

The Washington City Council met in a regular session on Monday, September 21, 2009 at 4:30 p.m. at the GMH Senior Center. Present were: Judy Jennette, Mayor; Doug Mercer, Mayor Pro tem; Richard Brooks, Councilman; Archie Jennings, Councilman; Gil Davis, Councilman; Darwin Woolard, Councilman; Jim Smith, City Manager; Cynthia Bennett, City Clerk; and Franz Holscher, City Attorney.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Acting Fire Chief; Allen Lewis, Public Works Director; Gloria Moore, Library Director; John Rodman, Acting Planning Director; Keith Hardt, Electric Director; Philip Mobley, Parks & Recreation Director; Mick Reed, Police Chief; Ray Midgett, Information Technology Director; Mike Voss, of the Washington Daily News and Delma Blinson, of the Beaufort Observer.

Mayor Jennette called the meeting to order and Councilman Brooks delivered the invocation. Council held a moment of silence for the passing of Gary Tomasulo and Tom Howard.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennette added Bill Forman to the agenda for an update on the Big "P" grant and pedestrian underpass under Runyon Creek Bridge. Mayor Pro tem Mercer requested to move the following consent items: Item B- Adopt – Budget ordinance for Debt Repayment from Consent to New Business VI.B.6; Item D- Adopt – Budget ordinance for the purchase of Park Reuse Land Purchases to Old Business VI.A. 6; and Item G - Adopt – Budget ordinance amendment for the Police Department (\$3,000) to New Business VI.A.7. Councilman Woolard requested the reports from Boards and Commissions be skipped this month with the exception of the Haven's Gardens Report, due to the length of the agenda. Mayor Jennette requested Rev. David Moore's presentation be moved as the first item under public appearances.

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

APPROVAL OF MINUTES

By motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously approved the minutes from August 10, 2009 as presented.

APPROVAL OF CONSENT AGENDA

By motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously approved the consent agenda as amended.

- A. Adopt – Budget ordinance amendment for the walkway under Hwy 32 Bridge at Havens Gardens **and** Authorize City Manager to sign the construction contract with Sanford Contractors, Inc (\$27,000)

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010

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

Section 1. That account number 10-00-3991-9910, Fund Balance Appropriated portion of the General Fund appropriations budget, be increased in the amount of \$27,000 to provide funds to install concrete pilings and walkway under the Runyan Creek bridge.

Section 2. That account number 10-40-6130-7400, Capital Outlay portion of the General Fund Parks & Grounds budget, be increased in the amount of \$27,000 to install concrete pilings and walkway under the Runyan Creek bridge.

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 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

- B. **Moved to VI.B.6 - Adopt** – Budget ordinance for Debt Repayment
- C. Amend – The EMS Fee schedule to include language and add language to EMS invoices
- D. **Moved to VI.A. 6 -Adopt** – Budget ordinance for the purchase of Park Reuse Land Purchases
- E. Adopt – Budget ordinance to increase the Local Occupancy Tax Revenue and increase the allocation to the Tourism Authority

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2008-2009**

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

Section 1. That account number 10-00-3270-1110, Local Occupancy Tax portion of the General Fund appropriations budget, be increased in the amount of \$3,632 due to increased Local Occupancy Tax collections.

Section 2. That account number 10-40-6170-9100, Tourism Authority portion of the General Fund Outside Agencies budget, be increased in the amount of \$3,632 to transfer to the Tourism Authority.

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 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

- F. Adopt – Budget ordinance reducing the Beer and Wine Tax Revenue (\$29,524)

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2009-2010**

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

Section 1. That account number 10-00-3322-3103, Beer & Wine Taxes portion of the General Fund appropriations budget, be decreased in the amount of \$29,524 due to State budget reductions.

Section 2. That account number 10-00-3991-9910, Fund Balance Appropriated portion of the General Fund appropriations budget, be increased in the amount of \$29,524 to provide funds to offset the Beer & Wine Tax reduction.

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 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

G. **Moved to VI.A.7 - Adopt** – Budget ordinance amendment for the Police Department (\$3,000)

**ACCEPT – A COMBINATION OF LOTS FOR KEYS LANDING SUBDIVISION
LOCATED OFF KEYSVILLE ROAD**

Rev. David Moore came forward and asked Council to approve a recombination of lots to decrease the number of lots from 15 to 12, due to boundary disputes. Rev. Moore noted the State is ok with reducing the number of lots. Councilman Jennings had concern over the size of the common area. Rev. Moore said the amount of common area has actually increased. The recombination will offer larger lots for sale. Mayor Pro tem Mercer has had discussions with Rev. Moore regarding the plat and the number of lots being reduced. Rev. Moore noted the State has concurred with reducing the number of lots from 15 to 12 without causing problems with the CDBG grant.

By motion of Mayor Pro tem Mercer, seconded by Councilman Jennings, Council accepted the combination of lots for the Keys Landing Subdivision from a total of fifteen (15) lots to twelve (12) lots. There will be no changes that occur to the infrastructure.

**ADOPT – RESOLUTION STATING THE INTENT OF THE CITY TO ANNEX AND FIXING
THE DATE FOR A PUBLIC HEARING ON THE NON-CONTIGUOUS ANNEXATION
OF THE KEYS LANDING SUBDIVISION**

John Rodman, Acting Planning Director stated the governing body of a municipality may annex by ordinance any non-contiguous property owned by the municipality that meets the standards. The Council initiates the annexation process by adopting a resolution stating the intent to annex and fixing the date for a public hearing.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted the resolution stating the City's intent to annex the Keys Landing Subdivision and fixed the date for the public hearing on October 12, 2009 for the non-contiguous annexation of the said property located on SR 1506, Keysville Road and containing 9.88 acres.

PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

Date: August 27, 2009

To the Mayor and City Council of the City of Washington:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Washington.

2. The area to be annexed is non-contiguous to the City of Washington and **the boundaries of such territory are as follows:**

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 William F. Sheppard, Inc., on the east by Herring Run Canal, also known as Runyon's Creek Canal and the Margaret Jackson Weatherly property, on the south by the City of Washington, the property of Scott Ross, et al, the property of Floyd Ross and the property of Darnell Ross and wife Doretha Taylor Ross, on the west by N.C. Secondary Road 1506, also known as Keysville Road, containing 9.885 acres, more or less, and

being described by metes and bounds as follows:

BEGINNING at a point in the eastern right-of-way line of N.C. Secondary Road 1506, also known as Keysville Road, said point being the southwest corner of the William F. Sheppard, Inc. property recorded in Deed book 1115, page 351, said point further being a common corner with the City of Washington, recorded in Deed book 1616, page 620, said point being located in a 13 inch Gum, thence from said POINT OF BEGINNING and running with the William F. Sheppard, Inc. line N 8r 10' 09" E 1059.73 to a point in Herring Run Canal, also known as Runyon's Creek Canal, the western line of the Margaret Jackson Weatherly, etal property, recorded in Deed book 1122, page 139, thence with the run of said canal as it meanders along the western line of the Weatherly property S 40" 27' 04" E 28.12 feet, thence S 31" 09' 57" E 103.70 feet, thence S 31" 46' 17" E 32.93 feet, thence S 24" 39' 50" E 128.61 feet, thence S 12" 51' 35" E 62.67 feet, thence S 06" 01' 15" E 37.16 feet, thence S 03" 40' 11" W 11 9.41 feet, thence S 15" 09' 06" W 55.09 feet, thence S 02" 23' 26" E 62.59 feet to a point in said line, a new corner, thence leaving said canal with a new line N 71" 53' 38" W 838.78 feet, thence N 71" 56' 25" W 437.90 feet to a point in the eastern right-of-way line of N.C. Secondary Road 1506, also known as Keysville Road, thence with the eastern right-of-way line of said road N 59" 39' 47" E 139.84 feet to the POINT OF BEGINNING, consisting of 9.885 acres more or less as shown on Rivers and Associates, Inc. drawing Z-2512, entitled "*Annexation Map for the City of Washington*" dated August 27, 2009, which by reference is made a part hereof.

