

The Washington City Council met in a continued session on Monday, August 22, 2011 at 5:30 pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Bobby Roberson, Mayor Pro tem; Doug Mercer, Councilman; Ed Moultrie, Councilman; Gil Davis, Councilman; William Pitt, Councilman; Josh Kay, City Manager; and Cynthia S. Bennett, City Clerk.

Mayor Jennings arrived at 6:00 pm and was made a part of the minutes.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Fire Chief; Mick Reed, Police Chief; Allen Lewis, Public Works Director; John Rodman, Planning & Development Director; Philip Mobley, Parks and Recreation Director; Susan Hodges, Human Resource Director; Gloria Moore, Library Director; Mike Voss, of the Washington Daily News and Delma Blinson, of the Beaufort Observer.

Mayor Pro tem Roberson called the meeting to order and requested a moment of silence for Mr. Zeno Edwards (a strong public servant). Councilman Moultrie delivered the invocation.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Pro tem Roberson requested adding closed session under § NCGS 143-318.11(a)(6) Personnel and § NCGS 143-318.11(a)(3) Attorney Client Privilege.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the agenda as amended.

DISUCSSION – WILDERNESS PARK

Mayor Pro tem Roberson voiced his concern noting the City started a project with over 200 acres and has notice more people fishing off of Highway 17. He feels this is a safety issue and would like to revisit this project.

Planning Director, John Rodman called Council attention to the hand out. Mr. Rodman stated the City owns 4 tracts on the south side of the River. Two tracts was gifted to the City by Mr. Gene McMullen, one the City purchase several years ago (115 acres) and the City also purchase the property they would use as access to these properties (approximately 300 acres). Preliminary work has been performed on design and park trails. The attached map is property the City owns with approximately 95% of the area wetlands. The wetlands have been delineated and we are constantly investigating possible grants to develop this area. Planning and Recreation has worked closely together on this project along with the Tar River Foundation in the past.

Councilman Pitt inquired if this would be totally undeveloped or would we have water access. Mr. Rodman responded 'yes' – canoe, kayak launch, possible fishing and camping platforms.

Mayor Pro tem Roberson voiced trying to get all the partners collectively together to have a consensus about why to develop the property. The City may be able to co-partner with the Tar River Foundation, Partnership of the Sounds, Boys Scouts of America, etc. to look at use in terms of eco-tourism in addition to public access. Mayor Pro tem Roberson requested Mr. Kay place this on his priority list, coordinate with Mr. Rodman and Mr. Mobley as well as other entities so as to move along on the project.

Councilman Mercer stated prior to Mayor Pro tem Roberson coming on board to Council and while he was on staff, noted there is a complete set of designs for a facility on this property. When the City was looking at funding to achieve this project, the State funding available at that time was approximately \$60,000 grant toward the work. In order to get the \$60,000 the State requested a Conservation Easement in perpetuity on the entire tract. For \$60,000, the State would have total control of nearly 300 acres of waterfront property and the City would only be able to do what the State would allow. The sitting Council at that time stated this was unacceptable and this has been the position of the Council. If the City could find monies that would allow us to proceed with developing this area then Council would consider it. Councilman Mercer cited several other projects that are on the table. He noted we are halfway through the development of the waterfront

property adjacent to the Esturaium, the Festival Park area development, docking area and the Downtown Revitalization plan which all incorporate additions to the waterfront and access to the waterfront. Councilman Mercer stated he would like to see one project on the way to completion. Mayor Pro tem Roberson voiced this is a good opportunity for the City to do the planning process with a minimum cost. He would like to form a consensus about what we need to do with the tract. Councilman Davis agreed with Councilman Mercer that there are several other projects the City have on the drawing board that has been set aside temporarily and cited some examples.

Mayor Pro tem Roberson voiced he had not seen the Wildlife Commission plan and was wondering if other members of Council had seen the plan and Councilman Mercer stated 'yes' and the plan should be available.

Mayor Pro tem Roberson and Councilman Mercer discussed the availability of grants and exploring those possibilities. Mayor Pro tem Roberson has reservations with the City applying for grants and then turning them back. This has occurred with CAMA on three different occasions for \$300,000. A lot could have been accomplished with \$300,000 for bathrooms instead of having one bathroom down there. There needs to be more investigation with the requirements of the grants before moving toward the process. Mr. Kay stated this could be looked at with the Capital Improvement plan (item #4 on the agenda) prioritizing all the things going on in the City of Washington – staff need long term direction as to the priorities to each of the different areas.

