor Jennings advised Mr. Wilson that the City does not have any control over the cost of the gym rental, that would be need to be addressed by the school board. Mr. Wilson is seeking the city's support, including funding, in bringing the Trojans to Washington. Mayor Jennings asked if Mr. Wilson's idea was to get the team established and then go play the games in Greenville. Mr. Wilson stated he would love to keep the team in Washington, but it is very costly and there aren't enough sponsors in Washington to support the events. One company in Greenville could probably support all of the games for the entire year. Mayor Jennings thanked Mr. Wilson for the update and advised him to keep working with the City Manager for his specific needs.

*6:55pm - Extension of meeting: By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council extended the meeting until 8:00pm.

RECESS until 7:00pm

APPROVE – PURCHASE ORDERS > \$20,000

- Requisition #10471: Burney & Burney Construction Co. Of Greenville, NC For \$50,373.50 Keys Landing Phase I Washington Keys Landing Subdivision, Phase 1 Street & Utility Improvements(Previous Purchase Orders Were For Utility Improvements, Not Street Improvements)
- Requisition #10492: EMA Resources of Mocksville, NC for \$85,000 for land application of residuals sludge (\$93,000 was budgeted, this will conclude the 5th year with the contractor and staff is in the preliminary stages of requesting proposals for the future)

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the purchase orders as presented for Burney & Burney Construction (\$50,373.50) and EMA Resources (\$85,000).

ADOPT – RESOLUTION TO CONVEY SURPLUS REAL PROPERTY LOCATED AT 126 N. MARKET STREET

Josh Kay, City Manager explained that during the regular scheduled meeting of the City Council, which was held on November 14, 2011, an offer to Purchase and Contract for Old City Hall was received from Laura Darré and Kathryn Pisciotta collectively d/b/a The Snug Harbor Team in the amount of \$25,0000. During that meeting a resolution was adopted to begin the upset bid process to dispose of the property located at 126 N. Market Street. The original offer of \$25,000 was advertised for 10 days as required by the upset bid process. After the 10 day cycle was concluded, no other bids were submitted. The recommendation of staff is to accept the offer in the amount of \$25,000 and adopt a resolution authorizing the Mayor to sign all the necessary legal documents to convey the surplus property to Laura Darré and Kathryn Pisciotta collectively d/b/a The Snug Harbor Team.

Mayor Pro tem Roberson inquired if Beaufort County had given approval of this offer? Mr. Kay stated that the County Manager has given verbal approval of the offer on behalf of the Commissioners. Franz Holscher, City Attorney stated that his office will draft a release and have the County execute the release and have it recorded to allow a clear transfer of the property.

By motion of Councilman Mercer, seconded by Councilman Moultrie, Council adopted the Resolution to convey the surplus real property located at 126 N. Market Street to Laura Darré and Kathryn Pisciotta collectively d/b/a The Snug Harbor Team for \$25,000 and authorize the Mayor to sign all the necessary legal documents to convey the surplus property.

(copy attached)

EYE INTEGRATED - BRANDING PRESENTATION

Josh Kay, City Manager reviewed the history of this project stating that several community partners (WTDA, WHDA, the City and Chamber) have been working for approximately a year to develop a comprehensive brand. Each partner was asked to invest \$2,000 in the project. The committee selected the services of Eye Integrated Communications in Greenville to conduct the research needed for brand development. Eye Integrated Communications is presently the agency responsible for WTDA's marketing/advertising campaign.

Bill Roberts, Eye Integrated stated that a community event was held in September with approximately 25 members participating. The presentation was aired on Cable 9 and Facebook to allow for public comment. The development of a community brand will allow the city and other partner organizations to have one common theme in its efforts to promote the city to businesses, residents and visitors, according to the committee. The overall consensus was the brand of "Little Washington" is Washington big enough to be "Little". Advertising efforts such as: "Have a Little fun in Washington", "Live a Little in Washington", "Enjoy a Little sun in Washington", "Do a Little business in Washington", and "Expect big things in Little Washington". The brand is who you are. Mr. Roberts stated that outside of Washington, "Little Washington" is very much embraced, while some inside Washington do not embrace that title.

Lynn Lewis, TDA Director stated the designs will be on display and located at the Visitor's Center to allow for public review and comments. An update will be given to Council during the January Committee of the Whole meeting. Councilman Davis stated he has heard comments and displeasure with the term "Little Washington" and fears residents will be offended and the public prefers "The Original Washington". Councilman Moultrie stated he like "Original Washington" better than "Little Washington". Mayor Pro tem Roberson stated that if you go outside of Washington, then we are referred to as "Little Washington".