3. A Map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City.

4. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

Property Owner: City of Washington
James C. Smith, City Manager
102 East Second Street Washington, NC 27889

Do you declare vested property rights? No

**RESOLUTION STATING THE INTENT OF THE CITY OF WASHINGTON TO ANNEX
PROPERTY OWNED BY THE CITY WHICH IS NOT CONTIGUOUS TO THE
EXISTING MUNICIPAL BOUNDARIES**

BE IT RESOLVED by the City Council of the City of Washington that:

Section 1. It is the intent of the City Council, pursuant to G. S. 160A-58.7, to annex the property described in Section 2, which is owned by the City of Washington.

Section 2. The legal description of the property is as follows:

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 William F. Sheppard, Inc., on the east by Herring Run Canal, also known as Runyon's Creek Canal and the Margaret Jackson Weatherly property, on the south by the City of Washington, the property of Scott Ross, etal, the property of Floyd Ross and the property of Darnell Ross and wife Doretha Taylor Ross, on the west by N.C. Secondary Road 1506, also known as Keysville Road, containing 9.885 acres, more or less, and being described by metes and bounds as follows:

BEGINNING at a point in the eastern right-of-way line of N.C. Secondary Road 1506, also known as Keysville Road, said point being the southwest corner of the

William F. Sheppard, Inc. property recorded in Deed book 1115, page 351, said point further being a common corner with the City of Washington, recorded in Deed book 1616, page 620, said point being located in a 13 inch Gum, thence from said POINT OF BEGINNING and running with the William F. Sheppard, Inc. line N 8r 10' 09" E 1059.73 to a point in Herring Run Canal, also known as Runyon's Creek Canal, the western line of the Margaret Jackson Weatherly, etal property, recorded in Deed book 1122, page 139, thence with the run of said canal as it meanders along the western line of the Weatherly property S 40' 27' 04" E 28.12 feet, thence S 31' 09' 57" E 103.70 feet, thence S 31' 46' 17" E 32.93 feet, thence S 24' 39' 50" E 128.61 feet, thence S 12' 51' 35" E 62.67 feet, thence S 06' 01' 15" E 37.16 feet, thence S -03' 40' 11" W 119.41 feet, thence S 15' 09' 06" W 55.09 feet, thence S 02' 23' 26" E 62.59 feet to a point in said line, a new corner, thence leaving said canal with a new line N 71 ' 53' 38" W 838.78 feet, thence N 71 ' 56' 25" W 437.90 feet to a point in the eastern right-of-way line of N.C. Secondary Road 1506, also known as Keysville Road, thence with the eastern right-of-way line of said road N 59' 39' 47" E 139.84 feet to the POINT OF BEGINNING, consisting of 9.885 acres more or less as shown on Rivers and Associates, Inc. drawing Z-2512, entitled "*Annexation Map for the City of Washington*" dated August 27, 2009, which by reference is made a part hereof.

Section 3. The property described in Section 2 is not contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at the Senior Center in the Peterson Building, 310 West Main Street, at 6:00 p.m. on Monday, October 12, 2009.

Section 5. 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/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

MS. LINDA WHITE – UTILITIES DEPOSIT

Ms. Linda White came forward to voice concerns over the utilities deposit for Washington Utilities. Ms. White noted she did not live in the City of Washington, but receives her power from Washington Utilities and has been in that location for eleven years. She stated she came into a situation in July where she was unable to pay her power bill. She was able to get enough money from relatives to pay all but \$83.00 of the bill. Being she still had a balance on the bill, she was assessed a deposit of \$350 plus the \$83.00. Ms. White feels times are tough and with the recent rate increase it makes it even more difficult to pay the bill, especially with a deposit added to the bill. Ms. White suggested the City review the utilities deposit policy.

Mayor Jennette thanked Ms. White for her comments and noted she has received several complaints about our process and feels this should be reviewed. Mayor Jennette stated this should be reviewed by the Washington Utilities Advisory Commission and requested Keith Hardt discuss this with the Commission and make suggestions to Council. Councilman Jennings asked where the 2½% for the deposit come from. Jim Smith, City Manager explained this was set by previous Council, 2½% times the average monthly bill equals the deposit. Mr. Smith said deposits are not required until the customer has been on the cut-off list 3 times. Requests for extensions are allowed if the customer calls in and requests an extension. Keith Hardt noted the Commission only meets quarterly. Mayor Pro tem Mercer suggested a special meeting of the Washington Utilities Commission prior to the October 12th Council meeting to review the deposit policy.

MS. JESSICA JEFFERS – UTILITIES PETITION

Jason Peebles, fiancé of Jessica Jeffers (she was sick and unable to attend) came forward to voice concern over high utility bills and deposits. Mr. Peebles noted the cost of utilities is much higher in Washington than when they lived at the Outer Banks. He feels with the economy so bad, it's tough when the power bill is the same amount as the monthly rent. He feels the City doesn't give any help to its customers that are having difficulty paying their bill. Mr. Peebles wanted to know where the money goes. Mayor Jennette noted we have to pay for the power we purchase, system maintenance and administration as well as supplementing the General Fund. Mayor Jennette again noted the deposit policy needs to be reviewed again.

Mayor Pro tem Mercer reviewed prior actions taken by Council regarding rate increases. A motion was made by Mayor Pro tem Mercer and seconded by Councilman Jennings to adjust all rate classes to 2 1/2% above the rates that were in effect in March 1, 2009.

Discussion – Jim Smith, City Manager noted that we could go back to the rate consultant to review the rates calculations. A municipality can't run on a deficit, as of the end of June we were operating on a \$773,000 deficit. Councilman Jennings stated that rate increases effective July 1st included moving the main power line across Hwy 33. Mr. Smith noted Council requested that not be included in the increase, the increase was to cover the increase from NCEMPA. Matt Rauschenbach, CFO stated part of the increase was to cover deferred debt service. Councilman Jennings said people are unable to pay their bills and we can't keep passing along these increases and using the profit margin to supplement the General Fund. Mr. Smith stated the dividend the electric system pays reduces City taxes by 12 cents. Mr. Smith said the City can't absorb the increases and run on a deficit. Councilman Brooks feels Council is acting too hasty, this needs to be studied and make a decision later. Councilman Woolard said he feels the Utilities Advisory Commission and our consultants should review this and give us some feed back at the next meeting. Councilman Woolard requested the motion to be withdrawn to allow time to review the issue. Councilman Jennings said we can't wait; the citizens need help now, not later. Mayor Jennette asked Mr. Mercer if he is asking Council to reconsider the motion that was passed in June. Mr. Mercer stated he is asking Council to take away part of the increase, this is a new motion. Councilman Davis stated he was against the rate increase and didn't feel it was needed then nor is it needed now. Mayor Jennette requested Mr. Rauschenbach to have the numbers showing the impact of the rate changes for the October meeting. Mr. Smith reminded Council again, that as of the end of June we are running on a \$773,000 deficit.