DISCUSSION – CIVIC CENTER DECKING

Mayor Pro tem Roberson deferred this item to Mr. Kay and Mr. Harrell. Mr. Wayne Harrell addressed a couple of the options as discussed at staff level and what those costs maybe. Mr. Harrell called Council attention to item # 3 – Phasing and noted this is a possibility, the east-side and west-side with the west-side being primarily the biggest cost. East side would be less because one of the two doors could be eliminated as it is not a requirement. If only the door were done it would be a landing step and a minimum handicap ramp on the other door which would enable us to do away with the long decking on the side of the building (approximately 265 feet). It could be done with wood/concrete/brick to match the building. Mr. Harrell voiced that in house demolition would save \$6500 from the estimated cost. Also, he noted the building is not up to code of ADA requirements.

(Begin memo) **RE: Civic Center Decking**

Background

As you all are aware, City Staff conducted an analysis of the Civic Center decking that highlighted many challenges with the current condition of the Civic Center's decking. Additionally, Council budgeted \$15,000 in the Civic Center department budget for "Maintenance/Repair Building" (10-40-6125-5100).

It was suggested that this topic be placed on the agenda of the Committee of the Whole meeting for August 22, 2011; therefore, staff convened to discuss this topic and we provide the information below as information related to this discussion. Additionally, at my instruction, staff reached out to some engineers/contractors to give us a rough estimate on the cost of the options presented below.

Information

1. Design of the decks:
 - a. East-side: The majority of the east-side deck of the Civic Center (side toward the Presbyterian Church) could be eliminated. There are currently only two doors on this side of the building, one of which would need to be maintained with a ramp as a handicap accessible entrance. The other door could either be removed (replaced as a window) or a small landing could be built for the exit.
 - b. West-side: This is the largest section of decking and is the most used section. Options are listed below for the repair and/or replacement.
 - c. Staff would strongly recommend that prior to construction, the City be given a set of engineer-stamped drawings to minimize any possible future liability of

the decking. This could be accomplished by having an engineer design it first or through a design-build process.

2. Construction Options: Are there different methods to accomplish both the accessibility requirements and the aesthetic desire to allow for improved marketing of the Civic Center?
 - a. Remove and replace just the wood decking, railing, and seating – estimated cost is approximately \$55,000
 - i. One issue with this approach is that it does not take into account any possible structural changes/improvements that will need to be undertaken.
 - ii. Another concern of staff is that this is a short term fix and will require future expenditures, including the possibility of replacing the structure supporting the decking, railing, etc...
 - b. Remove and replace the entire structure with wood – estimated cost is approximately \$75,000
 - i. Staff's concern is again that this is a 10-20 year solution; however, proper maintenance can stretch that lifespan to its fullest extent
 - c. Remove the wood structure and replace with a 4" concrete slab with a brick veneer façade with iron railings – estimated cost is approximately \$100,000.
 - d. Remove the wood structure and replace with brick pavers with a brick veneer façade with iron railings – estimated cost is approximately \$100,000.
3. Phasing: Can the project be phased in over time allow for budgetary constraints?
 - a. One option is to use the funding currently budgeted to remove the east-side decking and construct a handicap-accessible ramp and one small landing at the second exit. Delay the second phase of the construction on the west-side until the next budget. This would allow us to further explore the funding options below.
4. Funding: There are a variety of areas that funding may be possible:
 - a. City General Fund – Council can authorize staff to move forward with the project immediately through an appropriation of fund balance, reductions in operating expenditures throughout the General Fund, and/or a combination of the two.
 - b. Grants – Staff is already in the process of researching grants that may assist in the construction of the decks. Some level of match would more than likely be required.
 - c. Fundraising – There is a possibility of performing a campaign, to possibly include the selling of bricks, etc...that may assist in the construction costs; however, it should not be assumed that this will fully fund the project.
5. Cost Saving Ideals: There are several ways in which we could reduce the cost of the estimates, to include:
 - a. Performing the demolition internally or have a nonprofit perform that work;
 - b. Combine two of the above construction options to minimize cost – i.e. build wood ramp and steps on east-side while constructing concrete or brick pavers on west-side;
 - c. There may be possible savings by purchasing some of the material in-house for the contractor, thus avoiding any potential mark-ups.
6. Scheduling: Construction of the decks, if approved, will need to be very coordinated in order to minimize the impact of construction on events within the Civic Center.

