

The Washington City Council met in a regular session on Monday, July 26, 2010 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, Councilman; Ed Moultrie, Councilman; William Pitt, Councilman; Gil Davis, Councilman; Bobby Roberson, Mayor Pro tem; Jim Smith, City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Fire Chief; Frankie Buck, Assistant Public Works Director; John Rodman, Planning Director; Keith Hardt, Electric Director; David Carraway, Information Technology; Gloria Moore, Library Director; Philip Mobley, Parks & Recreation Director; Mick Reed, Police Chief; and Mike Voss, of the Washington Daily News.

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

**APPROVAL OF MINUTES**

Councilman Mercer requested that an amendment be made to the June 21, 2010 minutes on page 2, paragraph 4 to include the statement “ the additional 1½ cents specific to the public safety capital reserve fund”, the motion will read as follows: (begin motion) By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the user fee schedule included in the appendix of the budget, set 2010 Advalorem Tax rate at \$0.50 per \$100.00 value which represents a revenue neutral rate of \$.4856 and an additional amount (clarification: “the additional 1½ cents specific to the public safety capital reserve fund”) for public facilities, and adopted Budget Ordinance for Fiscal Year 2010-2011 by 4-1 vote. Councilman Mercer opposed.(end motion)

Councilman Mercer also asked staff to make sure the corrections had been made to the fee schedule regarding the electric deposit fee language.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council unanimously approved the minutes of May 24, June 1, June 14, 2010 as presented, and June 21, 2010 as amended.

**PRESENTATIONS:**

Ms. Beth Batchelor – Washington Daily News Athlete of the Year

Ms. Hanna Copeland, Ms. Janella Thompson, Ms. Kiara Smith and Ms. Crystal Martinez – Award Winning Public Service Announcement for Stormwater Project

Gratitude to Lee Chevrolet – Donation Fire Works Display

Honoring Mr. Linley Gibbs - Dedicated Member of the Washington Tourism Development Authority

NC Department of Labor Safety Awards and Electricities Safety Award: Electric Department, Fire Department and Public Works Department

**APPROVAL/AMENDMENTS TO AGENDA**

Mayor Pro tem Roberson suggested placing a 9:30pm time assessment on the agenda to determine if any remaining items should be continued to another meeting. Councilman Mercer requested Item F: Authorize – City Manager to Refund Ms. Sina Thurman Sewer Charges Beyond that Allowed by City Code (\$703.51); be moved to New Business as Item J. Mayor Jennings noted, the closed session topics will be continued until August 9<sup>th</sup> due to the length of the agenda, at that time a discussion regarding personnel will be held along with approving closed session minutes.

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

**CONSENT AGENDA:**

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

**A. ADOPT – ADMINISTRATIVE GUIDELINES AND PROGRAM POLICIES FOR THE CITY’S FY09 CDBG – HD PROGRAM**

1. Financial Management Resolution 2. Citizen Participation Plan 3. Local Economic Benefit for LMI persons 4. Equal Employment & Procurement Policy 5. Policy Concerning Code of Conduct	6. Policy Prohibiting Use of Force 7. Legally Binding Commitment 8. Floodplain Certification 9. Release of Funding Conditions 10. Implementation Schedule
--	---

**B. REPORTING – REALLOCATION OF FUNDING 2009/2010 BUDGET – GENERAL FUND, WATER FUND, SEWER FUND, STORM WATER FUND, ELECTRIC FUND, AND AIRPORT FUND**

<b>General Fund:</b> -Decreased Miscellaneous \$41,629 -Decreased Economic Development \$9,375 -Decreased EMS \$52,175 -Increased Mayor \$940 -Increased Human Resources \$1,650 -Increased Finance \$2,660 -Increased Billing \$12,680 -Increased Customer Service \$8,142 -Increased Outside Agencies \$1,100 -Increased Legal Services \$29,000 -Increased Municipal Building \$8,280 -Increased Code Enforcement/Inspections \$7,025 -Increased Street Maintenance \$9,926 -Increased Street Lighting \$2,000 -Increased Public Works Director \$2,380 -Increased Brown Library \$4,532 -Increased Recreation Administration \$5,929 -Increased Events & Facilities \$6,585 -Increased Civic Center \$350	<b>Sewer Fund:</b> -Decreased Wastewater Treatment Plant \$1,510 -Increased Public Works Director \$1,510 <b>Water Fund:</b> -Decreased Water Treatment \$8,755 -Increased Public Works Director \$1,385 -Increased Water Construction \$7,370 <b>Storm Water Fund:</b> -Decrease Contingency \$5,275 -Increase Administration and Operations \$5,275 <b>Warren Field Airport Fund:</b> -Increased Airport Operations \$14,590 -Decreased Airport Contingency \$14,590 <b>Electric Fund:</b> -Decreased Power Line Construction \$105,460 -Increased Misc. Non-Departmental \$7,310 -Increased Utility Communications \$28,650 -Increased Purchase Power \$69,500
--	--

**C. ACCEPT – DONATION FROM LEE CHEVROLET BUICK AND ADOPT BUDGET ORDINANCE AMENDMENT FOR THE DONATION (\$10,000)**

**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 10-40-3612-4802, Recreation Fees Special Events portion of the General Fund revenue budget, be increased in the amount of \$10,000.

Section 2. That account number 10-40-6121-3403, Special Events portion of the General Fund appropriations budget, be increased in the amount of \$10,000.

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 26th day of July, 2010

**s/Cynthia S. Bennett  
City Clerk**

**s/N. Archie Jennings, III  
Mayor**

**D. ADOPT – BUDGET ORDINANCE AMENDMENT FOR SEWER IMPROVEMENTS ALONG PENNSYLVANIA AVENUE (\$15,000)**

**AN ORDINANCE TO AMEND THE PROJECT 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 Construction portion of the CDBG Grant Fund Pennsylvania Avenue Sewer Extension project be decreased in the amount of \$15,000, account number 71-90-8000-4500.

Section 2. That account number 71-90-8000-0405, Engineering portion of the CDBG Grant Fund Pennsylvania Avenue Sewer Extension project be increased in the amount of \$15,000.

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 26<sup>th</sup> day of July, 2010.

**s/Cynthia S. Bennett**  
**City Clerk**

**s/N. Archie Jennings, III**  
**Mayor**

E. **AUTHORIZE – CITY MANAGER TO SIGN RELEASE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT WITH BRIDGE HARBOR, LLC (FIREWORKS)**

**RELEASE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT**

WHEREAS, the City of Washington (“City”) has contracted with East Coast Pyrotechnics, Inc. to provide a fireworks show for the public on July 4, 2010;

WHEREAS, the City has requested Bridge Harbor, LLC to allow its property to be used in conjunction with the above; and

WHEREAS, Bridge Harbor, LLC desires to permit its property to be used in conjunction with the above upon the condition that the City furnish it with this Release, Hold Harmless and Indemnification Agreement (“Release”).

NOW THEREFORE, know all persons by these presents, upon execution of this Release and in consideration of the foregoing, which consideration is acknowledged to be sufficient and legally binding, the City does hereby agree to unconditionally release, hold harmless, indemnify, acquit and forever discharge Bridge Harbor, LLC, and its respective agents, representatives, insurers, successors, and assigns, and each of them, respectively, of and from all and any manner of action or actions, cause and causes of actions, claims, demands, costs, expenses, attorney’s fees, and consequential, general, special, and punitive damages or liabilities, known or unknown, on account of; or in any way related to or growing out of the use of Bridge Harbor, LLC’s property to produce a firework show for the public on July 4, 2010 as more particularly described hereinabove.