A motion was made by Mayor Pro tem Mercer and seconded by Councilman Jennings to adjust all rate classes to 2 1/2% above the rates that went into effect March 1, 2009. Voting for the motion: Mayor Pro tem Mercer, Councilman Jennings, Councilman Davis; Against: Councilman Brooks and Councilman Woolard. Motion passed 3-2.

MS. ROBIN RIDDLE – PLACEMENT OF NAVY BELL & PLAQUE

Ms. Robin Riddle is requesting permission for a Navy Bell given to her father, Bobby John Latham, to be erected along the Washington waterfront public access in his memory. Mayor Jennette suggested possibly placing this on the dock attendant station as a temporary location until the new dock attendant station could be built. Councilman Davis suggested Ms. Riddle meet with the Parks and Recreation Advisory Board to determine the appropriate location. Councilman Jennings feels the Veterans Park would be a more suitable location, but Ms. Riddle didn't feel comfortable placing it there. Philip Mobley, Parks and Recreation Director will present this to the Recreation Advisory Board.

MR. BOB HENKLE – BIKE TRAIL

Bob Henkel stated a resolution is needed showing Council is in favor of the bike trail/greenway system and the designated path. An application for a greenway/bike trail grant is due by November 7th. On two previous occasions, grants have been applied for

and turned down. Now, we will review grant applications that were approved and compared them to ours and we have received assistance with the grant from Raleigh who received grant approval. Today they are asking for Bianca Gentile's assistance to complete the grant application for submittal. It was noted that NCDOT has agreed with all destinations, but this will need to be included in the NCDOT's TIP (transportation improvement program). The plan will cost \$20,000-\$50,000 with 30% being the City's portion; this includes the Beaufort County routes. Greenville will have its own study. Mr. Henkel stated it is much better to show a bigger plan and have wiggle room to allow DOT to reduce the size then a smaller plan with no room for reductions. East Carolina University has agreed to do all the mapping for the project as well as the engineering portion.

By motion of Councilman Davis, seconded by Mayor Pro tem Mercer, Council adopted a Resolution to support Washington-Greenville Greenway planning activities.

**RESOLUTION TO SUPPORT WASHINGTON-GREENVILLE
GREENWAY PLANNING ACTIVITIES**

WHEREAS, there is an intent of NC Rails and Trails to develop a greenway system between the City of Washington, the City of Greenville, the Town of Chocowinity and the Cypress Landing neighborhood;

WHEREAS, the NC Rails and Trails will request financial assistance from the North Carolina Department of Transportation to develop a comprehensive greenway plan;

WHEREAS, the North Carolina Department of Transportation recommends local governing bodies support development projects within their jurisdiction;

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

Section 1. The Governing Board hereby supports the planning process to guide the Greenway Trails system between said jurisdictions along with the implementation of said greenway.

Section 2. This Resolution shall become effective upon September 21, 2009

Adopted this the 21st of September 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

MR. JOHN MASSEY – TALBERT & BRIGHT AIRPORT ENGINEERS

John Massey and Jay Talbert, Talbert & Bright Engineering & Planning Consultants and Chastity Clark, NCDOT Division of Aviation presented updates on airport projects and TIP 2010-2014 project listing. Some ongoing projects at Warren Field Airport are:

1. Fencing
2. Acquiring land to remove trees for the Runway 23 approach path (there is still a small piece of property that still needs to be acquired)
3. Runway signs and lights have been installed
4. Currently the city is replacing fence at the end of Runway 23 on Springs Road
5. Some improvements have been made for the fueling area and have bid the project to ELJ, Inc. to incorporate a self-fueling project.

Mr. Massey reviewed some of the TIP projects for 2010-2014

Division of Aviation Recommended Activities

1. Extend Runway 5 approximately 500 ft.
2. Runway protection zone – Runway 35 and Runway 5
3. Airfield maintenance equipment storage building

4. Standard instrument approach procedure
5. Construct 1100 feet of parallel taxiway to service the 500 ft. extension of Runway 5
6. Install approach lighting (ODALS) for Runway 5 to improve visibility minimums
7. Taxiway and apron edge lighting for Taxiways A, B, and C

Additional Airport Requested Projects

1. 6-unit T-Hanger and Taxiway (Phase I)
2. Runway sweeper
3. Corporate hangers (Phase I)
4. 6-unit T-Hanger and Taxiway (Phase II)
5. Glide Slope
6. Corporate Hangers (Phase II)
7. Airport Gravity Sewer Line
8. Pavement Repair Runway 17-35

A quick snapshot of current grants and funding are:

1. Annually receive \$150,000 from FAA/Division of Aviation with 10% match from City
2. Rural airport development grant in 2008 – 2 year program - \$200,000 with 2 ½% match from City.

Councilman Jennings asked if any of the property at the airport could be used for an adult softball field. Chastity Clark stated if the land is designated as airport property, then it would be a challenge to have this property released; it may be possible to look at other land surrounding the airport. Mayor Pro tem Mercer discussed the possibility of residential airparks with height restrictions and still maintain runway protection. Mr. Talbert stated the FAA frowns on these activities, such as private access/through the fence operations for security issues.

**CITY OF WASHINGTON'S HOUSING DEVELOPMENT GRANT APPLICATION
TO BE SUBMITTED TO THE DIVISION OF COMMUNITY ASSISTANCE
(\$250,000)**

Jim Smith, City Manager stated the City of Washington was awarded a Capacity Building, Community Development Block Grant from the Division of Community Assistance. The grant was designed to train nonprofit partners in the implementation of housing programs catering to low to moderate income persons. With the terms of the Capacity Building Grant complete, Washington Housing, Inc. is prepared to participate in a housing development program. The plan is to purchase 14 lots (10 from Northgate and four in the Old Fort neighborhood) and provide housing counseling services to future homeowners. The City of Washington will receive administration dollars for assisting in the administration of program activities. Gina Amaxopoulous stated money is in hand to acquire land and they have people ready to move into the houses once they are built.

Mayor Jennette opened the public hearing. There being no one to speak, the public hearing was closed.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council approved a public hearing, a pre-application requirement, to receive comments per a Housing Development grant application which will be submitted to the Division of Community Assistance for \$250,000 in October 2009. Washington Housing, Inc. is the nonprofit partner for the application.

Council convened for a break at 6:25pm and reconvened at 6:35pm.

PUBLIC COMMENT

There was no one to speak during the public comment portion of the meeting.

