

The Washington City Council met in a regular session on Monday, June 12, 2006 at the Municipal Building at 4:30 p.m. Present were: Judy Jennette, Mayor; Darwin Woolard, Mayor Pro tem; Ed Gibson, Councilman; Richard Brooks, Councilman; Mickey Gahagan, Councilman; Archie Jennings, Councilman; James Smith, City Manager; Fred Holscher, City Attorney; and Rita A. Thompson, City Clerk.

Also present were: Carol Williams, Finance Director; Jimmy Davis, Fire Chief; Bobby Roberson, Community Development Planning Director; Joe Stringer, Police Chief; Philip Mobley, Parks & Recreation Director; Allen Lewis, Public Works Director; Susan Hodges, Human Resources Director; Steve Tanner, DWOW Director; and Mike Voss, of the Washington Daily News.

Mayor Jennette called the meeting to order and thanked everyone for coming.

Councilman Gibson delivered the invocation.

**PRESENTATION OF ADVANCED LAW ENFORCEMENT CERTIFICATE TO
CAPTAIN JIMMY POLLARD**

Police Chief Joe Stringer and Mayor Jennette presented Captain Jimmy Pollard, with the Washington Police Department, a Certificate for Advanced Law Enforcement from the Department of Criminal Justice. The Certificate is achieved for length of service, education and training, etc.

APPROVAL/AMENDMENTS TO AGENDA

Council pulled off Items G. and I. and moved to New Business as VI. B. 7 and 8. and moved Closed Session to VI.B. 9. The Recreation Advisory Committee was listed under Scheduled Public Appearances. Mayor Jennette asked that V. Appointments be delayed until June 19, 2006. Other items listed by the Mayor were Parking Authority and Treeshade Subdivision Property.

On motion of Councilman Gahagan, seconded by Councilman Gibson, Council unanimously approved the agenda, as amended.

APPROVAL OF MINUTES

On motion of Councilman Gahagan, seconded by Councilman Woolard, Council unanimously approved the minutes of April 24, May 01, May 08, May 15, and May 24, 2006, as submitted.

CONSENT AGENDA

On motion of Councilman Gahagan, seconded by Councilman Gibson, Council unanimously approved the Consent Agenda, as follows:

- A. Adopt – Resolution fixing date of public hearing on the contiguous annexation of the First South Bank Operations Center

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Washington, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the City Council Chambers on the 2nd floor of the municipal building located at 102 East 2nd Street at 6:00 p.m. on Monday, July 10, 2006.

Section 2. The area proposed for annexation is described as follows:

All that certain tract of parcel of land lying and being situated in the Washington Township, Beaufort County, North Carolina and being described by metes and bounds as follows:

BEGINNING at an existing iron pipe on the eastern line of Lot 7, Arbor Bluffs Subdivision as recorded in Plat Cabinet B, Slide 80 of the Beaufort County Register of Deeds Office, said iron pipe being located N 25° 47' 44" W 210.12', N 25° 38' 34" W 140.84' and N 25° 47' 44" W 4.76' from an existing P.K. nail located on the northern right-of-way of NCSR 1448 (Creekside Drive). From the above described beginning, so located, running thence as follows:

With the eastern line of referenced Lot 7, Arbor Bluffs Subdivision, N 25° 47' 44" W 108.94', thence leaving the eastern line of said Lot 7, Arbor Bluffs Subdivision, N 58° 24' 04" E 392.39', thence S 31° 35' 56" E 108.38', thence S 58° 24' 04" W 403.41' to the point of beginning containing 0.990 acres.

Section 3. Notice of the public hearing shall be published once in the Washington Daily News, a newspaper having general circulation in the City of Washington, at least ten (10) days prior to the date of the public hearing.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

Annexation #06-A-03
First South Bank

B. Adopt – Resolution fixing date for public hearing on the non-contiguous satellite annexation of Ashlan, Inc

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-58.2**

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Washington, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at the City Council Chambers on the 2nd floor of the municipal building located at 102 East 2nd Street at 6:00 p.m. on Monday, July 10, 2006.

Section 2. The area proposed for annexation is described as follows:

All that certain tract of parcel of land lying and being situated in the Washington Township, Beaufort County, North Carolina and being described by metes and bounds as follows:

BEGINNING at an existing concrete monument on the western right-of-way of US Hwy 264 (West 5th Street), said concrete monument being the northeastern corner of the Ellen G. Taylor Property as described in Torrens Book 6, Page 420 of the Beaufort County Register of Deeds Office. From the above described beginning, so located, running thence as follows:

Leaving the western right-of-way of US Hwy 264 (West 5th Street), S 46° 19' 00" W 247.20', thence N 32° 18' 36" W 238.95', thence N 46° 29' 00" E 90.96', thence N 57° 02' 33" E 153.13' to an existing iron pipe on the western right-of-way of US Hwy 264 (West 5th Street), thence with the western right-of-way of US Hwy 264 (West 5th Street), S 32° 18' 36" E 209.61' to the point of beginning containing 1.227 acres.

Section 3. Notice of the public hearing shall be published once in the Washington Daily News, a newspaper having general circulation in the City of Washington, at least ten (10) days prior to the date of the public hearing.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

Annexation #06-A-02
Ashland, Inc.

- C. Approve – Sub-Recipients Agreement between the City and Washington Housing Nonprofit Incorporate, Inc. for the IDA Program
- D. Approve – Emergency Services Contract with Washington Park

NORTH CAROLINA
BEAUFORT COUNTY

THIS CONTRACT is made and entered into effective the first day of July 1, 2006, by and between the **TOWN OF WASHINGTON PARK**, a municipal corporation, hereinafter call the **CITY**.