Detailed breakdown from two different contractors that was submitted and will itemized the cost that breaks it down east-side and west-side is attached:

HORTON
CONTRACTORS, INC

Project: Civic Center Deck Replacement

Mr. Harrell,

Per our conversation, listed below are cost estimates for replacing the wood deck structure around the Civic Center. Please note, there are three different price points:

- Item # 1** - Remove existing decking, seating and hand railing and replacing with new treated wood. The existing structural framing will stay in place, and the new seating and hand railing will be put back to meet building codes. **The total cost comes to \$55,000.00.**
- Item # 2** - Demolish the existing wood structures, and replace it with a new wood structure. This would include new wood structural floor joists, posts, and concrete footing. **The total cost comes to \$75,000.00.**
- Item # 3** - Demolish the existing wood structure and replace with new concrete footing, brick walls, elevated concrete slab, and wrought iron hand railing. **The total cost comes to \$125,000.00.**

Please note, the items listed above are preliminary numbers, and we would need some detailed drawings in order to give a final price. The cost could change due to unforeseen issues, and I would recommend doing some research on what would be required for the electrical lighting. We appreciate the opportunity to bid your project, and hope we can be of further assistance in the future. If you have any questions please feel free to call me.

s/Brad Horton
President

Mosley
Construction Company

Porch Renovations

Reference: LKQ Metal Building

The following is our Preliminary Budget Proposal for the demolition and construction of approximately 375 In. ft. of porches located in Washington, NC, including all supervision, and administrative fees associated with the construction process. This proposal is based on information provided by the town representative Wayne Harrell.

Scope of Work

1. General Conditions and Requirements

- Design for the site/civil drawings are not included in this proposal.
- Design of building and structure, and PM&E drawings are not included in this proposal
- Dedicated Superintendent.
- Building Permit
- Builder's Risk, General Liability, Automotive, and Workman's Compensation insurance.
- Job related equipment.
- Construction debris clean up and disposal.
- Final clean-up upon completion of work.

2. Sitework

- Includes demolition of existing porches and removal of waste materials

3. Concrete

- 4" thick concrete slab on 6 mil vapor barrier over all areas in scope of work.
- Welded wire mesh reinforcing
- Furnish and install all rebar reinforcing
- Porch slabs to be 8ft. wide

2. Brick Material Only

\$350.00/1000

s/Andrew C. Boger

Mayor Pro tem Roberson recommended hiring an architect/engineer to design the project– not a staff person. Mr. Harrell stated the breakdown from Wayne Mosley with Mosley Construction Company includes design plans but Horton Contractors, Inc does not. Mr. Kay suggested if Council would instruct staff at the September meeting to move forward on securing and engineer/architectural firm to do the design - staff could certainly do that.

Councilman Mercer expressed concern with a condition that exists throughout the City. We get a piece of property and then it gets to the point of falling apart before we do any maintenance on it. We need to start on an annual basis doing the maintenance that's required on the buildings.

Councilman Moultrie suggested this project should be a priority, especially with regard to the liability aspect.

Mr. Kay stated staff would return to Council at the September meeting with quotes for engineering.

DISCUSSION – JACK'S CREEK DRAINAGE

Mayor Pro tem Roberson explained that the community has an issue with water drainage and feels the City needs to look at aerating the water. Also, he has questions concerning engineering design with having the pumps at Jack's Creek. Mayor Pro tem Roberson suggested revisiting Jack's Creek to get a handle on what needs to be done. The discharge located by the railroad tracks has decreased in size over a period of 15-16 years. We need to do a preventive measure as to what will happen during flooding when the Pamlico River doesn't fill up but it.