ADOPT – RESOLUTION FIXING DATE FOR PUBLIC HEARING FOR THE NON-CONTIGUOUS ANNEXATION OF THE BODDIE-NOELL PROPERTY

City Manager, Josh Kay explained that when an annexation petition is received, the City Council must direct the Clerk to investigate the sufficiency of the petition. Upon making an investigation, the Clerk shall certify the results to the governing body. Upon receipt of the Clerk's certificate, the City Council shall fix a date for a public hearing on the annexation. Notice of the public hearing must be published once in the newspaper at least ten (10) days before the date of the hearing. On November 14, 2011 City Council adopted a resolution directing the Clerk to investigate the petition presented for a non-contiguous annexation.

Councilman Mercer requested a cost/benefit analysis of all future non-contiguous annexations.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the resolution fixing the date for a public hearing on January 9, 2012 on the non-contiguous annexation of the Boddie-Noell property located on US Hwy 264 and containing 2.55 acres.

(copy attached)

CARTER LEARY’S REQUEST REGARDING VETERAN’S PARK

Councilman Mercer discussed the request made by Mr. Carter Leary during an earlier Council meeting for the removal and refurbishing of military items from Oakdale Cemetery & City Hall and returning them to Veteran’s Park. Councilman Mercer stated we need a master plan for Veteran’s Park. Council directed staff to oversee this project and allowed Mr. Leary to remove the mortars and refurbish them and place them at Veteran’s Park.

AUTHORIZE & APPROVE - AUTHORIZE CITY MANAGER TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH RIVERS AND ASSOCIATES, INC. FOR 16” PARALLEL WATER LINE FROM THE WATER TREATMENT PLANT TO US 264 AND APPROVE CORRESPONDING PURCHASE ORDER -\$125,000(item removed from agenda)

CLOSED SESSION - UNDER NCGS §143-318.11 (A)(4)ECONOMIC DEVELOPMENT AND NCGS §143-318.11(A)(3) ATTORNEY/CLIENT PRIVILEGE(item removed from agenda)

***Reminder of Christmas Parade to be held in Washington on Saturday, December 3rd at 11:00am and Energy Bonanza on Tuesday, November 29th beginning at 4:00pm at the Civic Center.**

ADJOURN

By motion of Councilman Pitt, seconded by Councilman Davis, Council adjourned the meeting at 7:50pm until December 12, 2011 at 5:30pm in the Council Chambers at the Municipal Building.

(Subject to the Approval of the City Council)

**Cynthia S. Bennett, CMC
City Clerk**



City of Washington
REQUEST FOR CITY COUNCIL ACTION

To: Mayor Archie Jennings & Members of the City Council
From: Bianca Gentile, Community Development Planner
Date: December 12, 2011
Subject: Resolution to apply for Main Street Solutions Fund, Grant Application
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

I move that council adopt a resolution in support of applying for grant funds from the Main Street Solutions Fund and designate agents on behalf of the grant.

BACKGROUND AND FINDINGS:

North Carolina Main Street Solutions Fund is a program designed to provide economic development planning assistance and coordinated grant support to designated micropolitans located in active Main Street communities.

The goals of the program are:

1. To provide direct financial benefit to small businesses
2. To retain and create jobs in association with small businesses
3. To spur private investment in association with small businesses

The Main Street Solutions Fund is a reimbursable, matching grant program. This highly competitive process provides up to \$200,000 to local governments.

The City proposes to utilize grant funds to assist D.B.A. Snug Harbor (Laura Darré and Kathryn Pisciotta) in rehabilitating the property located at 126 North Market Street, also known as Old City Hall, into a destination restaurant. DBA Snug Harbor will supply ALL match monies, yielding no fiscal impact on the municipal general fund to make application.

<u>Source of Funds</u>	<u>Amount</u>	<u>Proposed use of funds</u>	<u>Proposed or Committee</u>	<u>Date funds available</u>
MS Solutions Funds	\$150,000.00	Building Rehabilitation	Proposed	Upon award
DBA Snug Harbor	\$300,000.00	Building Rehabilitation	Committed	ASAP
Total	\$450,000.00			
		December 12, 2011		

PREVIOUS LEGISLATIVE ACTION

Convey property through upset bid process to DBA Snug Harbor

FISCAL IMPACT

Currently Budgeted Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

Resolution

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: _____ Concur _____ Recommend Denial _____ No Recommendation _____ Date