WITNESSETH:

That for an in consideration of the mutual covenants hereinafter contained, the parties hereto do hereby covenant and agree as follows:

1. **CITY** agrees to provide fire, rescue, & emergency medical services to the extent of the certifications of the responding crew/s to those areas within the corporate limits of **TOWN**. Upon receipt of a request for emergency services in the aforementioned areas, **CITY** shall dispatch the appropriate resources, if available. The dispatched crew/s shall render services to the limit of the certifications and, in the event of medical treatment, shall transport those patients requiring further medical care via the EMS vehicle to the nearest hospital.
2. All obligations of **CITY** to respond to requests for emergency services hereunder to continue rendering services in said **TOWN** shall be secondary and subordinate to **CITY'S** duties to furnish such services to the residents and property owners of the City of Washington.
3. Upon a request by in behalf of **TOWN**, **CITY** shall dispatch to the premises, and there utilize, apparatus, equipment, and personnel as the Chief of Department, Washington Department of Fire-Rescue-EMS Services, or his/her designee, deems in his/her role and absolute discretion available under the circumstances. From the moment any personnel of the Washington Department of Fire-Rescue-EMS Services arrive on premises in response to a call, the senior Departmental representative shall assume command of the incident, and shall assume absolute command of all activity being carried on upon the premises, and all resources made available to the incident. All personnel and resources assigned to the incident shall be subject to the incident commander's absolute direction and control. The incident commander shall have sole discretion as to the manner in which such emergencies as may exist are mitigated, and what personnel and equipment are to be committed thereto.
4. In the even of an EMS transport, there shall be a transport fee, subject to change and approval by Washington City Council, for each person transported by the EMS vehicle to the hospital. Charges shall be billed and collected by **CITY** through a standard medical billing procedure. All funds collected by **CITY** for services rendered shall be retained by **CITY**.
5. **TOWN** agrees to may payment to **CITY** in an amount equal to the combined 'Fire' and 'Rescue' tax which would otherwise be levied by Beaufort County for similar services based on advalorum tax evaluations. (FY 06/07 cost for fire is \$12,005, cost for EMS is \$10,583, total of \$22,588) Payment shall be made no later than October 31st of each fiscal year in which this contract remains in effect.
6. Either party may cancel this contract with a ninety (90) day notice signed by the Mayor of the **CITY** or **TOWN** canceling and addressed to the Mayor of the other.
7. Upon acceptance of this contract by both parties, all previous contracts between **CITY** and **TOWN** shall be null and void.

IN WITNESS THEREOF, the Town of Washington Park has caused these presents signed in its name by its Mayor, and attested by its Clerk, and the City of Washington, North Carolina has caused these presents to be signed in its name by its Mayor, and attested by its Clerk.

PRE-AUDIT CERTIFICATE

This contract has been pre-audited per North Carolina General Statue 159-28 in the manner required by the Local Government Budget and Fiscal Control Act.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC

CITY CLERK

- E. Adopt – Budget Ordinance Amendment for Water Meters Services (\$5,280)

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2005-2006**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That the Estimated Revenues in the Water Fund be increased in the amount of \$5,280.00 in the account Miscellaneous Revenue, account no. 30-90-3350-8000.

Section 2. The account number 30-90-7250-7400, Capital Outlay, Water Meter Services portion of the Water Fund appropriations budget be increased in the amount of \$5,280.00, to provide funds for Treeshade Subdivision ARM Water Meters

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the 12th day of June, 2006

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

- F. Adopt – Budget Ordinance Amendment for Science Olympiad in Outside Agencies portion (\$2,500)

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2005-2006**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That account number 10-40-6170-9113, Veterans Park, Outside Agency portion of the General Fund appropriations budget be decreased in the amount of \$2,500.00 to provide additional appropriations for Science Olympiad.

Section 2. The account number 10-40-6126-1500, M/R Building, Aquatic Center portion of the General Fund appropriations budget be increased in the amount of \$2,500.00 to provide funds for repairs.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the 12th day of June, 2006

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

- G. **Pulled and listed under New Business Adopt** – Budget Ordinance
Amendment for Aquatic Center (\$4,000)
- H. **Adopt** – Resolution Approving Financing terms for 59 month installment
note agreement for Fire Truck (\$763,939)

RESOLUTION APPROVING FINANCING TERMS

WHEREAS; The City of Washington (“the City”) has previously determined to undertake a project for a new fire truck and the Finance Director has now presented a proposal for the financing of such Project:

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Bank of America, in accordance with the proposal dated June 8, 2006. The amount financed shall not exceed \$763,929,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.89% and the financing term shall not exceed fifty-nine months from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. The Finance Director of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as she may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Document shall include a Financing Agreement and a Project Fund Agreement as Bank of America may request.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director’s release of any Financing Document for delivery constituting evidence of such officer’s final approval of the Document’s final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Sections 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted this the 12th day of June, 2006.

s/Judy Jennette
JUDY JENNETTE
MAYOR

Attest:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

- I. **Pulled and listed under New Business Declare** – Police Canine Tara surplus property and that legal ownership be transferred to Ptl. Matthew Bailey
- J. **Award** – Contract for the Eastern Substation Power Circuit Breaker
- K. **Adopt** – Resolution in support of a statutory requirement that coal-fired boilers in North Carolina reduce mercury emissions by 90%

**A RESOLUTION IN SUPPORT OF A STATUTORY REQUIREMENT THAT
COAL-FIRED BOILERS IN NORTH CAROLINA REDUCE MERCURY
EMISSIONS BY 90%**

WHEREAS, mercury contaminations of water supplies caused in significant part by emissions of mercury from coal-fired boilers is a substantial risk to public health, especially to fetuses and young children who as a consequence of mercury poisoning may suffer neuro-development injuries, auditory problems and loss of brain function; and

WHEREAS, mercury contamination caused in significant part by emissions from coal-fired boilers has been found in fish caught in the Tar and Pamlico rivers, resulting in health advisories and consumption limitations on fish caught in these rivers and their tributaries; and

WHEREAS, North Carolina ranks in the top 12 states with the highest levels of mercury emissions from coal-fired boilers; and

WHEREAS, nine other states have already passed or proposed rules requiring reductions between 85% and 95% in mercury emissions from such boilers; and

WHEREAS, affordable technology is currently in large scale testing by the US Department of Energy which would enable mercury emissions to be reduced by approximately 90%, and

WHEREAS, the health, welfare and safety of the citizens of the City of Washington and the State of North Carolina would benefit substantially from the proposed reduction in mercury emissions;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Washington hereby request the North Carolina legislature to adopt a mercury reduction rule requiring a 90% reduction of mercury emissions from all air emission sources.