PRESENTATION – TAC ENERGY AUDIT

Robert Williams, TAC has been working with the City for an energy savings program and has completed the detailed energy audit. He is here to present the findings of the detailed energy audit. The steps that have been completed are: feasibility assessments, workshops, preliminary building audits, and a detailed energy audit. The City's main concerns are: saving energy, saving money, aging mechanical equipment, aging toilets in City Hall and comfort issues at City Hall. Eight buildings were involved in the energy audit and five of those buildings would produce a total annual savings of \$14,278.

Projected Savings

Aquatic Center	\$1,932
Bobby Andrews Center	0
Brown Library	0
City Hall	\$8,079
Civic Center	\$1,402
Communications Center	\$ 905
Fire Station 1	\$ 0
Peterson Building	\$1,960
TOTAL PROJECTED ANNUAL SAVINGS	\$14,278

Proposed project utility savings per year: \$14,278
Total Construction cost: \$890,544

PROPOSED CONSERVATION MEASURES

Aquatic Center – install solar thermal pool heating system
City Hall – *Replace chillers, chilled water pumps and condenser water pumps
 *Install energy management system
 *lighting retrofit
 *replace high flow toilets with low flow toilets
Civic Center - lighting retrofit
Communications Center – lighting retrofit
Peterson Building – lighting retrofit

Mr. Williams noted grants could assist in this project. Mayor Pro tem Mercer noted the payoff for all of these changes would take about 30 years. Councilman Jennings stated it would be much smarter to build another municipal building then to spend this amount of money on the current structure. A new municipal building could be combined with the new police facility to be more cost effective. Mr. Smith said we will see what grants are available for energy conservation grants. Our energy audit will be filed with the State Energy Office and the LGC. Mayor Jennette said the possibility of a new municipal building was discussed during a prior planning session, but if we move City Hall from the downtown area, this will make a major impact on that area.

BILL FORMAN – UPDATE BIG P PROJECT, HAVENS GARDENS REPORT, CITY MARINA & HARBOR LINE

Bill Forman, Coastal Science & Engineering updated Council on the walkway project under the Hwy. 32 Bridge and further noted the materials have been ordered and work should be complete by the end of September.

Mr. Forman noted the alignment of the channels has changed, but the harbor line has not changed. When we asked to have our expansion plan approved, the Corps of Engineers would not let us build outside of the harbor line. In 2009 the City requested the harbor line be moved. Mr. Forman is requesting Council to approve floating docks instead of fixed docks and to ask the Corps of Engineers to relocate the harbor line to correspond to the 2009 Federal channel setback line. If the line is not moved we can still install floating docks. The local office in Wilmington can approve the repositioning of the harbor line. Resolve to petition the Corps of Engineers to move the harbor line so it corresponds with the 2009 Federal Channel Line. Mr. Forman feels it is very likely the Corps will move the line.

By motion of Councilman Davis, seconded by Councilman Woolard, Council approved Bill Forman, Coastal Science and Engineering to petition and recommend to the Wilmington office of the Corps of Engineers that the harbor line be moved to the 2009 Federal Channel setback line. Council also approved the installation of floating docks if the line is not moved. Discussion – Mayor Pro tem Mercer voiced concerns over possible infringements on the Citizens for Revitalization plan.

APPOINTMENTS – BOARD OF LIBRARY TRUSTEES & WASHINGTON HOUSING AUTHORITY

Board of Library Trustees

By motion of Councilman Davis, seconded by Councilman Jennings, Council appointed Deborah J. Midgett (D.J.) to the Board of Library Trustees, to fill the unexpired term of Mary Moore Newkirk, term to expire June 30, 2015.

By motion of Councilman Davis, seconded by Councilman Jennings, Council appointed David McNeil to the Board of Library Trustees, to fill the unexpired term of Anthony Franklin, term to expire June 30, 2013.

Washington Housing Authority

By motion of Councilman Woolard, seconded by Councilman Jennings, Council appointed Yvonne Saleem to the Washington Housing Authority, to fill the unexpired term of Anthony Franklin, term to expire June 30, 2013.

MEMO – PROJECT UPDATE STIMULUS COORDINATOR/LEPD

Mr. Smith stated the memo presented to Council serves as an update on current projects. On September 28, 2009 a proposal will be submitted to NC Emergency Management/FEMA's Hazard Mitigation Program to fund the acquisition and demolition of the Old Health Department building. Also, on September 28, 2009 a proposal will be submitted to NC Emergency Management/FEMA's Severe Repetitive Loss program. The City has partnered with Washington Park to develop a participant list of nearly 15 eligible homeowners. Updates were given on the Weatherization Assistance Program as well as the Energy Efficient Conservation Block Grant Program.

AUTHORIZE – RFP'S FOR A LICENSED AND INSURED OUTFITTER TO MANAGE THE HUNTING RIGHTS ON CITY PROPERTY ADJACENT TO WARREN FIELD AIRPORT

Chief Mick Reed explained the City is in the third year of a three year contract with a company to participate in the Urban Hunting Season to control the deer population at the airport. Permission is requested to begin the process to advertise for RFP's (request for proposals) to begin the advertising for an insured and licensed Outfitter to manage the hunting rights on City Property adjacent to the airport.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council authorized the advertisement of request for proposals for a licensed and insured Outfitter to manage the hunting rights on City Property adjacent to Warren Field Airport.

UP-DATE – QUARTERLY REPORT NORTHGATE SUBDIVISION

Jason Briley presented an update to Council on Northgate Subdivision stating he has 16 homes sold to low to moderate income families. There are currently twelve other homes complete, eleven homes are under contract, ten homes under construction (in addition to the eleven under contract). Mr. Briley needs to sell sixteen more houses to low to moderate income persons by December 31, 2009. Councilman Jennings noted in this tough economic time it may be difficult to fill that obligation. Mayor Jennette stated we have a letter of credit to protect the City should he not fulfill the obligation. Mr. Holscher stated he has only received formal confirmation of seven qualifying homes that have been sold. Mr. Briley will make sure to deliver the information to John Rodman in the Planning Department. Council, by consensus, asked Mr. Rodman to write a letter to the State requesting the lots sold to the Housing Authority be allowed to qualify to reach the total number needed. Mr. Rodman and Mr. Holscher will prepare a letter to the State making this request.

**PRESENTATION – SITE SELECTION FOR WASHINGTON POLICE
DEPARTMENT’S NEW FACILITY**

Mayor Jennette and Mr. Smith suggested appointing a Committee or Citizen Task Force to review the possible locations for a new police facility. Council, by consensus agreed to appoint a Committee at the next Council meeting to review the 19 possible locations and any other possible locations for the new police facility.

**ADOPT – BUDGET ORDINANCE FOR THE PURCHASE OF PARK REUSE LAND
PURCHASES**

Mayor Pro tem Mercer asked to have this item pulled to clarify where the money will come from to pay for the land. Council was presented a revised request that clarified this item. Mr. Smith noted the proceeds of the Haven’s Garden land sale are to be used to purchase like park reuse property. \$145,000 was received for the Haven’s Gardens property. The Annie Mayo property will be purchased for \$66,873. The Old Health Department property will be purchased with General Fund Balance for \$67,886.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted a budget ordinance to appropriate funds for the purchase of park reuse land and the Old Health Department property.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF
WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010**

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

Section 1. That account number 10-00-4400-7100, Land Acquisition, portion of the General Fund appropriations budget be increased in the amount of \$ 134,759 to provide funds for the purchase of the Annie Mayo and Old Health Department properties.