IN WITNESS WHEREOF, the City has caused this instrument to be executed in its name by its City Manager, attested by its City Clerk, and its corporate seal to be hereunto affixed, all by proper corporate authority duly given.

This the 28<sup>th</sup> day of June, 2010

**s/Cynthia S. Bennett**  
**City Clerk**

**s/James C. Smith**  
**City Manager**

F. **(Moved to New Business- Item J) AUTHORIZE – CITY MANAGER TO REFUND MS. SINA THURMAN SEWER CHARGES BEYOND THAT ALLOWED BY CITY CODE (adjustment \$703.51 and an additional adjustment \$2,618.14)**

**COMMENTS FROM THE PUBLIC:**

**Mac Hodges, Washington Harbor District Alliance** requested approval for allowing alcohol on site at the Sept. 12<sup>th</sup> Pirates Beach Music Festival and the Oct. 9<sup>th</sup> presentation of the ECU vs. Southern Mississippi which are being added to the Movies in the Park schedule. The Pirates Beach Music Festival will be sponsored by the Belle of Washington. In regards to the Beach Music Festival, the event will be as it was last year, allowing canned beer to be brought by attendees or they may purchase beer from Pirates Pub or Mimi's which are located in the footprint of the concert. Mayor Jennings noted this item would be included in the August 9<sup>th</sup> agenda.(topic was readdressed later in the meeting)

**Elder John White, 128 Thomas Road,** stated he has an issue with an easement and damages he received when a tree fell on his personal property. He stated there seems to be a 16' easement between the power line and where he lives at 128 Thomas Road. There have been several events of power outages and trees in the power lines from 2008 to last year. The tree has been trimmed on several occasions and they came back in November and cut the top out of the tree and cut all the limbs out. At that time it was discussed they were going to remove the two trees because the limbs blew the transformer. He was left with the thought that the trees would be removed. Sometime after July 2<sup>nd</sup> the tree fell across his barn, riding lawn mower, four wheeler, motorcycle, a convertible vehicle and his daughter's go-cart. An assessment of the damages was completed and Mr. White said he was lead to believe an agreement would be settled for the damages. Mr. White stated the adjuster called later and said they weren't going to pay him. He met later with Bill Lurvey, Risk Manager and received documents regarding work orders for his property. Mr. White was told a field supervisor (Al Leggett) from the City would come and assess the tree.

Mayor Jennings stated he appreciated Mr. White coming down to explain this to Council and he was made aware of the situation earlier today. Mayor Jennings would like for the City to look at this situation to make sure we have all the facts and then get back to Mr. White. Mr. White stated in reference to restrictions, he was told the restrictions were for the dwellings only. He understood that if needed at anytime the tree would be taken down. Mr. White says he has one more tree that Mr. Leggett told him they would take down because it blew the transformer. The tree is leaning towards his house and bedroom and he is afraid the tree will fall on his house. Mayor Pro tem Roberson asked Mr. White if he could summarize on one page what happened and submit that to the City. Mr. White stated he did that when he met with Dave Roberson from Risk Management in Raleigh. Mr. White stated he was told it was his fault because he parked his car in the driveway. Mayor Jennings stated the League has already looked into this issue and we have some summary facts. Mayor Pro tem Roberson asked Mr. White if he had to go to Raleigh? Mr. White says he drives to Raleigh every Sunday as his brother is a Pastor and he assists him there. Mayor Jennings thanked Mr. White for bringing this issue to the Council's attention.

**PUBLIC HEARING: ACCEPT – ZONING CHANGE CONSISTING OF 7.78 ACRES OF PROPERTY LOCATED AT THE INTERSECTION OF HWY 17 N & NEW HOPE ROAD**

Mayor Jennings opened the public hearing. John Rodman, Planning Director stated a request has been made by Mr. Jason Briley, representing Northgate Homes, to rezone approximately 7.78 acres of property located at the intersection of Hwy 17 N and New Hope Road (SR 1439). The property is currently zoned RA-20 (Residential Agricultural) and the request is to rezone the property to B-4 (Neighborhood Business). The Planning Board voted 7-0 to recommend to City Council to approve the rezoning of the 7.78 acres.

Mayor Pro tem Roberson stated the zoning change needs to be consistent with the comprehensive plan and land use map. Mr. Rodman noted this issue is reflected in the Resolution presented by the Planning Board. Mr. Rodman said there will be no access to this property from Hwy. 17, access will only be obtained from New Hope Road.

**Public Comment:**

Jason Briley came forward to answer any questions Council may have. There being no further public comments, the public hearing was closed.

By motion of Mayor Pro tem Roberson, seconded by Councilman Mercer, Council accepted the recommendation of the Planning Board and approved the rezoning of the property located at the intersection of Hwy 17 N and New Hope Road (SR1439) containing 7.78 acres, from RA-20 (Residential Agricultural) to B-4 (Neighborhood Business) based on the findings (Resolution) by the Planning Board and to amend the Comprehensive Land Use Plan to reflect the Neighborhood Commercial District zoning change.

**RESOLUTION OF THE CITY OF WASHINGTON PLANNING BOARD  
CONTAINING A RECOMMENDATION TO THE  
WASHINGTON CITY COUNCIL CONCERNING A PROPOSED  
ZONING MAP AMENDMENT**

WHEREAS, the City of Washington received a request to rezone certain property from RA-20 (Residential Agricultural) to B-4 (Neighborhood Business) which property is specifically identified as Beaufort County Parcel Identification Numbers 5677-48-0457 and 5677-48-0785; and

WHEREAS, North Carolina General Statute §160A-383 states, in pertinent part “.... the planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board.....”

WHEREAS, the rezoning request was duly advertised and the subject of a public hearing by the Planning Board of the City of Washington on June 22, 2010; and

WHEREAS, the City of Washington Planning Board made the following findings and conclusions:

1. The subject parcels and rezoning request are subject to the Comprehensive Land Use Plan and other officially adopted plans by the City of Washington.
2. The rezoning request is not consistent with the City of Washington’s Future Land Use Map because said map designates the subject parcels as an area suitable for an O&I (Office and Institutional) zoning classification.
3. The rezoning request is not unreasonable because of the inconsistency with said map because the land uses in close proximity to the proposed rezoning are compatible with the rezoning requests and the adjacent zoning district.
4. The rezoning request is consistent with the Comprehensive Plan which states that the demand for regional commercial nodes exist or will exist along the northern ETJ extent of the US Hwy 17 Bypass.
5. The rezoning request is in the public interest due to the change of land use activities in the area and because of the positive impact to the surrounding community and immediate neighbors.

NOW, THEREFORE, BE IT RESOLVED, on the basis of the foregoing findings and conclusions, the Planning Board does hereby recommend to the City Council that the rezoning request be APPROVED.

**s/Dot Moate, Chair  
City of Washington Planning Board**

**PUBLIC HEARING: ACCEPT – A PROGRAM AMENDMENT TO THE PROJECT  
DESCRIPTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT: 08-C-1812-  
CAPACITY BUILDING ELIMINATING THE TRAINING AND HIRING OF NEW STAFF  
AS A FUNCTION OF THE GRANT**

Mayor Jennings opened the public hearing. Bianca Gentile is the administrator of the grant, but is out on maternity leave, subsequently, John Rodman, Planning Director will update Council on the status of the grant. Mr. Rodman stated in 2008 the City of Washington was awarded a Capacity Building Grant in the amount of \$75,000. Part of the program description was to hire an additional staff person for housing counseling, etc. They were dependent upon the Z. Smith Reynolds Foundation to assist in funding that position, the funding did not

materialize and they were unable to fund the position. The Division of Community Assistance asked that a program amendment be written stating the additional staff person would not be hired.