Passed this, the 12th day of June, 2006

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

- M. Accept – Letter from Rodman, Holscher, Francisco & Peck, P.A. naming Franz Holscher as City Attorney
- N. Information Only – Contracts for release of Petroleum Products
- O. Adopt – Resolution funding for widening of NC SR 1306 (12th Street) to allow for the extension of the turn lane entering Beaufort County Hospital

**RESOLUTION REQUESTING FUNDING FOR THE WIDENING OF
NORTH CAROLINA SR 1306 (12TH STREET) IN WASHINGTON, NC, TO
ALLOW FOR THE EXTENSION OF THE TURN LANE ENTERING
BEAUFORT COUNTY HOSPITAL**

WHEREAS, the City of Washington is located within the North Carolina Senate District 1 and North Carolina House of Representatives District 6; and

WHEREAS, Beaufort County Hospital, a 142 bed acute care facility which serves a wide, largely rural area, is located within the City of Washington on North Carolina SR 1306; and

WHEREAS, the turn lane on SR 1306 directly in front of the Hospital's main entrance is not of sufficient length to allow vehicles to remain fully within the confines of the lane pavement area while waiting to turn into the Hospital entrance; and

WHEREAS, the Hospital has received a Certificate of Need for expansion and modernization that will further impact the vehicular traffic accessing the hospital grounds; and

WHEREAS, in order to remedy this situation, it is necessary to widen and pave 12th Street at the entrance of Beaufort County Hospital to allow vehicles to safely remain within the confines of the turn lane; and

WHEREAS, the completion of this project will greatly enhance the safety of motorists traveling on North Carolina SR 1306 and accessing the facilities at Beaufort County Hospital;

NOW, THEREFORE BE IT RESOLVED that the Washington City Council respectfully requests that the Honorable Marc Basnight, President Pro Tempore of the North Carolina Senate, and the Honorable Arthur Williams, member of the North Carolina House of Representatives, secure discretionary transportation funding in the amount of \$315,000 for the paving of sufficient road space to allow for the extension of the turn lane on North Carolina SR 1306 in front of Beaufort County Hospital.

Adopted this the 12TH day of June, 2006.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC

CITY CLERK

RECREATION ADVISORY COMMITTEE

Mrs. Cathy Boyd, Chairman of the Recreation Advisory Committee, appeared before Council to address some issues. It has been previously discussed by Council that the Athletic Leagues take over their own programs and become independent of the Recreation Department and the Recreation Department become a facility coordinator. She stated that the Recreation Advisory Committee has recommended to the Recreation Director that the Leagues take more responsibility. She pointed out that there does have to be some accountability and a transition period. Some of the Leagues can take it over and run their own programs, and some cannot, and the Recreation Department will have to guide them.

Mrs. Boyd stated that the Recreation Advisory Committee would like to continue their role as stated in City Code 11-27 (b) which states that they can bring their problems to the Recreation Advisory Committee. Their concern is that the children might be overlooked if there is no one to speak up for them. Also, the Committee believes that the Recreation Advisory Committee should have input on any changes to the League Agreement since they have worked on it for ten years.

Mrs. Boyd stated, in regards to the make up of the Recreation Advisory Committee, the Committee feels they should have some input. She pointed out that other things are discussed at their meetings besides sports, i.e. Beebe Park, Veterans Park, docks, Recreation Centers, etc. She stated there have been problems in the last week which has taken a lot of time and if completely turned over to the League, some of the children will be left behind. She stated the Committee feels that the City has not supported them in all aspects of recommendations concerning the Leagues and a lot of rules are being changed because of the incident that is happening at this time with an athletic group. She stated they are not opposed to change, but before changes are made there are checks and balances in place to protect the people. The agreement was started in 1995 whereby the Leagues would have to answer for anything they did wrong. She stated that they feel that the officers and people involved in the Athletic committee would be same people who they are presently having problems with, and who are there for the best interest of their own children, not all the children. She stated they feel left out.

Mayor Jennette asked Mrs. Boyd if they feel it is premature to change the ordinance? Mrs. Boyd stated that they feel that they need to have some where to go, and an Athletic Committee would not be bad, but some things need to be in place first.

Mayor Jennette asked Mrs. Boyd if the /committee has a plan prepared? Mrs. Boyd stated they did meet with the Presidents, but very few showed up. If they won't show up for meetings that are this important, are they going to show up for the Athletic Committee program, which has been a problem in the past. She stated they do not have anything proposed.

Mayor Jennette stated that everyone appreciates the work the Advisory committee does, and Council is willing to postpone the ordinance amendments.

Councilman Jennings stated that about the City not supporting their recommendations, but frankly, they have not heard a lot in the way of recommendations until now. He stated Council feels the same disconnect. He stated that the League Agreement is the key to any arrangement that we have. It seems that a lot of the problems come to rest in the Council's role Judge and Jury. Mrs. Boyd stated that problems usually go to the City Manager (not talking about Mr. Smith since he is new). Councilman Jennings stated that the League agreement should include the Council's expectations about League management. Mrs. Boyd stated that they did not know they were arbitrators until tonight. Their recommendations were based on all their experiences.

Mayor Jennette stated that could be part of the problem, the Recreation Advisory Committee makes recommendations and there has been no authority. Mrs. Boyd stated that when the Recreation Advisory Committee made a decision, the person would then go to the City Manager, and he changed what the Committee did, so they don't have authority.

Mayor Jennette stated that is one of the reasons we are here and asked the Committee to come back with a recommendation on what they see needs to happen.

Councilman Gibson stated that the City Manager has enough to do without getting into the bickering. Mrs. Boyd stated that the City Code gives the Committee authority, but it has been changed by the City Manager.

Mr. Smith stated that the City Manager has no role in League disputes.

Mayor Jennette asked them to list the problems or issues that you see, and then make a recommendation how it should be set up. Councilman Woolard stated that it is important to know "why" something was done.

Councilman Gahagan stated that getting the Leagues to run their programs was to save money also. Mr. Smith stated he met with the Recreation Advisory Committee a few weeks ago and invited them to submit some budgetary alternatives. He stated the Department felt that it was about \$18,000 a year involved in the City operating the Leagues as opposed to the Leagues operating themselves. It's critical that we have well maintained safe facilities and that is our first responsibility. He again invited the Recreation Department or the Committee to submit some budgetary alternatives.

Mrs. Boyd stated they worked on that and plan to meet with the Council on Wednesday at the Brown Library.

Councilman Jennings suggested that we schedule the Recreation Advisory Committee again on June 26th on the revised ordinance.

Mr. Smith stated that the \$18,000 if for part-time and full-time people needed to operate the Leagues. Money has been kept in the budget the best they can, and still cut a maintenance position.

Mrs. Boyd stated that if it is just turned over to the Leagues, it will be bad.

REPORT - ECONOMIC DEVELOPMENT COMMISSION

Councilman Gahagan stated that he was out of town at the last EDC meeting, but there is a new tenant for the Shell- Skill Building and Egret Boat Company is coming along well.

REPORT - TOURISM DEVELOPMENT AUTHORITY

Mrs. Lynn Lewis, Tourism Development Authority Director, stated that they won the highest award on their Walking Tour brochure by the N. C. Association of Visitors Bureaus for a budget of \$450,000 or below.