**RESOLUTION IN SUPPORT OF THE
MAIN STREET SOLUTIONS FUND GRANT
APPLICATION ON BEHALF OF OLD CITY HALL**

WHEREAS the Washington City Council supports the revitalization of downtown and seeks to encourage small business development within downtown Washington; and,

WHEREAS the City Council believes the revitalization of Old City Hall as a destination restaurant will positively impact the revitalization vision and goals as stated in the 2009 “Visualization and Reinvestment Strategy,” and positively impact the development of a thriving small business climate in downtown Washington; and,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD THAT:

Section 1: The City Council hereby declares its intent to make application for Main Street Solutions grant funds in partnership with the Old City Hall owners, Laura Darré and Kathryn Pisciotta collectively d/b/a The Snug Harbor Team, as the grant sub-recipient and with Washington Harbor District Alliance, a 501(c)3 organization charged with administering the local Main Street program and managing the implementation of the downtown Visualization and Reinvestment Strategy; and,

Section 2: Designates Mayor N. Archie Jennings, III as the appropriate agent to make application for the Main Street Solutions grant funds and to sign a grant agreement on behalf of the City should the funds be awarded; and,

Section 3: Further designates Bianca Gentile, Community Development Planner, as the City’s designated agent to ensure that all reporting and monitoring requirements associated with the grant are carried out in accordance with the Main Street Solutions Fund Operating Guidelines; and,

Section 4: This Resolution shall become effective December 12, 2011

Adopted this the 12th day of December, 2011.

Attest:

Cynthia S. Bennett, CMC
City Clerk

December 12, 2011
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N. Archie Jennings, III
Mayor



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Bianca Gentile, Community Development Planner
Date: December 12, 2011
Subject: Resolution to designate agent per Hazard Mitigation Application (HMA)
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

I move that the City Council adopt the Resolution "Designation of Applicant's Agent", as required by the North Carolina Division of Emergency Management as a means to identify key points for the 2010 Hazard Mitigation Assistance program.

BACKGROUND AND FINDINGS:

The acquisition and demolition of flood-prone structures is among the most effective strategies for reducing the impact disasters have on communities, people and property. Due to the State's increased commitment to hazard mitigation funding through FEMA, the State has maximized its opportunity to build its long-term capability in assisting local communities to become more sustainable and disaster resistant.

The Old Health Department Building is located in the Special Flood Hazard Area, along the Jack's Creek Tributary, in a low lying area. These features make it especially vulnerable to the threat of natural disasters. This structure was flooded and suffered major structural damage on numerous occasions. As result, the City has made an application to the NC Department of Emergency Management's Hazard Mitigation Assistance Program to solicit funding to acquire and demolish the "Old Health Department" building. Adopting the "Designation of Applicant's Agent" resolution formally identifies municipal points of contacts to the funding agent.

Federal share: \$138,765.75
 Non-Federal share: \$ 46,255.25 (city match, inclusive to project and grant administrative)
 Total project cost: \$185,021.00

PREVIOUS LEGISLATIVE ACTION:

Action to apply for funds, October, 2009

FISCAL IMPACT:

Currently Budgeted Requires Additional Appropriation No Fiscal Impact

SUPPORTING DOCUMENTS:

Designated agents form

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: _____ Concur _____ Recommend Denial _____ No Recommendation _____ Date

December 12, 2011

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization): City of Washington	Disaster Number: HMA 2010
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): North Carolina Department of Crime Control and Public Safety	
Applicant's Fiscal Year (FY) Start July 1- June 30	Month: _____ Day: _____
Applicant's Federal Employer's Identification Number: 56-6001364	
Applicant's Federal Information Processing Standards (FIPS) Number:	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Josh L. Kay	Agent's Name Mike Whaley
Organization City of Washington	Organization City of Washington
Official Position City Manager	Official Position Purchasing and Contracting Agent
Mailing Address 102 East Second Street City, State, Zip Washington, North Carolina 27889	Mailing Address 102 East Second Street City, State, Zip Washington, North Carolina 27889
Daytime Telephone 252.975.9332	Daytime Telephone 252.975.9308
Facsimile Number 252.946.6461	Facsimile Number 252.946.1965
Pager or Cellular Number 252.402.8930	Pager or Cellular Number 252.402.6888

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

PASSED AND APPROVED this _____ day of _____, 20__

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title City of Washington City Council	Name Cynthia Bennett
Name and Title	Official Position City Clerk
Name and Title	Daytime Telephone 252.975.9333

CERTIFICATION

I, Cynthia Bennett (Name) duly appointed and City Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of The City of Washington (Organization) on the 12th day of December 2011.

Date: 12-Dec-11 Signature: _____