The current economic crisis and the lack of private foundation support (Z. Smith Reynolds foundation declined their application to expand staff levels) negates the addition of a new staff as a prudent move for the sub grantee, Washington Housing Incorporated (WHI). WHI's grant match remains the same and no budget revisions are required. Council requested additional information on this item and placed this topic on the August 9<sup>th</sup> agenda for action.

Public comment. There being no public comments, the public hearing was closed.

**PUBLIC HEARING: APPROVE –THE APPLICATION TO THE BUREAU OF JUSTICE THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE GRANT, LOCAL SOLICITATION DIRECT APPROVE –THE APPLICATION TO THE BUREAU OF JUSTICE THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE GRANT, LOCAL SOLICITATION DIRECT APPROPRIATIONS (\$12,852)**

Mayor Jennings opened the public hearing. Chief Mick Reed stated the Washington Police Department received notification that they had become eligible for Edward Byrne Memorial Justice Grant. Our obligation is to hold a public hearing and to provide documentation of how the funds would be spent. This grant requires no local match. The funds would be used for equipment needs such as:

Light Weight Duty Gear (belt, holster, handcuff case, etc.)	\$200 each for 37 sworn officers	\$7,400.00
Uniform Shirt Badges	\$71.20 each for 35 sworn officers	\$2,492
Special Event Uniform Shirts	\$40 each for 37 sworn officers	\$1,480
Special Event Uniform Pants each for 37 sworn officers	\$40 each for 37 sworn officers	\$1,480
		TOTAL \$12,852.00

Mayor Jennings opened the floor for public comment. There being no public comments, the public hearing was closed.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the application to the Bureau of Justice through the Edward Byrne Memorial Justice Grant, Local Solicitation Direct Appropriations (\$12,852).

**PUBLIC HEARING: APPROVE – CONVERSION PROCESS FOR HAVENS GARDENS D.O.T. PROCEEDS**

Mayor Jennings opened the public hearing. Philip Mobley, Parks and Recreation Director stated because Havens Gardens was remodeled using a grant from the Land and Water Conservation Fund (LWCF) in the late 1980's, the City must always use this area for Parks and Recreation. When NCDOT widened the Park Drive Hwy 32 Road and Bridge, they had to use part of Havens Gardens buffer areas on the park side and the boat ramp side.

NCDOT paid the City the appraised value of the land which was \$145,200, two parcels of approximately .5 acres, total. The City purchased Tract (1) on 9/9/09 for \$67,150 and Tract (2) with its 2 parcels on 7/21/10 for \$60,000 from Ms. Mayo. Mr. Thomas Moore, owner of tract (3), and the City of Washington are starting to negotiate. Mr. Mobley said the Public Meeting is a requirement for the Conversion process. The City Attorney and City Staff are diligently working to compile the necessary support documentation to be submitted to the National Park Service Southeast Regional Office in Atlanta, GA by August 21, 2010.

Public Comments: There being no public comments, Mayor Jennings closed the public hearing.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council held the required public comment period and upon conclusion approved the conversion process for Havens Gardens.

**MS. PAT MANSFIELD – UPDATE BLACKBEARD ALLIANCE - ABSENT**

**MS. STACEY VANDERMEEDEN – 14<sup>TH</sup>/NICHOLSON STREET STOP SIGN REQUEST – ABSENT**

**MS. SUSAN ZACHARY – STREET CLOSING MAIN/STEWART PARKWAY**

Ms. Zachary addressed the Council regarding the recent closing of the sweeping turn from Main Street onto Stewart Parkway. Councilman Mercer stated when the Revitalization Plan was reviewed one of the suggestions was the realignment of Main and Gladden Street and to subsequently do away with the sweeping turn from Main Street onto Stewart Parkway. He stated he made the original motion to close the turn for a period of 60 days to see what would happen if that turn was eliminated. This would allow us to determine how this area would be modified. Mayor Jennings noted we did a poor job of notifying the public as to the reason that area was closed off. Ms. Zachary said something should have been posted on the barrier explaining the reason for the closing and a phone number to call to voice concerns or ask questions. Jim Smith, City Manager stated the Washington Daily News published two articles regarding this topic and it was on the City's cable information channel as well.

RECESS: 6:30pm-6:45pm

\*Mayor Jennings stated we need to take up several action items: (1) Mac Hodges, WHDA (2) Ms. Sina Thurman, Sewer Charge Refund (3)Public Comments: Omar Parker.

**MAC HODGES, WASHINGTON HARBOR DISTRICT ALLIANCE**

Mayor Jennings stated the WHDA is requesting permission to allow people to bring coolers and canned beer and allow the consumption of beer in the contained roped off area at the Sept. 12<sup>th</sup> Pirates Beach Music Festival. As well as allow Mimi's and Pirates Pub to sell beer during this event. They are also requesting permission to reserve docks J, K, and L because the Belle of Washington is the sponsor for the event.

Councilman Mercer voiced concern and opposition to the selling and/or consumption of alcoholic beverages during a family event.

By motion of Councilman Davis, seconded by Councilman Pitt, Council approved the request by Washington Harbor District Alliance to allow people to bring coolers with canned beer and the consumption of beer in the contained area at the September 12<sup>th</sup> Pirates Beach Music Festival as well as to allow Mimi's and Pirates Pub to sell beer during this event. The motion carried 4-1 with Councilman Mercer opposing.

**AUTHORIZE – CITY MANAGER TO REFUND MS. SINA THURMAN SEWER CHARGES BEYOND THAT ALLOWED BY CITY CODE (adjustment \$703.51 and an additional adjustment \$2,618.14)**

(begin Memo from Allen Lewis, Public Works Director) Ms. Thurman lives outside the City on a private road just off of Highland Drive. She is an outside city water customer who has also been charged outside city sewer since January of 2005. She was informed by her landlord last month that she had a septic tank and was not on city sewer. Staff has confirmed this on the ground and authorized a refund of 12 months worth of sewer charges, the maximum permitted per city code sec. 38-217(a)(1) which states, "If the city determines that it has overcharged or undercharged a customer on account of its error, the city shall refund or recover the difference subject to the following: The adjustment period shall be limited to the lesser of the actual period during which the error occurred or twelve (12) months". This amounted to a \$703.51 adjustment. While Ms. Thurman is familiar with the above noted portion of the City Code, she is not satisfied with the adjustment thus far and feels that she is due an adjustment from January of 2005. This would result, by my calculations, in an

additional adjustment of \$2,618.14. Thus, based on recent precedent by Council, staff is asking Council to authorize us to refund the balance noted above. (end memo)

Ms. Sina Thurman stated for five years she has been charged for sewer and she has a septic tank. Mayor Jennings gave a brief history of this item stating she was credited \$703.51 and should be refunded an additional \$2,618.14, which requires Council approval.

By motion of Councilman Davis, seconded by Councilman Moultrie, Council authorized the Manager to refund Ms. Sina Thurman sewer charges beyond that allowed by City Code in the amount of \$2,618.14.

Mayor Pro tem Roberson suggested the need for a map that shows the parcel numbers served by city utilities that could be used by customer service for determining fees, etc. Mr. Smith stated we need a GIS mapping system that all this information could be linked to, but we would need funding for that.