REPORT - HUMAN RELATIONS COUNCIL

Mayor Jennette stated that they did not have a quorum at the last meeting. The Chairman of the Committee is very ill. She will work hard on getting it back up and running.

REPORT - DOWNTOWN WASHINGTON ON THE WATERFRONT

Steve Tanner, Director of Downtown Washington on the Waterfront (DWOW), stated that Saturday Market and Farmer's Market is going good. There ten farmers and

40 artisans. The Boat Show is coming along, they're working through the permit stages. They have received Allison Platt's rendering on the alleyway and they will be meeting with various groups to get their input. They are going to be doing a design with ECU on coming up with some ideas on restroom locations on the waterfront.

REPORT - PARKING COMMITTEE

Councilman Jennings stated that they have not met since the idea of a Parking Authority had arisen and are waiting to hear from Council on that.

REPORT - WARREN FIELD AIRPORT

James Smith, City Manager, stated that bids would be opened on June 13th on the fencing project and tree clearing and topping for the instrument landing. Leases will be getting out for next year. The corporate hangar has been leased now. They are trying to get the RFP's together for an airport management firm and is close to being done.

APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES

Council agreed to postpone Appointments until the June 19th meeting.

MODULAR OFFICE UNIT AT OLD SHIRT FACTORY LOCATION

Mr. Smith stated that calls have been received about an office modular unit that was moved onto the site of the Old Shirt Factory. That location is zoned industrial and it is a legal use on that site as a temporary use up to six months. The intent is to move it to the southern part of the county to be used for doing another medical facility like has been done in Washington. They applied for a permit and it is allowed. He is asking the Planning Board to look at the zoning at that site. Rev. Moore is willing to move and other sites have been looked into, i.e. Airport, old pump station site beyond the High School, city yard, etc. It would cost \$4500 to move it and Metropolitan Housing does not have the \$4500.00. Unless the City wants to put up the expense of moving it, we are stuck with it for at least four months, six months being the maximum.

Mr. Roberson stated that the ordinance says you can relocate a modular unit up to six months. Rev. Moore purchased this property and it meets the zoning classification under its current use. It is in the flood zone and will have to be set up accordingly. The modular unit is just being stored on site.

Council took no action on the item.

DISCUSSION – TRAFFIC SIGN AT 9TH & BONNER STREETS

Mr. Smith stated that the traffic signal at 9th and Bonner Street is not working and will cost between \$5,000 and \$10,000 for a new controller. In order to determine if there is a need for a traffic signal there and if there is, what type of controller, there needs to be a traffic study done. School is out of session now and a study should be done in the fall. It will stay on flashing red and stop signs will be installed for the summer. There is no money in the budget to replace the signal. It would appear that may not be a need for a signal there since the school will be moving but some neighbors do want it looked at.

An ordinance will come back in June for adoption for the stop signs.

DISCUSSION – NORTHGATE SUBDIVISION

Mr. Roberson stated that the State responded to the City's letter and referred to page 104 in the agenda book. The State has extended the date from April, 2007 to December 31, 2008. The State gave the City relief along with Northgate LLC with the following options:

1. The North Carolina Redevelopment Center will allow Northgate Development, LLC to reduce the number of homes/lots it must sell to households affected by Floyd while not triggering the recapture policy. Although Northgate is no longer obligated to sell fifty percent (50%) of the homes/lots developed using 1999 CHAF Infrastructure funds to households affected by Floyd, it cannot sell fewer than fifteen percent (15%) of the homes/lots developed using 1999 CHAF Infrastructure funds to households affected by Floyd. In exchange for this accommodation, the percentages of lots or homes required to be sold to low-to-moderate income (LMI) purchasers will be increased. So, for instance, if Northgate decides to sell the minimum number of homes to households affected by Floyd (15%), it **must** sell seventy-five percent (75%) to LMI purchasers. The ratio of homes/lots developed using 1999 CHAF Infrastructure funds that must be sold to households affected by Floyd and the lots/homes developed using 1999 CHAF Infrastructure funds that must be sold to LMI purchasers appears in the table attached to this letter.
2. Alternately, Northgate Development, LLC can adhere to its current obligations under the LBC with the City of Washington and build and sell not less than 81 homes (fifty percent 50%) to “households affected by Floyd” as that phrase is defined in the Infrastructure Recapture Policy dated August 11, 2000, and meet its current obligation to sell not less than 82 homes (51%) of the homes/lots to low-to-moderate income purchasers as required in the NC Administrative Code.

Councilman Jennings commented that the other clarification they made was “anybody who was affected in anyway” by Hurricane Floyd.

Mr. Roberson stated the City is required to send the status of the project, the number of units under construction and the total number of units sold. Mr. Smith stated it is a good opportunity for first time homebuyers to get jumpstart on having their own home.

Councilman Jennings commended the Planning Department for being proactive.

**DISCUSSION – ON VACANT PROPERTY OWNED BY CITY OF
WASHINGTON THAT MAY BE AVAILABLE FOR
DISPOSAL**

John Rodman, Planner, reviewed with Council the vacant property owned by the City of Washington. He stated that there are several ways to dispose of the property: (1) upset bid (2) sealed bids or (3) public auction. The City owns 166 parcels of property located throughout FEMA, CDBG, etc. The Planning Board recommended that sixteen (16) of those parcels be made available for disposal.

The sixteen properties are:

706 East 5 th Street	\$11,115
1016 East 5 th Street	6,075
228 West 5 th Street	6,880
201 East 7 th Street	4,992
609 North Bonner Street	3,075
416 Gladden Street	5,723
106-114 Harding Street	15,000
111 Harding Street	9,052
200-230 East MLK, Jr Drive	22,878
244 East MLK Jr Drive	9,450
609-613 North Respass Street	5,040
615 North Respass Street	4,800
329 Van Norden Street	3,608
807 Willow Street	4,568

809 Willow Street	4,568
811 Willow Street	4,568

Total tax value of the property is \$121,392.

After discussion, Councilman Gibson made a motion to accept the recommendation of the Planning Board on the City owned parcels of property for the possibility of disposal and sale through local real estate agencies, agencies to be selected by way of bid on commission charges. It was pointed out to Councilman Gibson that the City cannot sell these properties this way so he amended the motion to say through "auction companies." Mayor Pro tem Woolard seconded the motion which carried unanimously.

Council agreed to let the auction company to decide how to market the property on John Small Avenue, as a whole or subdivide.

**PUBLIC HEARING - ADOPT ANNEXATION ORDINANCE TO EXTEND
CORPORATE LIMITS FOR NON-CONTIGUOUS ANNEXATION OF
PECHELES TOYOTA/FORD**

Mr. Roberson stated that one of the conditions on someone requesting water and sewer is they be annexed into the City.