Section 2. That the Estimated Revenues in the General Fund be increased in the amount of \$ 134,759 in the account Fund Balance Appropriated, account number 10-003991-9910.

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 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

**ALLOW - MS. EDNA R. WOOLARD TO DESIGNATE PARKING SPACES
DIRECTLY BEHIND AND ADJACENT TO HER PROPERTY AT 112 NORTH
MARKET STREET**

Allen Lewis, Public Works Director stated on August 5, 2009 a letter was received from Mrs. Edna Woolard requesting permission to designate parking spaces behind 112 North Market Street. When the parking lot improvements were made across from the Beaufort County Courthouse, including this area, easements were acquired from several property owners including Mrs. Woolard’s late husband. While the other property owners in the 100 block of North Market Street retained parking rights on their property within the easements, for some reason the Woolards did not. Mrs. Woolard is requesting the ability to designate parking directly behind her building only, for her property.

Franz Holscher, City Attorney stated these are public parking spaces, but there would be no legal effect for the Police Department to enforce. Mrs. Woolard would be required to have the vehicle towed. Councilman Jennings reviewed the history of the project with the Council.

By motion of Councilman Jennings, seconded by Councilman Davis, Council did not allow Mrs. Edna R. Woolard to designate parking spaces directly behind and adjacent to her property at 112 North Market Street.

BILL WALKER – SAILING REPORT UPDATE

Bill Walker reported that 47 students have enrolled in the Little Washington Sailing Program with five of those students receiving scholarships. With the success of the program, we have now had adults interested in a sailing program for next year. The only challenge the program has faced was they could only use half of their boats due to CAMA regulations.

ADOPT – RESOLUTION DESIGNATING THE CHIEF OF POLICE & THE DIRECTOR OF PLANNING & DEVELOPMENT AS THE DESIGNATED OFFICIAL FOR THE LOCAL GOVERNMENT OPINION FORM

John Rodman, Acting Planning Director reported the NC General Statutes authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons and locations wishing to receive Alcohol Beverage Permits(ABC license). Currently the designated officials for the City are listed by name: *Joe Stringer, Chief of Police and Bobby Roberson, Director of Planning and Development*. The City wishes to change the designation of name to the designation of position only; *Chief of Police or Director of Planning and Development*.

By motion of Mayor Pro tem Mercer, seconded by Councilman Jennings, Council adopted a resolution changing the designation of the Local Government Official from an individual name to the designation of positions of *Chief of Police and the Director of Planning and Development*.

RESOLUTION OF THE CITY OF WASHINGTON, COUNTY OF BEAUFORT, REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S. 18B-904(1) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of Washington, County of Beaufort, wishes to notify the N.C. ABC Commission of its designation as required by G.s. 18B-904(1);

BE IT THEREFORE RESOLVED that the Chief of Police and the Director of Planning and Development, by position, are hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Washington, County of Beaufort, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the City of Washington, County of Beaufort, should be mailed or delivered to either of the officials designated above at the following address:

Mailing Address: PO Box 1988
Office location: 102 East 2nd Street (Planning)
201 West 3rd Street (Police)
City/State: Washington, NC
Zip: 27889

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

**ADOPT – BUDGET ORDINANCE AMENDMENT FOR OUTSTANDING
PURCHASE ORDERS FROM FY 08/09 (\$5,507,656)**

Matt Rauschenbach explained the request is to carry over outstanding purchase orders from FY08/09 that are being brought forward into fiscal year 2009-2010 for payment. Funding for these outstanding purchase orders is restricted in fund balance at June 30, 2009. Therefore, the funding needs to be appropriated in the current fiscal year for spending. Mayor Pro tem Mercer states half of this has been done already with the encumbrances being approved, but this shows the actual expenditures.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted a budget ordinance amendment in the amount of \$5,507,656 for purchase orders outstanding from fiscal year 2008-2009 that are being brought forward into fiscal year 2009-2010 for payment.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2009-2010**

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

General Fund

Section 1. That the Estimated Revenues in the General Fund be increased in the following amounts and accounts shown:

10-00-3991-9910	Fund Balance Appropriated	\$681,885
10-10-3433-3300	Governor's Crime Commission	28,893
10-40-3614-3600	Waterfront Docks Grant	200,000
10-10-3491-3303	NC Archives & History Grant	13,900
10-10-3491-3302	Historic Preservation Grant	<u>25,000</u>
		\$949,678

Section 2. That the following accounts in the City Council portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43896, and #43986 outstanding from FY 08/09.

10-00-4110-1400	Employee Development	\$11
10-00-4110-0400	Professional Services	<u>10,728</u>
		\$10,739

Section 3. That account number 10-00-4125-4500, Wellness Program, Human Resources portion of the General Fund appropriations budget be increased in the amount of \$1,350 to provide funds for purchase order #43526, #43545 and #43546 outstanding from FY 08/09.

Section 4. That account number 10-00-4130-0400, Professional Services, Finance Director portion of the General Fund appropriations budget be increased in the amount of \$7,213 to provide funds for purchase order #43624 outstanding from FY 08/09.

Section 5. That the following accounts in the Information Technology portion of the General Funds appropriations budget be increased in the amounts shown to provide funds for purchase orders #37846, #40688, #41325, #43432, and #43899 outstanding from FY 08/09.

10-00-4132-1603	Maint/Repair Personal Computers	\$1,463
10-00-4132-1604	Maint/Repair Equipment	551
10-00-4132-4500	Contract Services	842

10-00-4132-4501	Program Enhancements	<u>30,790</u>
		\$33,646

Section 6. That the following accounts in the Revenue Collections portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43732, #43901, #43929 and #43930 outstanding from FY 08/09.

10-00-4133-0400	Professional Services	\$555
10-00-4133-3300	Departmental Supplies	36
10-00-4133-3400	E.D.P. Supplies	<u>147</u>
		\$738

Section 7. That account number 10-00-4134-3300, Departmental Supplies, Billing portion of the General Fund appropriations budget be increased in the amount of \$62 to provide funds for purchase order #43952 outstanding from FY 08/09.

Section 8. That the following accounts in the Customer Service portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43370, #43509, #43519, #43520 and #43966 outstanding from FY 08/09.

10-00-4135-0400	Professional Services	\$2,549
10-00-4135-1201	Marketing and Promotions	<u>1,244</u>
		\$3,793

Section 9. That the following accounts in the Municipal Building portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43281, #43910, #43912, #43913, #43914, #43968, #43969, #43975 and #43976 outstanding from FY 08/09.

10-00-4260-1500	Maint/Repair Building	\$3,704
10-00-4260-7400	Capital Outlay	<u>173,196</u>
		\$176,900

Section 10. That the following accounts in the Police Department portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #42676, #43842, #43884, #43936, #43937 and #43997 outstanding from FY 08/09.

10-10-4310-1605	Maint/Repair Police Equipment	\$850
10-10-4310-3300	Departmental Supplies	52
10-10-4310-3600	Uniforms	1,246
10-10-4310-7402	Installment Purchases	17,858
10-10-4310-7403	Capital Outlay-Gov. Crime Con.	<u>38,524</u>
		\$58,530

Section 11. That the following accounts in the E-911 Communications portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43987 and #43998 outstanding from FY 08/09.