#### **PUBLIC APPEARANCE: OMAR PARKER**

Mr. Omar Parker thanked Council for keeping him out of foreclosure regarding the former Beaufort County Health Department building on Harvey Street. Mr. Parker stated that if he could get the money he would like to get the building back to be able to continue his project and save the building. Mayor Jennings stated the building is in a tough condition and FEMA has identified this structure as a repetitive loss and they are in the process of determining if any structure should be allowed at that location due to flooding. Mayor Jennings stated Mr. Parker's ministry and program is not linked to that building. Mayor Jennings suggested that Mr. Parker meet with the Manager and Parks and Recreation Director when he has his plan ready.

#### **DISCUSSION – STATUS OF CURRENT GRANTS (2010 DEPARTMENTAL AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) AND NON-ARRA FUNDING OPPORTUNITIES)**

Mr. Smith stated this was a monthly update from Bianca Gentile. (begin memo) Respectfully submitted is a departmental and ARRA project update.

#### **Notifications and Awards:**

NC Department of Energy, Energy Interns: The City of Washington will use two interns from East Carolina University to work with city staff and the staff of Martin County Community Action Agency which provides weatherization services locally. The analysis will establish the most effective weatherization measures and review the minimum housing code. Grant award amount: \$30,000; Total project cost: \$49,960 (city and ECU match with in-kind services).

#### **Submittals:**

- Department of Environment and Natural Resources: Planning Access Grant. Funds will used to construct restrooms and showers as proposed in the Revitalization Strategy (90% grant, 5% cash match, 5% in-kind match). Pre-application due: July 26, 2010 and if invited to apply for funds final application is due September 26, 2010.
- Department of Environment and Natural Resources: Boating Infrastructure Grant (BIG). Funds will be used to offset the cost of constructing bathrooms and shower facilities as proposed in the Revitalization Strategy. These funds can only be used for the "transient" boater population, or roughly 25% of the total project cost. Deadline: July, 2010. Written by Michele Oros on behalf of planning and parks and recreation departments.
- Main Street Energy Fund: The State Energy Office is released the Request for Proposals just as I went out on maternity leave. DWOW has contracted the services of Ellen Hoj to assist with grant preparation. This program is designed to assist NC Main Street municipalities with energy upgrades in the central business district. Eleven local businesses received FREE energy audits and five will likely apply: Inner Banks Arts Center, Fire Station Lofts, The Moss House, RuffKuttz and Haven's Wharf Application will be submitted August 2nd 2010.

#### **Potential projects:**

- The North Carolina State Energy Office (SEO) is soliciting proposals from local governments, public K-12 schools and community colleges for energy efficiency upgrade projects using commercially available technologies that reduce energy consumption and reduce emissions. All facilities must be located in North Carolina. Funds for this Funding Opportunity come from the American Recovery and

Reinvestment Act of 2009 and are intended to result in significant and sustained job creation and energy efficiency. The SEO is requesting Projects that are cost effective and can be quickly implemented while attaining the job creation and retention, and achieve energy efficiency goals. Institutions must follow competitive bid process requirements for proposed projects. The focus of this grant is to reduce energy consumption and provide jobs or retain existing jobs.

Building retrofits must result in sustainable energy savings. The successful Applicant must manage and monitor the retrofit work, verify energy savings and verify economic benefits including job creation and retention.

Eligible projects are limited to:

- lighting retrofits, such as switching T-12 to T-8 or T-5;
- installation of lighting control technology, including occupancy sensors;
- retro-commissioning of HVAC equipment and energy management systems;
- installation of premium efficient motors and/or drives;
- basic weatherization; and
- heating and air conditioning analysis, optimization, repair and replacement (boilers are excluded).

REQUESTING PERMISSION TO SUBMIT AN APPLICATION ON AUGUST 10, 2010 to SEO to conduct a lighting retrofit on 9 municipal buildings and the Impression's Building.

The North Carolina State Energy Office (SEO) will award a portion of its Energy Efficiency Community Block Grants (EECBG) American Recovery and Reinvestment Act (ARRA) funding to City and County governments, public schools K- 12, and community colleges for Projects in the **transportation sectors**. Awards may be made for Projects that further the goals stated below:

- Improving energy efficiency and reducing energy consumption;
- Displacing petroleum usage;
- Creating and/or retaining jobs;
- Reducing greenhouse gas (GHG) and criteria pollutant emissions; and
- Implementing Projects that could be replicated around the state.

The following projects are eligible for funding at the levels indicated below.

**Project Description Eligible Amount**

- Installation of refueling/recharging infrastructure for alternative fuel vehicles up to 50% of cost
- Conversion of existing fuel storage tanks to ethanol or biodiesel up to 100% of cost
- Purchase of advanced technology vehicles up to 50% of incremental cost
- Lease of advanced technology vehicles up to 50% of incremental cost
- Installation of idle reduction mechanisms up to 50% of cost
- Vehicle conversions, repowers, and retrofits up to 100% of cost
- Installation of LED street lighting, LED traffic signals, or signal synchronization up to 100% of cost

REQUESTING PERMISSION TO SUBMIT AN APPLICATION ON AUGUST 27, 2010 to SEO, should a project be identified.

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council authorized the submittal of grant applications to the State Energy Office on August 10, 2010 to conduct a lighting retrofit on 9 municipal buildings and the Impression's Building and on August 27, 2010 should a project be identified in the transportation sector of grant funding.

**HUMAN RELATIONS COUNCIL**

**Postmaster Ms. Myra Lynn** discussed the need for support of the promotion of the Negro Leagues Baseball Stamp official pre-issuance. This event will be coming to Washington on July 2, 2010. Sponsors include: U. S. Postal Service, Beaufort County Human Relations, the City of Washington and Metropolitan AME Zion Church. The Human Relations Council succeeded in collecting over \$3,000 in sponsorship for this event. Also, with the help of Mr. James C. Smith, City Manager, Ms. Lynn was pointed in the right direction for any assistance she would be in need of. Mayor Jennings presented the first key to the city to the Negro Leagues members at the luncheon held at Metropolitan.

**Joint meeting with Greenville HRC Broad** — Board members suggested Councilman Pitt arrange a meeting with Ms. Cassandra Daniels and the board will finalize the date at the July meeting.

**Appropriation of funding** — The remaining account balance was distributed between the Negro Leagues Baseball Stamp official pre-issuance and Martin Luther King Jr. National Memorial.