Mayor Jennette called for the public hearing.

There were no comments from the audience.

Mayor Jennette closes the public hearing.

On motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously adopted the annexation ordinance to extend the City of Washington corporate limits for the non-contiguous annexation of Pecheles Toyota/Ford located at the intersection of US Hwy 264 West and Page Road (SR 1436).

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE
CITY OF WASHINGTON, NORTH CAROLINA**

WHEREAS, the Washington City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Washington City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question on of this annexation was held at the City Council Chambers on the 2nd floor of the municipal building located at 102 East 2nd Street at 6:00 p.m. on Monday, June 12, 2006 after due notice by the Washington Daily News on June 2, 2006 & June 4, 2006;

WHEREAS, the Washington City Council finds that the area described herein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the City of Washington.

- b. No point on the satellite corporate limits is closer to another municipality than to the City of Washington.
- c. The area described is so situated that the City of Washington will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. ~~The area within the proposed satellite corporate limits when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Washington. *This Standard does not apply to the City of Washington.*~~

WHEREAS, the Washington City Council further finds that the petition has been signed by all of the owners of real property in the area who are required by law to sign; and

WHEREAS, the Washington City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Washington and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of

Washington, North Carolina that:

Section 1. By the virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the City of Washington as of July 31, 2006:

All that certain tract of parcel of land lying and being situated in the Washington Township, Beaufort County, North Carolina, bounded on the north by the now or formerly Page Family, LLC property, on the west by now or formerly the E.R. Lewis Construction Company property, on the south by US HWT 264 and on the east by NC Secondary Road 1436 (Page Road) and being described by metes and bounds as follows:

BEGINNING at a point in the northern right of way of US HWY 264, said point being located N 49 51' 28" E 3025.52 feet from the NCGS Monument "Filter", thence from said **POINT OF BEGINNING** with the eastern property line of the E.R. Lewis Construction Company property as recorded in Plat Cabinet G Slide 51-6 of the Beaufort County Registry N 58 24' 34" E 195.49 feet to a point thence along a curve in a counter-clockwise direction, said curve having a radius of 839.45 feet, a chord bearing of N 46 43' 51" E and a chord distance of 340.13 feet to a point, thence along a curve in a counter-clockwise direction, said curve having a radius of 839.45 feet, a chord bearing of N 34 20' 59" E and a chord distance of 20.00 feet to a point, said point being a common corner with the Page Family, LLC property as recorded in Plat Cabinet E Slide 1-3 of the Beaufort County Registry S 64 25' 54" E 654.00 feet to a point in the western right of way of NC Secondary Road 1436 (Page Road) thence with a curve in the clockwise direction, said curve having a radius of 1489.78 feet, a chord bearing of S 30 30' 21" W and a chord distance of 20.00 feet to a point, thence along a curve in the clockwise direction, said curve having a radius of 1489.78 feet, with a chord bearing of S 44 37' 37" W and a chord distance of 707.52 feet to a point thence with and along the western right of way of NC Secondary Road 1426 (Page Road) S 58 21' 48" W 196.69 feet to a point

in the northern right of way of US HWY 264 thence N 31 35' 26" W 650.49 feet to the **POINT OF BEGINNING** containing 11.12 acres more or less and being the BLP Holdings, LLC property recorded in Deed Book 1445 Page 842.

Section 2. Upon and after April 30, 2006, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Washington and shall be entitled to the same privileges and benefits as other parts of the City of Washington. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Washington shall cause to be recorded in the office of the Register of Deeds of Beaufort County, and in the office of the Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 12th day of June, 2006.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

**PROPOSAL – BY THE WASHINGTON TOURISM
DEVELOPMENT AUTHORITY TO MANAGE THE
WASHINGTON CIVIC CENTER**

Council reviewed the Civic Center proposal submitted by the Tourism Development Authority. Councilman Jennings asked about the parking space provision. Lynn Lewis, TDA Director, stated that presently it is the responsibility of the person who is renting the facility to reserve parking spaces and they want to continue to have that same right so they would have some control over parking availability.

Councilman Gibson questioned subsidizing the TDA \$50,000 per year for five years as opposed to maybe three years. The Civic Center is established and Tourism would simply move in and take over management and would not have to reinvent the wheel. Mayor Jennette stated that we have been running the Civic Center since 1986 and have never received a profit.

Councilman Gahagan stated that we need more people coming from out of town, using our restaurants and shops and spending money in our town. The TDA will be better at marketing and if we remain revenue neutral and triple the business that comes in there from out of town we are in a winning position.

Councilman Jennings stated that we all agree the move is right and that the end goal is to not subsidize the \$50,000. We are discussing whether we can accomplish that in three years or five years. TDA did a good job at these numbers.

Mr. Smith stated that we need to remember that in terms of the physical condition of the Civic Center, we are proposing the replacement of the HVSC system, however, there are a lot of other improvements that are necessary. Civic Centers don't break even, they generate income for the community...tax dollars through bring people into the community. The TDA is proposing to spend \$15,000 above and beyond what the City

plans to spend in order to promote it. They are willing to put up their own funds and that is important.

Councilman Gibson stated that the TDA is in better financial shape than the City. Mrs. Lewis stated that during the first year what they will be focusing on is very lengthy. The first year is a learning process, a research and development year. She stated they are committed to this project. Councilman Gibson stated that if the City puts up a quarter of a million dollars (\$50,000 for five years), to keep this thing going, Mrs. Lewis is to be commended.

On motion of Councilman Jennings seconded by Mayor Pro tem Woolard, Council unanimously accepted the proposal by the Washington Tourism Development Authority to manage and operate the Washington Civic Center effective July 1, 2006 in accordance with their proposal of June 12th and authorized the City Attorney and City Manager to prepare an operational agreement in accordance with their proposal.

COMMENTS FROM THE PUBLIC: (IMMEDIATELY FOLLOWING PUBLIC HEARINGS)

There were no comments from the public.

ADOPT – ORDINANCE TO AMEND CHAPTER 11, PARKS & RECREATION, ARTICLE II, RECREATION ADVISORY COMMITTEE

This item will be on the July 26th agenda. Councilman Jennings suggested that someone from Council work with the Committee on their plan. Mayor Pro tem Woolard, liaison for the Committee, will work with them.