10-10-4311-4500	Contract Services	\$20,000
10-10-4311-7400	Capital Outlay	<u>10,756</u>
		\$30,756

Section 12. That the following accounts in the Fire Department portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #38632, #43504, #43837, #43888, #43889, #43941, #43942 and #43951 outstanding from FY 08/09.

10-10-4340-0400	Professional Services	\$1,688
10-10-4340-1400	Employee Development	131
10-10-4340-1500	Maint/Repair Buildings	1,090

10-10-4340-1600	Maint/Repair Equipment	900
10-10-4340-3600	Uniforms	441
10-10-4340-3602	Safety Equipment	94
10-10-4340-5600	Materials	<u>590</u>
		\$4,934

Section 13. That the following accounts in the EMS Department portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43848 and #43889 outstanding from FY 08/09.

10-10-4341-1400	Employee Development	\$212
10-10-4341-7400	Capital Outlay	<u>7,368</u>
		\$7,580

Section 14. That the following accounts in the Planning/Zoning Department portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #38692, #41314, #41338, #43610, #43760, #43988 and #43989 outstanding from FY 08/09.

10-10-4910-0400	Professional Services	\$5,072
10-10-4910-1200	Printing & Publishing	665
10-10-4910-4502	Contract Services-Zoning	3,000
10-10-4910-4505	Contract Services-National Registry	28,000
10-10-4910-4509	Contract Services-Historical Dist. St.	<u>16,386</u>
		\$53,123

Section 15. That the following accounts in the Powell Bill Allocation portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #35635, #36951, #38271, #39446, #41099, #41146, #42200, #42521, #43473, #43483, #43491 and #43537 outstanding from FY 08/09.

10-20-4511-4500	Street Paving	\$222,080
10-20-4511-5600	Materials	<u>40,987</u>
		\$263,067

Section 16. That the following accounts in the Library portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #42251, #43433, #43531, #43635, #43974, #43990 and #43994 outstanding from FY 08/09.

10-40-6110-3300	Departmental Supplies	\$310
10-40-6110-4500	Contract Services	16,500
10-40-6110-5600	Materials	4,613
10-40-6110-7400	Capital Outlay	<u>2,500</u>
		\$23,923

Section 17. That the following accounts in the Recreation Centers portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #42120, #43808, #43946, #43957 and #43959 outstanding from FY 08/09.

10-40-6121-3402	Summer Materials Program	\$948
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Section 18. That account number 10-40-6122-4504, Beaufort County Contributions, Athletic & Programs portion of the General Fund appropriations budget be increased in the amount of \$1,088 to provide funds for purchase order #43947 and #43948 outstanding from FY 08/09.

Section 19. That the following accounts in the Senior Programs portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #41255 and #43798 outstanding from FY 08/09.

10-40-6123-4500	Mid East Grant	\$326
10-40-6123-4501	Mid East Grant General HP	883
10-40-6123-4504	Mid East Grant Ctr.	<u>2,500</u>
		\$3,709

Section 20. That the following accounts in the Waterfront Docks portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #41259, #41260 and #43960 outstanding from FY 08/09.

10-40-6124-1501	Maint/Repair Grounds	\$200
10-40-6124-7400	Capital Outlay	<u>196,219</u>
		\$196,419

Section 21. That account number 10-40-6125-7400, Capital Outlay, Civic Center portion of the General Fund appropriations budget be increased in the amount of \$7,565 to provide funds for purchase orders #43719 outstanding from FY 08/09.

Section 22. That the following accounts in the Aquatic Center portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #41401, #43594, #43831, #43948, #43958, and #43961 outstanding from FY 08/09.

10-40-6126-1200	Printing & Publishing	\$50
10-40-6126-1301	LP Gas Utilities	3,316
10-40-6126-1600	Maint/Repair Equipment	75
10-40-6126-3301	Janitorial Supplies	127
10-40-6126-3302	Chemicals	601
10-40-6126-3303	Safety/ADA Supplies	5
10-40-6126-3600	Employee Uniforms	<u>139</u>
		\$4,313

Section 23. That the following accounts in the Recreation Parks & Grounds Maintenance portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #38601, #41622, #43226, #43553, and #43991 outstanding from FY 08/09.

10-40-6130-1502	Maint/Repair Parks	\$18,396
10-40-6130-4501	Contract Services – Grounds	4,900
10-40-6130-7300	Other Improvements	27,600
10-40-6130-7301	Bee Bee Park Improvements	2,171
10-40-6130-7302	Dog Park Improvements	<u>400</u>
		\$53,467

Section 24. That the following accounts in the Human Relations Council portion of the General Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43896 and #43992 outstanding from FY 08/09.

10-40-6170-9120	Human Relations Council	\$65
10-40-6170-9109	East Carolina Wildlife Guild	<u>5,750</u>
		\$5,815

Water Fund

Section 25. That the Estimated Revenues in the Water Fund be increased in the amount of \$4,570 in the account Fund Balance Appropriated, account number 30-90-3991-9910.

Section 26. That the following accounts in the Water Treatment Plant portion of the Water Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #41383, #41794, #42146, #42613, #42777, #43144, #43249, #43854, #43892, and #43965 outstanding from FY 08/09.

30-90-8100-1400	Employee Development	\$150
30-90-8100-1600	Main/Repair Plant Equipment	1,733
30-90-8100-3303	Laboratory Supplies	1,993
30-90-8100-4501	Contact Lab Services	<u>694</u>
		\$4,570

Sewer Fund

Section 27. That the Estimated Revenues in the Sewer Fund be increased in the amount of \$153,111 in the account Fund Balance Appropriated, account number 32-90-3991-9910.

Section 28. That account number 32-90-8200-4500, Contract Services, Wastewater Collection Maintenance portion of the Sewer Fund appropriations budget be increased in the amount of \$44,260 to provide funds for purchase order #43493 and #43971 outstanding from FY 08/09.

Section 29. That account number 32-90-8210-4500, Contract Services, Wastewater Collection Construction portion of the Sewer Fund appropriations budget be increased in the amount of \$29,468 to provide funds for purchase order #43471 and #43492 outstanding from FY 08/09.

Section 30. That the following accounts in the Wastewater Treatment portion of the Sewer Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders, #41396, #41794, #42048, #42146, #42613, #42744, #42820, #43108, #43497, #43825, #43869 and #43965 outstanding from FY 08/09.

32-90-8220-0400	Professional Services	\$32,420
32-90-8220-1600	Maint/Repair Plant	8,515
32-90-8220-3302	Chemicals	1,523
32-90-8220-3303	Laboratory Supplies	1,963
32-90-8220-4501	Contract Lab Services	<u>572</u>
		\$44,993

Section 31. That the following accounts in the Wastewater Lift Station portion of the Sewer Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #41794, #43630, #43852, and #43853 outstanding from FY 08/09.

32-90-8230-1600	Maint/Repair Pump Station	\$10,140
32-90-8230-7400	Capital Outlay	<u>24,250</u>
		\$34,390

Storm Water Fund

Section 32. That the Estimated Revenues in the Storm Water Fund be increased in the amount of \$53,288 in the account Fund Balance Appropriated, account number 34-90-3991-9910.