#### **TOURISM DEVELOPMENT AUTHORITY**

##### **Report JUNE-JULY 2010**

- Met with NCDOT officials to discuss safety and signage concerns along the bypass. Because there is no opportunity for private billboards (2+ miles of bridge), a plea has been made for special consideration for signage along the bypass. While it is doubtful that we will be successful, they have ensured their assistance when/where possible.
- Banner ad on [www.cruisersnet.net](http://www.cruisersnet.net) can now be found on a premium page, rather than just the NC page it was previously on. Have been discussing additional free opportunities within this site with their marketing people.
- Met with Eye Integrated to determine our course of action for the next 6 months, including media placements, billboard needs, and additional opportunities. They will present our plan at the July meeting.
- July-December calendars are completed and are presently being distributed.
- Met with a representative from Journal Communications to discuss the marketing opportunities available with [www.VisitNC.com](http://www.VisitNC.com) and the NC Travel Guide. The print component includes considerable added value on the website (video, banner ad, and brochure downloads). These opportunities will begin January 2011. We are presently considering the options that will ultimately be selected.
- Began employee evaluations for all employees (full-time and part-time).
- Re-supplied sales inventory for the Visitor Center and introduced new post cards and decals.
- Sent correspondence to local merchants letting them know of items available for wholesale and reminding them of opportunities to promote their businesses on the visitor website.
- With the intention of attracting room nights for Washington hotels, I have initiated conversations with the baseball and softball leagues to offer assistance and support for hosting tournaments. I have also pitched this idea to the Mayor and am encouraged that the parties will begin working together towards a common goal of economic development.
- Request for proposals for Civic Center sales has been distributed to several interested parties. A more concentrated distribution will take place in the next week.
- Attended the City's quarterly supervisor's update. The City Manager reviewed the adopted budget and departments shared updates.
- Met with Bill Sykes of the Harbor Commission to discuss marketing of the waterfront docks. This was a great sharing of ideas and opportunities. We will be exploring some cross promotion of the docks on the website, perhaps with a page dedicated to the docks. He is also going to propose to the WHDA that a rack card be developed and printed for distribution at other marinas along the ICW.
- Locations, funding and "owners" of the brick signs are presently being sought. Initial discussions indicate the possibility of locating one sign (the one that has been erected but moved) south of the Highway 17 bridge. It has been suggested that area civic groups and garden clubs be contacted to assist with funding the cost to erect the remaining sign.
- New signage for the Visitor Center is in the works. We were able to acquire a sandwich board from a neighboring business that was closing and door signage will be improved. We have noticed that pedestrians have difficulty determining what the visitor center is, as there is no signage at eye level.

#### **WASHINGTON HARBOR DISTRICT ALLIANCE (WHDA)**

##### **Main Street Energy Grant Round II**

With the delayed release on round two of the Main Street Energy Grant and the fact that the release coincided with Bianca Gentile's maternity leave WHDA was faced with possibly having to cancel the grant application. This would be very disappointing since over 9 businesses have shown interest in using the State's 50% match to improve the energy efficiency in their

downtown properties. WHDA sought assistance by contacting Ellen Hoj, who had just moved to Washington and had expressed an interest in getting involved in WHDA. Ellen has an impressive resume in city planning and grant writing. With Bianca's assistance, Ellen has taken over the project which involves much detail because of the 9 different businesses applying. Ellen Hoj is now about two-thirds of the way through with the grant writing or coordinating process and should be able to meet the August 6th deadline.

#### **NDC - National Development Council**

Chris Furlough, Ross Hamory and Beth Byrd are in communication with Hank Coleman, and are finalizing the NDC contract. Plans have been made for the first onsite visit which will be sometime in August.

#### **Downtown Business Analysis and Development Plan**

Many of the issues facing economic restructuring of the downtown were discussed during the process of creating the Washington Visualization & Reinvestment Strategy for the Washington waterfront last fall. The Chamber of Commerce and WHDA brought Bob Murphrey, NC Main Street Coordinator to town June 30th, when he presented the detailed steps of creating a Downtown Development plan for Washington. The purpose of this plan is to identify the opportunities for business and real estate development in downtown Washington. By producing this analysis of Washington's strengths, weaknesses and opportunities, it will help us all to understand what direction should be forged in the future. Trent Tetterton has stepped forward and offered his assistance to WHDA and the Chamber in acquiring the myriad of information needed. Work is underway and should be completed by the September 1<sup>st</sup> deadline.

#### **Pickin' On the Pamlico**

Please mark you calendars to attend the Annual Pickin' on the Pamlico which will be held Saturday, August 14<sup>th</sup> at Festival Park. The crabs are running great this year — we'll have additional tents in case of rain and we will be dancing to the sounds of Billy Holton and the Soul Shakers who are from Oriental and will make their premiere in Washington. Tickets are \$40.00 and are available at the Visitors Center and Charisma Boutique. Please support WHDA by attending this fundraiser.

#### **Movies in the Park (MITP)**

MITP have proven to be a popular event with at least 80 to 100 people attending each movie. Next movies will be August t2h0 featuring the Eagles Farewell Tour, Sept. 17th when the Chamber of Commerce presents A Bug's Life. We are hoping to add a football game on Oct. 9th when we invite all ECU fans out to watch the 7:30 game against Southern Miss. WHDA will wrap up the season on October 22d when we will show We Are Marshall.

#### **Music In The Streets (MITS)**

MITS continues to be popular even with the summer heat. The committee is dedicated to bringing varying acts and new participants to keep the event fresh. We were proud to be able to entice the National Guard to participate when they brought out their climbing rock wall in July (and have plans for August too). The kids were thrilled. We would like to encourage the Police, Fire Departments and any other City agency to get involved as well.

#### **Pirates Beach Music Festival**

Plans are well underway for the Beach Music Festival which will be held Sunday, Sept. t1h2 at Festival Park. Half of the funds raised will go towards expenses incurred in the design and build of the permanent music pavilion on the festival park grounds.

**Smoke On The Water** is now a production of the Noon Rotary Club with Spencer Stanley of BCDC as the Chair.

#### **Washington Harbor District Board**

We are proud to announce a few new members that have joined the WHDA Board. Garleen Woolard and Rebecca Clark have agreed to share the VP of Organization Chair. Russell Smith has agreed to join the Board in the At-Large position.

**The WHDA Board:**

President - Ross Hamory  
VP Economic Restructuring — Chris Furlough  
VP Promotions — Mac Hodges  
VP Design — Scott Campbell  
VP Organization — Garleen Woolard & Rebecca Clark  
Merchants Rep. — Bob Henkel  
At Large — Russell Smith  
Secretary — Sharon Pettey  
Treasurer — Bill Sykes

**FINANCIAL REPORTS**

Financial reports were distributed to Council prior to the meeting. Councilman Mercer voiced concern over the increase in the Worker's Compensation line item. Mr. Rauschenbach stated the initial reserve was \$600,000 that was to cover our "stop loss" on re-insurance. In year one, we would take the money we would have normally spent being fully insured with the League, this is how the amount increased to approximately \$823,000. We had approximately \$65,000 worth of claims, which would reduce to the amount to 758,000. In the current budget there was no additional funding into the worker's comp reserve. Basically funds will flow in and out depending on claims.

Councilman Mercer also questioned the purchase orders submitted at the end of the fiscal year. He would like a printout of purchase orders that were issued in June in excess of \$5,000. Mr. Rauschenbach will have the requested documents for the August 9<sup>th</sup> meeting.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council accepted the reports of the Human Relations Council, Washington Harbor District Alliance, Tourism Development Authority and Financial Reports as presented.

**APPOINTMENTS – VARIOUS BOARDS, COMMISSIONS AND COMMITTEES**

Council continued the appointments to the Planning Board, Alternate Member-Enlarged Board of Adjustment, Library Board, Alternate At Large-Washington Electric Utilities Advisory Board, Airport Advisory Board and remaining vacancies on the Human Relations Council to allow time for more applications to be received.

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council appointed Claud Hodges to the Board of Adjustment, to fill the expired term of Chris Tkach, term to expire June 30, 2013.

By motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council reappointed Tim Ware(outside) to the Recreation Advisory Committee term to expire June 30, 2013.

By motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council reappointed Cindy Cochran(inside) to the Recreation Advisory Committee term to expire June 30, 2013.

By motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council reappointed Joe Taylor(inside) to the Recreation Advisory Committee, term to expire June 30, 2013.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council reappointed William O'Pharrow to the Human Relations Council, term to expire June 30, 2013.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council reappointed Cynthia Lovick to the Human Relations Council, term to expire, June 30, 2013. (After the meeting Ms. Lovick advised she did not want to be reappointed subsequently, this appointment will need to be readdressed at the August 9<sup>th</sup> meeting)

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council reappointed Doug Mercer to the Animal Control Appeal Board, term to expire June 30, 2013.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council appointed Monica Ferrari to the Animal Control Board to fill a vacant position, term to expire June 30, 2013.