REQUEST – PERMISSION TO SERVE ALCOHOL AT “PICKIN ON THE PAMLICO”

Mark Hamlin appeared before Council to ask permission to serve alcohol at the “Pickin on the Pamlico.” The event will be held on Saturday, August 19th from 5:30 p.m. until 9:00 p.m. It will be a crab picking to serve three purposes: (1) unveiling the decorated crabs of the Pine Needles Garden Club (2) bring folks downtown, and (3) it is a neat thing to do for a fundraiser for DWOW. They see this as an annual event.

As a part of the fundraising activity, they are requesting to serve beer and wine. This will be done according to the City Code in a segregated area. The kid’s activity is in the morning and this is an evening event.

Councilman Gibson asked if there will be any reimbursements for city costs on this? Kristi Hardison stated that they are paying the special event fees, deposits, etc. Mr. Hamblin stated that they are limiting the sales of tickets to 500 @\$35.00 each.

On motion of Councilman Gibson, seconded by Councilman Jennings, Council unanimously approved the sale of alcohol at the 1st Annual “Pickin on the Pamlico” (crab picking) to be held August 19th from 5:30 p.m. to 9:00 p.m. on the Evans Seafood site.

Council recessed at 6:40 p.m. for a break and reconvened at 6:50 p.m.

DISCUSSION – OLD AERIAL TRUCK AT FIRE DEPARTMENT

Jimmy Davis, Fire Chief, explained to Council that the new aerial truck will be arriving and there is a need to get rid of the old aerial truck. The value on the open market is about \$10,000 if you’re lucky, and \$20,000 if you’re real lucky. He stated that the City has three options for disposal of the truck: (1) Town of Belhaven has expressed interest in purchasing the truck (2) help local departments, or sell on (3) Gov Deals. One concept is to offer it to a neighboring department close to the City with the understanding they will maintain it and it will count as a reserve unit for our Fire Department, and should we

need it, it can come back. The Town of Chocowinity has shown some interest in this arrangement.

Mr. Smith stated that older apparatus are expensive to maintain.

Council mutually agreed to generate some good will in the neighboring communities. The department receiving the apparatus will receive training from our department. Chief Davis has sent a message to Belhaven about the truck and has not heard anything back.

Chief Davis will talk to the Fire Chief for the Chocowinity Fire Department and work out some type of agreement. Mr. Holscher will look into the legalities of getting rid of personal property without selling it.

**AUTHORIZE – MAYOR TO SIGN A CERTIFICATION ON
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY
MATTERS PERTAINING TO FEDERAL GRANTS**

Mr. Smith stated that local governments have to certify that their vendors are not debarred and have a Debarment Certification on file for monitoring visits pertaining to federal grants.

On motion of Councilman Gahagan, seconded by Mayor Pro tem Woolard, Council unanimously authorized the Mayor to sign a certification on Debarment, Suspension, and other responsibility matters pertaining to Federal Grants.

ADOPT – SOLID WASTE ORDINANCE – CHAPTER 15

Mr. Lewis stated that this is a complete revision of Chapter 15, Solid Waste Ordinance to the City Code. Basically there are some updates that are long overdue, verbage that is no longer applicable, and includes some planning session recommendations. There will be mailings to residents to let them know about this before July 1st. Mr. Lewis showed a brochure that will be mailed to the residents.

Mr. Lewis stated that they will be understanding until residents learn the new changes for the first couple of weeks. Residents are billed now \$7.00 for one container which increases to \$10.00. If a resident wants a second container, they will be billed an additional \$8.00. Emphasis is being made on recycling, hopefully reducing the volume of solid waste the City pays to dispose of.

After discussion, on motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously adopted an ordinance to amend Chapter 15, Solid Waste Ordinance in its entirety.

**AN ORDINANCE TO AMEND CHAPTER 15, SOLID WASTE
OF THE CITY CODE OF THE CITY OF WASHINGTON**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That Chapter 15, Solid Waste be deleted in its entirety and replaced with the following:

Chapter 15

SOLID WASTE*

- Sec. 15-1. Definitions.
 - Sec. 15-2. Residential collection.
 - Sec. 15-3. Business collections.
 - Sec. 15-4. Bulk containers for businesses.
 - Sec. 15-5. Collection of tree branches and stumps.
-

- Sec. 15-6. Collection of leaves.
- Sec. 15-7. Recycling.
- Sec. 15-8. Construction waste, appliances, and furniture.
- Sec. 15-9. Depositing solid waste in streets prohibited.
- Sec. 15-10. Solid Waste Collection Fee

***Charter reference(s)**--Refuse, trash and weeds, Art. XVI.

Cross reference(s)--Administration, Ch. 2; buildings and construction, Ch. 4; fire prevention, fire protection and rescue, Ch. 7; licenses and business regulations, Ch. 8; parks and recreation, Ch. 11; streets and sidewalks, Ch. 16; water and wastewater, Ch. 18; abandoned, nuisance and junked motor vehicles, § 9-196 et seq.; throwing or burning trash on street, § 16-5.

State law reference(s)--Litter offenses, G.S. 14-399, 14-399.1; radioactive waste, G.S. 104E-1 et seq.; solid waste management, G.S. 130-166.21D, 130A-290 et seq.; garbage containers on highway rights-of-way, G.S. 136-18.3; placing glass, injurious obstructions, etc., in road, G.S. 136-91; municipal regulation of trash and garbage, G.S. 160A-192; abatement of health and safety nuisances, G.S. 160A-193; regulation of the placing of trash, refuse and garbage within municipal limits, G.S. 160A-303.1; public enterprises, G.S. 160A-311 et seq.

Sec. 15-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Bulk container shall mean a steel container (dumpster) of four- or eight-cubic yard capacity, and compatible with the city's solid waste equipment system.

Bulk residential container shall mean a container (roll-out cart) of eighty- or ninety-gallon capacity, with lid, handle, and wheels, approved by the director of public works and compatible with the city's solid waste equipment system.

Bulky trash shall mean items too large to put in your bulk residential container; but does not include tires, hazardous materials, construction debris, or appliances that contain or did contain freon.

Business shall mean an establishment selling a product, manufacturing a product or providing a service or multifamily housing units.

Garbage shall mean discarded animal or vegetable matter, food scraps, household trash, paper products, or other materials which may be attractive to and consumed by rodents, dogs, and birds.

Multifamily housing units shall mean condominiums, townhouses, apartment complexes or other dwellings used as living quarters with shared common areas.

Residential shall mean houses, apartments or other dwellings used as living quarters.

Residential recycling bin shall mean an eighteen to twenty gallon bin, and compatible with the city's solid waste equipment system.

Solid waste shall mean any discarded or used waste materials from residential households or commercial sources; such as, garbage, trash, construction material, yard waste, and tree trimmings.