Section 33. That the following accounts in the Storm Water Fund appropriations budget be increased in the amounts shown to provide funds for purchase order #38376, #40224, #43481, and #43535 outstanding from FY 08/09.

34-90-5710-1601	Maintenance/Repair Jacks Creek	\$49,201
34-90-5710-5600	Materials	1,898
34-90-5710-7401	Installment Note Purchases	<u>2,189</u>
		\$53,288

Electric Fund

Section 34. That the Estimated Revenues in the Electric Fund be increased in the amounts and accounts shown:

35-90-3500-3605	NCDOT Hwy. 17 Reimbursement	\$1,377,614
35-90-3991-9910	Fund Balance Appropriated	<u>2,376,137</u>
		\$3,753,751

Section 35. That the following accounts in the Electric Director portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #38394, #39108, #39110, and #43993 outstanding from FY 08/09.

35-90-7220-0405	Hwy 17 230 KV Relocation	\$602,962
35-90-7220-0406	Hwy 17 Line Relocation	45,622
35-90-7220-0407	Hwy 17 Bypass North	49,483
35-90-7220-0411	Hwy 17 Relocation – 2510C	555,665
35-90-7220-0420	Runyon Creek Bridge	75,415
35-90-7220-0425	NCDOT-Clarks Creek Bridge	<u>48,467</u>
		\$1,377,614

Section 36. That the following accounts in the Utility Communications portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase order #43897 outstanding from FY 08/09.

35-90-7230-0400	Professional Services	\$430
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Section 37. That the following accounts in the Meter Services portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase order #43980 outstanding from FY 08/09.

35-90-7250-7400	Capital Outlay	1,575
35-90-7250-5601	Materials – Meter Repair	<u>5,107</u>
		\$6,682

Section 38. That the following accounts in the Substation Maintenance portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #32623, #40616, #40711, #41222, #41595, #43601, #43615, #43931, #43995, outstanding from FY 08/09.

35-90-8370-1603	Maint/Repair Substation	572
35-90-8370-3101	Gasoline Purchases	10,571
35-90-8370-7400	Capital Outlay	906
35-90-8370-7401	Installment Note Purchases	<u>1,496,030</u>
		\$1,508,079

Section 39. That the following accounts in the Power Line Maintenance portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase order #41490 outstanding from FY 08/09.

35-90-8380-4501	Tree Trimming	\$3,357
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Section 40. That the following accounts in the Power Line Construction portion of the Electric Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #37476, #41441, #43674, #43675, #43915, #43926, #43979, and #43995, outstanding from FY 08/09.

35-90-8390-4500	Contract Services	\$60,000
35-90-8390-5607	Materials – Special Projects	3,825
35-90-8390-7400	Capital Outlay	3,424

35-90-8390-7401	Installment Note Purchases	<u>790,340</u>
		\$857,589

Airport Fund

Section 41. That the Estimated Revenues in the Airport Fund be increased in the amounts and accounts shown:

37-90-3991-9910	Fund Balance Appropriated	\$23,655
37-90-3490-0002	Grant Funds – 36237.38.4.1	8,235
37-90-3490-0005	Grant Funds – 36237.38.7.1	127,329
37-90-3480-0000	Grant Funds – 36244.51.7.1	<u>189,832</u>
		\$349,051

Section 42. That the following accounts in the Airport Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #40611, #41319, #41336, #41510, #41526, #42696, #42853, #43911, and #43996 outstanding from FY 08/09.

37-90-4530-1500	Maint/Repair Bldg.	\$ 125
37-90-4530-1502	Maint/Repair Runways	3,000
37-90-4530-4502	Contract Services – Mowing	600
37-90-4530-4508	Vision 100 Grant 36237.38.4.1	9,150
37-90-4530-4511	Vision 100 Grant 36237.38.7.1	141,477
37-90-4530-4520	Rural Airport Grant	<u>194,699</u>
		\$349,051

Solid Waste Fund

Section 43. That the Estimated Revenues in the Solid Waste Fund be increased in the following amounts and accounts shown:

38-90-3991-9900	Fund Balance Appropriated	220,643
38-90-3490-0010	Curbside Recycling Grant	<u>16,000</u>
		\$236,643

Section 44. That the following accounts in the Solid Waste Fund appropriations budget be increased in the amounts shown to provide funds for purchase orders #43451 #43463, #43478, and #43945 outstanding from FY 09/10.

38-90-4710-1200	Printing & Publishing	\$ 1,975
38-90-4710-1700	Maint/Repair Vehicles	6,686
38-90-4710-7400	Capital Outlay	19,420
38-90-4710-7401	Installment Note Purchases	<u>208,562</u>
		\$236,643

Cemetery Fund

Section 45. That the Estimated Revenues in the Cemetery Fund be increased in the amount of \$200 in the account Fund Balance Appropriated, account number 39-90-3991-9900.

Section 46. That account number 39-90-4740-1600, Maint/Repair Mowers portion of the Cemetery Fund appropriations budget be increased in the amount of \$200 to provide funds for purchase order #43909 outstanding from FY 08/09.

UDAG Fund

Section 47. That the Estimated Revenues in the UDAG Fund appropriations budget be increased in the amount of \$7,364 in the account Fund Balance Appropriated, account number 67-60-3991-9910.

Section 48. That account number 67-60-8280-9700, Façade Grants portion of the UDAG Fund appropriations budget be increased in the amount of \$7,364 to provide funds for purchase order #43721, #43722, #43725, #43726, #43727, #43745 and #43748 outstanding from FY 08/09.

Section 49. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 50. This ordinance shall become effective upon its adoption.

Adopted this the 21th day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

**APPROVE – MUNICIPAL RECORDS RETENTION AND DISPOSITION
SCHEDULE, DATED MAY 19, 2009**

Cynthia Bennett, City Clerk explained the *Municipal Records Retention and Disposition Schedule* is a document that allows every department to dispose of records listed in the schedule. The new edition includes new listings and expands series description instructions. Records are authorized to be destroyed or otherwise disposed of after Council adopts the schedule without having to go back to Council for further approval each time records need to be disposed of. The new schedule supersedes the schedule approved in 1997 and updated in 2002 and will remain in effect from the date of approval until it is reviewed and updated again.

By motion of Councilman Woolard, seconded by Mayor Pro tem Mercer, Council approved the newly revised *Municipal Records Retention and Disposition Schedule* dated May 19, 2009.

ADOPT – BUDGET ORDINANCE FOR DEBT REPAYMENT

Matt Rauschenbach, CFO explained investment earnings are 0.41% on Capital Management Trust Fund investments. Installment debt is at least 3.5%. It is suggested to use \$875,000 of General, Sewer, Electric and Solid Waste Fund Balance to pay for budgeted Installment Purchases instead of borrowing the money. The General Fund would have to loan the Electric Fund money to cover the expenses. This will save \$95,067 in interest expense. Mayor Pro tem Mercer voiced concerns over inner fund loans and questioned if the LGC has given the okay for this process.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted a budget ordinance to appropriate fund balance to pay for budgeted 2009-2010 Installment Purchases, subject to LGC approval. Voting for the motion: Councilman Woolard, Councilman Brooks and Councilman Jennings; against the motion: Mayor Pro tem Mercer and Councilman Davis.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2009-2010**

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

Section 1. That the Estimated Revenues in the General Fund be increased or decreased in the following amounts and accounts shown:

10-00-3920-9101	Installment Note Proceeds	(\$108,000)
10-00-3991-9910	Fund Balance Appropriated	<u>83,178</u>
		(\$24,822)

Section 2. That the following accounts in the Debt Service, Customer Service, and Police Department portions of the General Fund budget be increased or decreased in the following amounts shown.