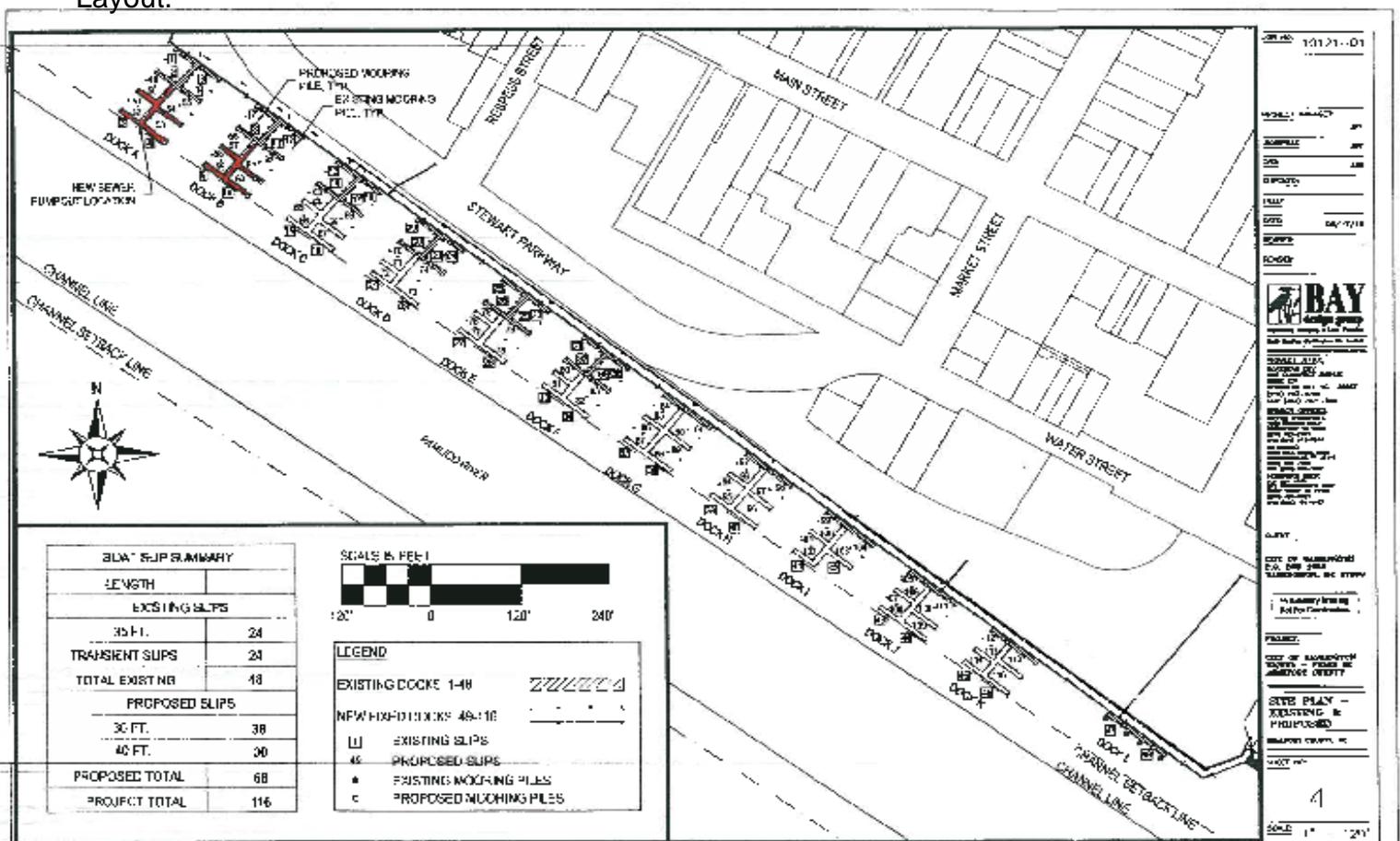
By motion of Councilman Pitt, seconded by Councilman Moultrie, Council appointed Gloria Crenshaw to the Washington Electric Utilities Advisory Commission to fill the expiring term of Antromeed Johnson, term to expire June 30, 2013.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council appointed Doug Mercer as Council liaison to the Airport Advisory Committee.

**UPDATE – 2008 BIG-P GRANT (DOCKS) – TIMETABLE**

Philip Mobley, Parks and Recreation Director explained at this stage of the process, Bill Forman, Bay Design Group, our Engineer for the waterfront docks, has finished all design work and the project has cleared the Environmental Assessment Clearinghouse by the State. We had a public notice meeting July 8, 2010 in the Grace Martin Harwell Senior Center showing designs and alternative designs for the 2007 Docks Project and possible locations. We had a very good showing of about 30 plus people that were very interested in the waterfront docks. They were positive and asked great questions and gave great comments.

The total plans of the waterfront have been now submitted (July 14, 2010) along with the City's check for \$400 to the Division of Coastal Management for a minimum of 75 days of review in order to obtain the Major CAMA permit. Bill Forman is in the process of developing the job bid packet for constructors to develop their bid from. We have not set any dates for submission of bids yet. The deadline (January 31, 2011) has already been extended once because of the need to produce a new Major CAMA Permit and the precursor of the year long Environmental Assessment. After construction of the 2008 BIGP docks, the number of total docks will be 56. The number of transient docks will be 12. The number of free docks will be 10. The number of permanent docks will be 34. The number of docks on the waterfront, if we max out the number of docks that the EA and Major CAMA Permit allows, will be 116. Once the City receives the Major CAMA Permit, the City only has to renew yearly to keep the Major CAMA Permit in force for future development. Also once we have the permit, we only have to apply to the Division of Coastal Management to change future designs of the Dock Layout.



**MEMO – AIRFIELD FACILITIES TO SUPPORT FIELD CARRIER LANDING PRACTICE**

Mr. Smith stated the Department of the Navy sent out an RFP to all general aviation airports in the region asking if the airports were interested in supporting field carrier landing practice for turboprop aircraft. Although we obviously need additional activity at Warren Field Airport, I believe that the noise generated by the frequent activity described in this solicitation would not be acceptable. Councilman Davis stated he had originally asked for this item to be revisited and upon further research agrees this will be too noisy.

By motion of Mayor Pro tem Roberson, seconded by Councilman Davis, Council accepted the recommendation of the City Manager to not respond to this solicitation.

**MEMO – HEALTHPLUS THERAPEUTIC SERVICES PURCHASE AND SALES AGREEMENT  
(\$175,000)**

Mr. Smith noted a Phase I Environmental Assessment would cost approximately \$3,000 and a Phase II approximately \$5,000. Mr. Smith submitted a memo to Council stating the purchase and sales agreement for the Old Ed Tech building and property was accepted by Mr. Michael Lowe, owner of HealthPlus Therapeutic Services, Inc. on July 8, 2010. City Attorney, Franz Holscher had received information suggesting a former service station was located on this property. The best information we have from unofficial sources is that the former service station was not on this land. In addition the new sewer line connection to Carver Machine was run in this vicinity also, and to the best of our knowledge did not encounter any petroleum pollution. Mr. Smith said he would feel comfortable in proceeding with this acquisition without an environmental assessment. However, you should be aware of the risk involved as laid out in the City Attorney's letter.