Yard waste shall mean leaves, grass, and shrubbery clippings, and other similar vegetation items.

(Code 1972, § 8-1)

Sec. 15-2. Residential collection.

- (a) Property owners shall be responsible for keeping their property clean by not permitting garbage or bulky trash to accumulate. Garbage and bulky trash shall be placed in proper containers as described in this section.
- (b) All garbage shall be placed in bulk residential containers as provided in this chapter. Such containers shall be placed on the nearest grassed area behind the curb.
- (c) All bulk residential containers shall be kept

- on the private premises of the owner, lessee, tenant or occupant, and shall be kept at some place behind the front line of the residence except when the same is placed on the grassed area for collection. Containers may be placed at the curb the night before, but no later than 7:00 a.m. for collection on the scheduled collection days. Containers shall be retrieved from the curb on the day of pickup.
- (d) All bulk residential containers required by this chapter shall be the property of the city, however, residents or tenants shall maintain all containers in as sanitary a condition as possible in view of the use. Containers shall be thoroughly cleaned as needed by washing or sterilizing. Residents or tenants shall be responsible for damage incurred by improper maintenance or misuse of containers. The cost of such damage shall be included in the user's utility bill entitled "replacement fee."
 - (e) In the event, a resident desires to have the city pickup the bulk residential container and/or the bulk recycling container from the back yard, a ten-dollar (\$10) monthly fee shall be included in the user's utility bill. Any resident who furnishes proof that they are physically disabled and has no one living in the residence to place the container at the curb will be exempt from the monthly fee for back yard collection.
 - (f) Any resident which requires services for more than one bulk residential container shall be charged an additional fee of eight dollars (\$8) per additional city-issued or approved bulk residential container on the user's utility bill.
 - (g) Yard waste consisting of leaves, grass, shrubbery clippings, and other similar items shall be placed in strong plastic bags, or containers, provided by the resident weighing not more than seventy-five (75) pounds that can easily be handled by one (1) person. Such containers shall be placed beside the street.
 - (h) Bulky trash items are picked up four times per year. The weeks of collection are the second full weeks of February, May, August, and November on the scheduled collection day.

Sec. 15-3. Business collections.

- (a) Solid waste collection service for businesses and all properties other than residential is provided through the use of bulk containers (dumpsters) in sizes of four-cubic yards or eight-cubic yards, which are approved by the director of public works and are compatible with equipment used by the city. Each business desiring our services shall rent a bulk container or the city may service compatible bulk containers owned by the business. Only material placed in a bulk container shall be collected from a business; except in the commercial areas where residents may be residing. More than one (1) business may share the use of a container. Single businesses in residential sections may rent bulk residential containers; but, not to exceed more than three (3) ninety-gallon containers serviced once each week on the residential scheduled collection days. A business requiring more than three (3) ninety-gallon containers shall be required to provide and use a bulk container. The city shall empty bulk containers when the following specifications are met:
 - (1) The users of containers shall be responsible for keeping the container and surrounding areas clean and sanitary. Users shall keep container doors closed, except when depositing solid waste.
 - (2) The location of the container and amount of garbage and refuse generated will determine the size of the container. The director of public works shall determine the size of container needed and the pickup schedule to provide adequate service.
 - (3) Each user providing a container they own shall keep it in good repair. If rust or deterioration causes holes in a container, doors are bent, or other repairs are needed, they shall be made when directed by the director of public works or service may be discontinued.
 - (4) No element, compound or any material which is toxic, flammable, explosive, hazardous or injurious to public health, or yard waste or any item which will not be accepted at the county landfill, may be placed in any container serviced by the city.
 - (5) All users of containers shall flatten or compact boxes or bulky material.

- (b) Only those businesses providing or renting a container may place solid waste in a container. All other persons placing material in bulk containers shall be in violation of this chapter.

(Code 1972, §§ 8-3, 8-4)

Sec. 15-4. Bulk containers for businesses.

- (a) Each business shall provide a bulk container for commercial services to be rendered by the city. For this section, residential developments/communities that desire to have bulk container collection, with the exception of individually owned and occupied residences, shall be considered as a business. The city shall empty containers according to the needs of the business. The city has containers available and a business may rent a container from the city. Rental and tipping fees are as follows:

Size	Monthly Rental Rate	Monthly Tipping Fee
8 cy	\$43.00	\$7.50/cy/times picked up
4 cy	25.00	\$7.50/cy/times picked up

- (c) Each business which does not provide its own bulk container, and shares rental costs with another business, shall pay a monthly rental rate based on the volume of space used. The director of public works shall determine the volume needed by any business. Businesses sharing containers shall pay the following rates:

Volume Used	Monthly Rental	Monthly Tipping Fee
7 cy	\$38.50	\$7.50/cy/times picked up/week
6 cy	34.00	\$7.50/cy/times picked up/week
5 cy	29.50	\$7.50/cy/times picked up/week
4 cy	25.00	\$7.50/cy/times picked up/week
3 cy	20.50	\$7.50/cy/times picked up/week
2 cy	16.00	\$7.50/cy/times picked up/week
1 cy	11.50	\$7.50/cy/times picked up/week
0.5 cy	9.25	\$3.75/cy/times picked up/week

(Code 1972, § 8-4; Ord. No. 90-5, § 1, 3-12-90; Ord. No. 93-13, § 1, 10-11-93; Ord. No. 99-7, 6-21-99)

Sec. 15-5. Collection of tree branches and stumps.

The city desires to assist citizens in disposing of debris derived from their normal landscape maintenance. The city will remove not more than one (1) standard dump truck load per week when placed according to the following specifications:

- (1) The pruning or trimming has been performed by the property owner or occupant (not a contractor) and placed beside the street.
- (2) Tree trunks and branches shall not exceed six (6) inches in diameter, three (3) feet in length, or eighty (80) pounds in weight.
- (3) Tree stumps shall not exceed one hundred and fifty (150) pounds, and picked up only on a call per need basis.
- (4) Large volumes of tree branches that exceeds the criteria in 15-5 (1-3) can be picked up on a call per need basis for a fee of fifty dollars (\$50) per trip.

(Code 1972, § 8-5)

Sec. 15-6. Collection of leaves.

Leaves shall be considered as yard waste and shall be placed in strong plastic bags, or containers, and placed beside the street by the property owner or tenant; except, that during the period November 1 through February 15, leaves may be raked and left in piles beside the street in residential areas only. Leaves shall not be placed in the curb and gutter section of any residential street. Where sidewalks exist, leaves shall be placed on

the nearest grassed area behind the curb. Loose leaves shall have no tree branches or any other material mixed with them.