Public Works Director, Allen Lewis requested to take Mayor Pro tem Roberson's concerns and report back to Council. Mr. Lewis agreed with Mayor Pro tem Roberson concerning the opening at the railroad tracks. Mr. Lewis noted he spoke with a representative of DENR this afternoon regarding aerating Jack's Creek. He was told we can't do it with a fountain but there is a possibility that we can do it with injecting air into the Creek.

Mayor Jennings stated we need to have a session solely dedicated to Jack's Creek at the Committee of the Whole and have Mr. Lewis explain all the options and alternatives available.

Councilman Mercer requested three specific numbers from Mr. Lewis at that meeting:

1. The pumping capacity at maximum capacity
2. The carrying capacity of the culverts at Main Street
3. The carrying capacity of the culverts under the railroad trestle

Mr. Lewis provided the answer for question #1 – 23,000 gallons per minute x 4 which would be 92,000 gallons a minute.

Councilman Mercer directed Mr. Lewis to talk to the State about fish eating grasses in Jacks Creek (Tilapia). Mr. Lewis voiced the State would not allow this because the Tilapia could swim back around to the river and they will eat everything in their path including other fish. Councilman Mercer said there may be another type of fish instead of the Tilapia that could be allowed. Mayor Jennings requested, if it is feasible, to have representatives from the State at the Committee of the Whole meeting.

Councilman Davis said to the best of his knowledge the only time the river overflowed was during Hurricane Floyd but the water does come down Simmons Street

very often. Councilman Davis inquired to the situation on 12th Street and Mr. Lewis said there is nothing at this time to address this issue.

Mayor Pro tem Roberson inquired as to how much improvement will go into Jack's Creek. Mr. Lewis stated the following:

- Submersible pump at the Storm-water pump station,
- Tear out Charlotte Street,
- Upstream of John Small Avenue
- Replace the culvert underneath the parking lot (next to the basketball courts), once cleared through the basketball court it will be an opened ditch to the intersection of 7th and Harvey.

DISCUSSION – CAPITAL IMPROVEMENT PROGRAM

Mayor Pro tem Roberson suggested we start the review now and not wait until February or March. Mayor Pro tem Roberson feels it should be a standalone process – look at the expenditures all during the fiscal year.

Councilman Mercer requested prioritizing with staff what we have to have, what we would like to have and the wish list (prioritizing by A, B & C). This will give staff the direction needed to be aware of which way Council will go. Councilman Mercer stated we need to get back to that process because this has not been done the last several years. Mayor Jennings noted this was done two years ago.

Mayor Pro tem Roberson expressed his concern with buying items under the CIP program for \$25,000. When we purchase a piece of equipment and have a savings, the savings need to go back into the general fund to be reallocated based on the Council's and Department Heads need.

Chief Financial Officer, Matt Rauschenbach, stated we can still look at that – the document covers a five year time frame. Mayor Pro tem Roberson requested as a Council to work with Mr. Kay in bringing him up to date and what the expectations of Council are over the next twelve months. Mr. Kay noted as he has spoken with all Council and the vision he has is to do the CIP in the Fall. They can begin the process of prioritizing Council vision for the organization and staff would have the direction needed when it comes times to balance the budget.

DISCUSSION – FORMAL/INFORMAL BID PROCESS

City Manager, Josh Kay explained the handout presented to Council concerning the Dollar Thresholds in North Carolina Public Contracting Statutes.

Mayor Pro tem Roberson suggested Council develop an informal bid process to make sure we are being fair to all in Beaufort County. The question he receives from the general public is they see one contractor/agency doing this work for over fifteen years. Most cities go through the informal bid process. The City has a full time purchasing agent and he feels we need to utilize the purchasing agent service. Mayor Jennings noted he joined Mr. Kay at the supervisors meeting last week and this subject came up. Mr. Kay pointed out that a lot of our departments are doing this as a regular practice. Mayor Jennings noted they addressed making the benefit of that work known to the Council. Mr. Kay directed staff to make the best practice out of obtaining bids even in routine situations.