(begin letter) As you will recall, during closed session on June 21<sup>st</sup> the City Council unanimously authorized you to sign an offer to purchase and contract in the amount of \$175,000.00 with HealthPlus Therapeutic Services, Inc. for the acquisition of the above property and to purchase the same contingent on a clean release, clean title and a clean environmental bill of health. It is our understanding that there may have been a service station and/or repair garage located either on or near said property. Councilman Gil Davis has informed our office that he believes the service station/repair garage was located approximately where the basketball courts are currently at the corner of Harvey Street Annex and John Small Avenue. He does not believe that any of the previous service station/repair garage operation was located on the property currently owned by HealthPlus. You requested that our office review any file or other information concerning the property at the State of North Carolina Department of Environment and Natural Resources (NCDENR).

Chip Edwards of our office communicated the local NCDENR office in an attempt to obtain any information it had with regard to environmental issues at the property. Mr. Scott Bullock of the Underground Storage Tanks Division of NCDENR informed our office that it did not have a physical file for this site. However, Mr. Bullock provided Chip with the following information off the computer database. A "Notice of Intent" to remove underground storage tanks was filed in 1993 with NCDENR under File No.: 0-027600. The service station/repair garage was "located on the corner of the Harvey Street Annex and 5th Street", but it is unclear exactly where the operation was located in relation to the HealthPlus property. Mr. Bullock indicated that the Notice of Intent was archived with their main office in Raleigh and no copy was retained because no action was required at the site by the State. In addition, he informed Chip that no assessment or any other information was required or obtained by NCDENR because there were no other requirements or restrictions placed upon the previous property owner(s) with regard to the property. M. Bullock could not tell whether any such tanks were registered or unregistered. He advised that a Phase II Environmental Site Assessment may be necessary for the City to determine whether any environmental issues ever existed at or near the property.

Especially in light of Council's motion and the limited information we have obtained, our office advises that the City needs to make an informed decision concerning whether it desires to obtain a Phase II Environmental Site Assessment prior to purchasing the subject property. The terms of our offer to purchase provide that the City, in its sole discretion, may elect to have an

environmental assessment performed on the subject property. The City has 60 days from July 12th (September 10th) to make this election and notify HealthPlus of the same. Such an election and notification would toll the running of any other time periods under the offer, including the time within which to close. If the City decides to obtain an environmental assessment and depending upon the results, the City might also explore whether it would be prudent to acquire environmental contamination insurance and/or a Brownfields Agreement. The City should also consider the possibility of requiring the current owner to execute a proper indemnification agreement with the City should any environmental issues arise in the future. (end letter)

Council took no action on this item.

**MEMO – AGREEMENT TO PURCHASE PROPERTY LOCATED ON THE CORNER OF BRIDGE AND SECOND STREETS**

**(begin memo from Jim Smith, City Manager)** On June 21<sup>st</sup> City Council authorized us to enter into an agreement with Mr. Floyd Banks to purchase the property located on the corner of Bridge and 2<sup>nd</sup> St in order to accommodate a future expansion of the Brown Library. Inasmuch as there was once a service station located on the site we requested the City Attorney's Office review any files at the North Carolina Department of Environment and Natural Resources (NCDENR) regarding the property. The Underground Storage Tanks Division provided us with documents regarding previous environmental testing and sampling at this location. They indicated that some samples were taken and tested in 1990. The laboratory report submitted showed "a very low-level of the total petroleum hydrocarbons. It appears that most of the samples were obtained from the boundaries of the property as concrete pavement or an old foundation was encountered preventing the taking of samples from certain areas. In addition a "notice of intent" to remove underground storage tanks at the location was provided to NCDENR in 1990. The tanks were apparently unregistered tanks which at that time required no further action by the property owner with regard to any environmental issues which may have existed at the property when the tanks were removed. St. Clair Trucking Inc. recently provided a letter to NCDENR indicating that it had removed the tanks at Pamlico Auto Center for Mr. Floyd Banks at 131 N. Bridge St. in Washington on May 15, 1995, and that the hole was filled in with rock, gravel and sand. NCDENR cautioned that the City should consider contracting for an independent Phase II Environmental Site Assessment. The executed terms of our offer to purchase the property include a provision that the City may elect to have an environmental assessment performed. The City has until August 30 to make a selection and notify Mr. Banks accordingly. Such an election and notice would toll the running of any other time periods under the offer including the time within which to close. If the City Council decides not to proceed with an environmental assessment we should require the current owner to execute a proper indemnification agreement with the City should any environmental issues arise in the future and also consider obtaining environmental contamination insurance.(end memo)

Council by consensus recommended proceeding with the Phase I Environmental Assessment as long as the cost does not exceed \$5000. If the cost exceeds \$5000, Council can reconsider the assessment.

**MEMO – PROPOSED LEASE AGREEMENT WITH IMPRESSIONS MARKETING GROUP, INC. FOR THE PROPERTY LOCATED AT 234 SPRINGS ROAD**

**(being memo)** Since September of 2006 the City Council has authorized extensions of the existing "letter" lease with Impressions Marketing Group for the property located at 234 Springs Road (the former Hamilton Beach plant). While negotiations were in progress with the Committee of 100 to purchase the underlying property from the City and to obtain grants/subsidized loans in order to make improvements. These have proven to be unsuccessful. It is now proposed that the City lease the building directly to IMG. Because it is a complicated lease with numerous provisions and is subject to statutory leasing requirements, we are providing an advance copy of the proposed lease. If Council accepts the draft lease, then it can be brought back to Council on 8/9/10 for action.(end memo)

Franz Holscher, City Attorney said he thought we were near the end of the agreement negotiations regarding rent and managing repairs of the building. Council by consensus agreed to wait until the additional comments were received from Impressions to act on this item.

**APPROVE & AUTHORIZE –EXECUTE A ONE-YEAR EXTENDED AGREEMENT (NOVATION) TO REPLACE CURRENT AGREEMENT AND AUTHORIZE THE MAYOR TO EXECUTE CONTRACT WITH TRADEWIND OF NEW BERN, NC TO OPERATE WARREN FIELD AIRPORT**

Mayor Jennings stated we were already seven months into a renewed contract which renewed automatically in January 2010 for two years with Tradewind Aviation. The idea was that Council would enter this one-year extended agreement to replace the current agreement. The new one-year extended agreement (Novation) would expire on June 2011. The new agreement voids the current agreement. Mayor Pro tem Roberson voiced concern over some issues taking place at the airport, one issue is campers setup at the airport to conduct the jump school. Mayor Jennings stated these items will be addressed by the Airport Advisory Committee.

By motion of Councilman Moultrie, seconded by Councilman Pitt, Council approved a one-year extended agreement (Novation) to replace the current agreement and authorized the Mayor to execute a contract with Tradewind Aviation of New Bern, NC to operate Warren Field Airport. Voting for the motion: Councilman Mercer, Pitt and Moultrie; voting against: Councilman Davis and Roberson. The motion carried 3-2.