(Code 1972, § 8-6) (Ord. No. 99-14, 11-8-99)

Sec. 15-7. Recycling.

All residents are encouraged to recycle. Recycling not only conserves valuable natural resources, it reduces solid waste volumes and extends the life of our regional landfill. The following materials may be recycled: *Paper Items*-Newspaper, inserts, magazines and catalogs. *Aluminum and metal cans* - Food and beverage containers only. No scrap metal, paint cans, aerosol cans, motor oil or antifreeze cans, aluminum foil, plates or pie tins. *Plastic containers-PETE #1 and HDPE #2.* - items such as soft drink bottles, milk jugs, detergent, bleach and fabric softener bottles, and cooking oil bottles. *Glass - brown, clear and green.* Bottles and jars only permitted. No light bulbs, plate glass or mirrors.

- (a) All recyclables shall be placed in recycling bins as provided in this chapter. Such containers shall be placed on the nearest grassed area behind the curb.
- (b) All recycling bins shall be kept on the private premises of the owner, lessee, tenant or occupant, and shall be kept at some place behind the front line of the residence; except, when the same is placed on the grassed area for collection. Bins may be placed at the curb the night before, but no later than 7:00 a.m. on the day of collection on the scheduled collection days. Bins shall be retrieved from the curb on the day of collection.
- (c) All recycling bins required by this chapter shall be the property of the city, however, residents or tenants shall maintain all containers in as sanitary a condition as possible in view of the use.
- (d) In the event, a resident desires to have the city pickup the recycling bin and/or residential bulk container from the back yard, a ten-dollar (\$10) monthly fee shall be included in the user's utility bill. Any resident who furnishes proof that they are physically disabled and has no one living in the residence to place the container at the curb will be exempt from the monthly fee for back yard collection.

Sec. 15-8. Construction waste, appliances, and furniture.

All materials, containers, lumber, construction waste, and debris resulting from new construction, repair or renovation of any structure shall be disposed of by the property owner or his authorized contractor. No new, old, or waste material may be placed on the street right-of-way at any time. Any appliance, furniture or construction waste shall be disposed of by the property or business owner or authorized contractor. Any residential customer may contract with the City to dispose of their solid waste. Fifty dollars (\$50.00) per trip fee shall be charged to collect these items. As defined in Section 15-1, Definitions, the City will collect this material at no charge once per quarter each year for residential customers. This collection will be scheduled the second work week in the months of February, May, August, and November on the regular solid waste collection day. No solid waste items shall be placed at the curb for pickup prior to the scheduled pickup week.

(Code 1972, § 8-9)(Ord. No. 99-16, 11-8-99; Ord. No. 99-19, 12-16-99)

Sec. 15-9. Depositing solid waste in streets prohibited.

It shall be unlawful to place any garbage, tree limbs, furniture, appliances, building material waste or debris of any type in any portion of a paved street or upon any paved sidewalk or right-of-way area used as a sidewalk, or within a dirt street so as to cause an unsafe condition. The occupant, owner, or tenant shall be considered as the party who places items listed above when those items are found violating this section and are adjacent to the occupant's property.

(Code 1972, § 8-10) (Code 1972, § 8-11)

Sec. 15-10. Solid Waste Collection Fee.

All residents of the City of Washington shall be charged a collection fee of ten dollars (\$10) per month for the collection of solid waste. This fee will appear on the user's utility bill.

(Ord. No. 98-11, 6-22-98; Ord. No. 00-8, 06-26-00)

s/Judy Jennette
JUDY JENNETT
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

**ADOPT – BUDGET ORDINANCE AMENDMENT FOR AQUATIC CENTER
(\$4,000)**

Mr. Smith stated that it is proposed that \$4,000 was going to be used to fix the drains at the Aquatic Center; however, there are some other problems that need attention: (1) replace thermostat in water heater for showers (2) fix leak in water pressure booster pump in equipment room, and (3) fix vacuum for pool. He stated that these three things are in dire need right away. He asked that the word "drainage" in Section 2. of the proposed ordinance be deleted.

Council also discussed maintenance of the pool and the chlorine rusting the lockers, fitness equipment, etc. It was questioned whether Mr. McConnell would provide money for maintenance. Mr. Mobley stated that the City has one more payment coming from Mr. McConnell, but he understands he might continue to work with us.

After discussion, on motion of Councilman Gahagan, seconded by Mayor Pro tem Woolard, Council unanimously adopted a budget ordinance amendment in the amount of \$4,000 for the Aquatic Center portion of the Recreation Department in the General Fund.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2005-2006**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That account number 10-40-6170-9113, Veterans Park, Outside Agency portion of the General Fund appropriations budget be decreased in the amount of \$4,000.00 to provide additional appropriations for Maintenance/Repair of Building.

Section 2. The account number 10-40-6126-1500, M/R Building, Aquatic Center portion of the General Fund appropriations budget be increased in the amount of \$4,000.00 to provide funds for repairs.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the 12th day of June, 2006

s/Judy Jennette
JUDY JENNETTE

MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

**DECLARE – POLICE CANINE TARA SURPLUS PROPERTY AND
THAT LEGAL OWNERSHIP BE TRANSFERRED TO PTL. MATTHEW
BAILEY**

Police Chief Joe Stringer stated that the Washington Police Department canine Tara is no longer effective and has been removed from service. PTL. Matthew Bailey has been Tara's handler. She is specially trained in Defensive tactics to the point that it is not appropriate to consider ownership by the general public. He asked that the canine be given to PTL Bailey who will provide a safe and suitable environment for Tara.

On motion of Councilman Gibson, seconded by Councilman Brooks, Council unanimously declare the police canine Tara surplus property and that legal ownership be transferred to Ptl. Matthew Bailey.

CLOSED SESSION – UNDER G. S. 143-318.11 (A)(6) PERSONNEL

On motion of Councilman Jennings, seconded by Councilman Gahagan, Council unanimously agreed to go into closed session under G. S 143-38.11(a)(3) Attorney/Client Privilege and G. S. 143-318.11(a)(6) Personnel at 7:30 p.m.

On motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously agreed to come out of closed session at 8:30 p.m.

ADJOURN – UNTIL JUNE 14TH , 2006, 4:30 P.M. AT BROWN LIBRARY

On motion of Councilman Woolard, seconded by Councilman Jennings, Council unanimously adjourned the meeting until Wednesday, June 14, 2006 at 4:30 p.m. at the Brown Library.

Rita A. Thompson, CMC
City Clerk

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