DISCUSSION – REPAVING/RESURFACING OF WEST 5TH STREET

Public Works Director, Allen Lewis spoke to the discussion that occurred with NCDOT. Mr. Lewis shared he inquired about the possibility of resurfacing West 5th Street with the local district engineer. The representative responded they would favorably consider it if they had the City assurance that they would not be cutting the pavement anymore on 5th Street. Mr. Lewis responded (like some of their drainage infrastructure) that the City has infrastructure that had been in the ground for quite some time. From time to time those pipes leak and with new customer request to tie in, there is no way we can make that guarantee. When you have a 50-60 year old waterline/sewerline unfortunately underneath the road if it starts leaking we have to cut pavement to make repairs. NCDOT have not responded back since this last email.

Mayor Jennings suggested that West 5th Street is borderline unsafe – you can barely keep a car at speed limit on the road and whatever we need to do short of a guarantee – we need to do. Mr. Lewis stated this road was done about ten years ago right before he came to work with the City. There are two problems 1.) Utility cuts, manholes adjustments and 2.) Reflective cracking back up to the asphalt from the original concrete pavement underneath.

Mayor Jennings directed staff along with the collaboration of Council to make this an action item soon. Councilman Pitt added that homes are being damaged by the heavy trucks. Councilman Moultrie stated they see damage on the inside of the Church that's located on the corner 5th Street and Respass because of the pressure of the trucks.

MEMO – BUDGET TRANSFER FROM CIVIC CENTER TO TDA (\$19,028)

City Manager, Josh Kay, advised Council this transfer per City Code is a requirement and presented to Council as an FYI item.

(Begin memo) The Budget Officer transferred \$19,028 from the Civic Center to the TDA department of the General Fund to be consistent with the reallocation of personnel between these departments.

NC GS 159-15 states that this shall be reported to the Council at its next regular meeting and be entered in the minutes. Transfer request is attached. (End memo)

Request for Transfer of Funds

TO: City Manager or Finance Director
FROM: Tammy Swindell
SUBJECT: REQUEST FOR TRANSFER OF FUNDS

I hereby request the transfer of funds as set forth below from one account to another, all within the same appropriation fund account, as permitted and authorized by the General Statutes of North Carolina.

	Department	Account Number	Object Classification	Amount
FROM:	Civic Center	10-40-6125-0200	Salaries	14086.00
		10-40-6125-0205	Salaries-Longevity	150.00
		10-40-6125-0500	Fica Taxes	1078.00
		10-40-6125-0600	Group	2180.00
		10-40-6125-0700	Retirement	982.00
		10-40-6125-0701	401 K	136.00
		10-40-6125-0704	FSA Employer	416.00
TO:	Tourism Development	10-00-4124-0200	Salaries	14086.00
		10-00-4124-0205	Salaries-Longevity	150.00
		10-00-4124-0500	Fica Taxes	1078.00
		10-00-4124-0600	Group Insurance	2180.00
		10-00-4124-0700	Retirement	982.00
		10-00-4124-0701	401 K	136.00
		10-00-4124-0704	FSA Employer	416.00

For the purpose of: Salary for full time employee is split between Civic Center (60%) and TDA (40%).

**s/Matt Rauschenbach
Department Head & Chief Financial Officer**

**s/Josh Kay
City Manager**

OTHER CONCERNS FROM COUNCIL

Councilman Mercer voiced having the Manager and staff to look at the possibility of putting four way stops at the corner of Dimmock, Eden and Lawson. The traffic up and down Lawson is very busy. Mayor Jennings requested staff to look into this - traffic count.

**CLOSED SESSION – UNDER § NCGS 143-318.11(a)(6) PERSONNEL AND
UNDER § NCGS 143-318.11(a)(3) ATTORNEY CLIENT**

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council agreed to enter closed session under § NCGS 143-318.11(a)(6) Personnel and under § NCGS 143-318.11(a)(3) Attorney/Client at 6:40 PM.

By motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council agreed to come out of Closed Session at 8:00 pm.

EXTENSION OF MEETING

During closed session by motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council unanimously voted to extend the meeting for one hour (7:00 pm).

**ADJOURN – UNTIL MONDAY, SEPTEMBER 12, 2011 AT 5:30 PM IN THE
COUNCIL CHAMBERS AT THE MUNICIPAL BUILDING**

By motion of Councilman Pitt, seconded by Councilman Davis, Council adjourned the meeting at 8:05 pm until September 12, 2011 at 5:30 pm in the Council Chambers at the Municipal Building.

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