10-50-4020-8000	Proposed Installment Note Pmts.	(\$24,822)
10-00-4135-7400	Capital Outlay	14,000
10-00-4135-7401	Installment Purchases	(14,000)
10-10-4310-7400	Capital Outlay	94,000
10-10-4310-7401	Installment Purchases	<u>(94,000)</u>
		(\$24,822)

Section 3. That the Estimated Revenues in the Sewer Fund be increased or decreased in the following amounts and accounts shown:

32-90-3920-9101	Installment Note Proceeds	(\$30,000)
32-90-3991-9910	Fund Balance Appropriated	<u>23,130</u>
		(\$6,870)

Section 4. That the following accounts in the Debt Service and Lift Station Department portion of the Sewer Fund budget be increased or decreased in the following amounts shown.

32-90-4020-8300	Installment Note Principal Pmts.	(5,500)
32-90-4020-8301	Installment Note Interest Pmts.	(1,370)
32-90-8230-7400	Capital Outlay	\$30,000
32-90-8230-7401	Installment Purchases	<u>(30,000)</u>
		(\$6,870)

Section 5. That the Estimated Revenues in the Electric Fund be increased or decreased in the following amounts and accounts shown:

35-90-3920-9101	Installment Note Proceeds	(\$562,000)
35-90-3991-9910	Fund Balance Appropriated	<u>472,000</u>
		(\$90,000)

Section 6. That the following accounts in the Debt Service, Substation, and Construction Department portion of the Electric Fund budget be increased or decreased in the following amounts shown.

35-90-4020-8300	Installment Note Principal Pmts.	(70,000)
35-90-4020-8301	Installment Note Interest Pmts.	(20,000)
35-90-8370-7400	Capital Outlay	192,000
35-90-8370-7401	Installment Purchases	(192,000)
35-90-8390-7400	Capital Outlay	370,000
35-90-8390-7401	Installment Purchases	<u>(370,000)</u>
		(\$90,000)

Section 7. That the Estimated Revenues in the Solid Waste Fund be increased or decreased in the following amounts and accounts shown:

38-90-3920-9101	Installment Note Proceeds	(\$175,000)
38-90-3991-9910	Fund Balance Appropriated	<u>134,880</u>
		(\$40,120)

Section 8. That the following accounts in the Debt Service and Collection Department portion of the Solid Waste Fund budget be increased or decreased in the following amounts shown.

38-90-4020-8300	Installment Note Principal Pmts.	(\$32,200)
38-90-4020-8301	Installment Note Interest Pmts.	(7,920)
38-90-4710-7400	Capital Outlay	175,000
38-90-4710-7401	Installment Purchases	<u>(175,000)</u>

(\$40,120)

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. This ordinance shall become effective upon its adoption.

Adopted this the 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

ADOPT – BUDGET ORDINANCE AMENDMENT FOR THE POLICE DEPARTMENT
(\$3,000)

Mick Reed, Chief of Police explained the City of Washington has received \$3,000 from the Lenoir County Sheriff's Office. These funds were received from the sale of eight (8) surplus radio modems. The Washington Police Department would like to use these proceeds to pay for the labor and hardware of installing a "VIPER Consolette" into the radio dispatch console. Mayor Pro tem Mercer inquired where did we get the consolette from? Chief Reed explained we received the current console from a Homeland Security Grant.

By motion of Mayor Pro tem Mercer, seconded by Councilman Woolard, Council adopted a budget ordinance amendment in the amount of \$3,000 for the Police Department.

Councilman Jennings inquired when the City would be ready to accept wireless calls. Chief Reed stated everything should be finalized in 2-3 weeks. Mayor Pro tem Mercer asked Matt Rauschenbach to verify Council has approved the \$77,000 for upgrades to the equipment at the Communications Center.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2009-2010**

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

Section 1. That account number 10-00-3840-8100, Sale Surplus Equipment portion of the General Fund appropriations budget, be increased in the amount of \$3,000 due to sale of eight surplus radio modems.

Section 2. That account number 10-10-4310-1602, Maintenance/Repair Radios portion of the General Fund Police Department, be increased in the amount of \$3,000 to pay for labor and hardware cost associated with the installation of a Viper Consolette for the radio dispatch consoles.

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 21st day of September, 2009.

s/Cynthia S. Bennett
CYNTHIA S. BENNETT
CITY CLERK

s/Judy M. Jennette
JUDY M. JENNETTE
MAYOR

CORRESPONDENCE – MICHAEL L. ISBELL, CHAIRMAN, BEAUFORT COUNTY COMMITTEE FOR CONSTITUTIONAL STUDIES – REQUEST A WAIVER OF FEES FOR USE OF BLEACHERS

Jim Smith, City Manager reported he has spoken with Mr. Isbell regarding the fees. Mr. Smith has explained the fees for using the bleachers was a new fee, the last time the event was held this fee had not been established. Mr. Isbell has paid the fee for using the bleachers, but is requesting his money be reimbursed. Mr. Smith noted if we reimburse his fee, we will have to reimburse everyone else that has paid the fee. Council, by consensus agreed to let the fees stand.

CORRESPONDENCE – MR. MARVIN C. REID – RE: UTILITIES

Mayor Jennette reviewed a letter from Mr. Marvin Reid concerning utility bills and the request for Council to review the utility rates. Mayor Jennette noted the rates were discussed earlier in tonight's meeting.

CLOSED SESSION- UNDER NCGS 143-318.11(A)(6) PERSONNEL G.S. 143-318.11(A)(3) ATTORNEY/CLIENT PRIVILEGE

By motion of Councilman Woolard, seconded by Councilman Davis, Council agreed to go into closed session at 8:10pm under NCGS 143-318.11(a)(6) Personnel G.S. 143-318.11(a)(3) Attorney/Client Privilege.

By motion of Councilman Woolard, seconded by Councilman Jennings, Council agreed to come out of closed session at 9:15pm.

The following statement was read by Franz Holscher, City Attorney: North Carolina General Statutes 143-318.11(a)(3) requires that, whenever a public body has approved or considered a settlement in closed session, the terms of the settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. In compliance with said statute, I submit the following. Washington Housing Limited Partnership owns certain property in the City of Washington, on which property Brittany Place Apartments is located. Some years ago and apparently without permission, the City tapped onto its water and sewer connections that were serving the apartments and ran underground extensions across the Partnership's property to provide water and sewer service to an adjoining property owner. The Partnership, through its attorneys, asserted a claim for trespass and demanded restoration of their property. The property has been fully restored and the City has settled this claim by acquiring an easement for \$1,000.00.

ADJOURN

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adjourned the meeting until October 12, 2009 at 4:30pm at the GMH Senior Center.

Cynthia S. Bennett
City Clerk