**ACCEPT & AUTHORIZE – AGREEMENT TO PURCHASE THE ANNIE MAYO'S PROPERTY AT SPRINGS ROAD**

Mr. Smith stated the purchase and sales agreement for the Annie Laura Mayo property located adjacent to the Susie Gray McConnell Sport Complex was executed by Ms. Mayo, on July 21 2010. The agreement provides that the City will pay \$60,000 for the two parcels of land comprising approximately 5.6 acres with frontage on Springs Road. There are no known environmental or other unique constraints on the property. This is a second purchase of property from Ms. Mayo with the intention of providing for the future expansion of the city's athletic complex. The North Carolina Department of Transportation purchased approximately 1/2 acre of land from the City at Havens Gardens Park for the reconstruction of the Runyan Creek Bridge. They paid the City \$145,200 for this land. These funds must be used for park land purposes since the City used Land and Water Conservation Fund monies in the 1980s to improve Havens Gardens. Initially the City purchased a parcel from Ms. Mayo to construct an emergency access from the Athletic complex to Springs Road. This second purchase is for the balance of the Mayo property. This purchase will result in a total of \$127,150 of the initial \$145,200 being applied to qualifying land purchases. The balance is yet to be committed to a specific purchase but negotiations are under way to acquire at least a portion of an adjoining parcel from a different owner.

By motion of Councilman Davis, seconded by Councilman Pitt, Council accepted and authorized the agreement to purchase the Annie Mayo property located adjacent to the Susie Gray McConnell Sports Complex that was executed by Ms. Mayo on July 21, 2010.

**ADOPT – FINAL BUDGET ORDINANCE AMENDMENT FOR FY 09/10 (\$102,678)**

Mr. Rauschenbach presented the final budget ordinance amendment for FY09-10 (\$102,678) in order to true up the financial records for the fiscal year, funding needs to be reallocated among the various departments or additional funding needs to be made for departmental deficiencies.

By motion of Councilman Moultrie, seconded by Councilman Pitt, Council adopted the final budget ordinance amendment for FY 09-10(\$102,678)

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

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

Section 1. That the following accounts in the Miscellaneous Non-Departmental portion of the General Fund appropriations budget be increased in the amounts shown to cover anticipated expenses for FY 09/10:

10-00-4400-5705	Tourism Authority	\$25,000
-----------------	-------------------	----------

Section 2. That the following accounts in the Outside Agency portion of the General Fund appropriations budget be increased in the amounts shown to cover anticipated expenses for FY 09/10:

10-40-6170-9111	Vietnam Moving Wall	\$8,810
-----------------	---------------------	---------

Section 3. That the following revenues in the General Fund be increased in the amounts shown to cover anticipated expenses for the remainder of FY 09/10:

10-00-3270-1110	Local Occupancy Tax	\$25,000
10-40-3611-8409	Contributions Vietnam Wall	6,635
10-00-3991-9910	Fund Balance Appropriated	<u>2,175</u>
		\$33,810

Section 4. That the following accounts in the Worker's Compensation Fund appropriations budget be increased in the amounts shown to cover anticipated expenses for FY 09/10:

85-60-4930-1000	General Fund WC Claims	\$63,000
85-60-4930-3000	Water Fund WC Claims	85
85-60-4930-3200	Sewer Fund WC Claims	1,808
85-60-4930-3400	Storm Water Fund WC Claims	3,130
85-90-4930-3500	Electric Fund WC Claims	395
85-90-4930-3800	Solid Waste WC Claims	<u>450</u>
		\$68,868

Section 5. That the following revenues in the Worker's Compensation Fund be increased in the amounts shown to cover anticipated expenses for the remainder of FY 09/10:

85-60-3940-1000	Payments from General Fund	\$63,000
85-60-3940-3000	Payments from Water Fund	85
85-60-3940-3200	Payments from Sewer Fund	1,808
85-60-3940-3400	Payments from Storm Water Fund	3,130
85-60-3940-3500	Payments from Electric Fund	395
85-60-3940-3800	Payments from Solid Waste Fund	<u>450</u>
		\$68,868

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall become effective upon its adoption.

Adopted this the 26th day of July, 2010.

s/Cynthia S. Bennett,  
City Clerk

s/N. Archie Jennings, III  
MAYOR

**MEMO – MOSS LANDING MARINA PETS ON BOARDWALK**

Philip Mobley, Parks and Recreation Director reviewed his memo with council. He stated the subject of Moss Landing Dock Tenants accessing the boardwalk from their Docks keeps presenting itself in several different categories, one of which is the question of how to get their pets from their boats to allowable pet areas. A few citizens have displayed their disapproval of the Marina Tenants using the City Boardwalk with their pets. (By Ordinance pets are not allowed on the City Boardwalk, excluding service animals). Recognizing these pet owners need a logical way to walk their pets, one would assume they would exit the boardwalk at the first exit point off the boardwalk after leaving their dock. However, this accommodation is not currently allowed under the current code. In addition to the normal need of getting a pet from the Marina to the allowed pet area and because of a medical condition, we have allowed a lady from the marina to have a permit (which she wears) to walk her pet on the Boardwalk in order to get to the Marina parking lot area. This area is near the west end of the Boardwalk near the NC Estuarium. Exiting the boardwalk at the closest exit to her dock is not an option because she is highly allergic to the fire ants in that area. Chief Reed has met with us and has been most helpful to the Parks and Recreation Department with this situation we have at hand. But, like the chief says, this is a policy decision and he is on the enforcement side of the issue. In addition, we have talked about a couple of other issues that concern us; like trash from the Moss Landing Marina and Safety concerns when the boardwalk is closed, with the Harbor Management Committee. We have tried, unsuccessfully, to organize a meeting between the City, Moss Landing Marina and Moss Landing Partners. Staff believes it is time for Council to hear these concerns. We are asking for assistance and guidance to help facilitate resolutions. Moss Landing Marina has asked for assistance with this matter.

Mayor Pro tem Roberson suggested that Council members go to the area and review the situation for themselves. This item will be revisited on August 9<sup>th</sup>.

**MEMO – EASEMENT TO U.S. CELLULAR FOR COMMUNICATIONS ANTENNA TOWER**

City Attorney, Franz Holscher included a memo in Council's agenda packet that stated, if this project is endorsed by Council, the City would convey to U.S. Cellular .086 acres for an ingress-egress and utilities easement from 7th Street across the City's gravel parking lot located across the street from the 7<sup>th</sup> Street Recreation Center to the back of said gravel parking lot and lease to U.S. Cellular a .044 acre plot of land behind that gravel parking lot. On that plot of land, U.S. Cellular would construct an elevated platform for an 11.25 by 24 foot equipment shelter and a 100 foot stealth monopole. If the City Council endorses this concept, it is believed the City will have to run a public notice at least 10 days before August 9 of its intent to adopt a resolution authorizing this Ground Lease and pass said resolution at its August 9<sup>th</sup> meeting assuming the term, including any extension, is less than 10 years. If the term, including any extension, exceeds 10 years, we will be required to follow the statutory procedures for the sale of real property which may push us beyond August 9<sup>th</sup>. Upon endorsement by Council, I will review and render my opinion concerning the Ground Lease and Memorandum of Lease.

Mayor Pro tem Roberson stated he is opposed to telecommunication towers being in residential districts. He also noted this item should go before the Board of Adjustment as it should require a variance and a special use permit. John Rodman, Planning Director said this item will be heard before the Board of Adjustment at their August meeting. Council determined it was premature for this item to come before Council and will let the Board of Adjustment hear the request first. Jim Smith, City Manager stated US Cellular wanted to make sure that if they went through the process with the Board of Adjustment, they wanted to have assurance they could acquire a property lease from the City. The cell phone company feels they are serving the citizens by placing this tower for increased service in this location. Gary Miller, US Cellular came forward to answer any questions from Council. Mayor Jennings explained the proper procedure needs to be followed by going before the Board of Adjustment.

**ADOPT – RESOLUTION DESIGNATING SUPPORT FOR THE PROPOSED ACCESS ENHANCEMENT PROJECT AT HAVENS GARDENS FROM MARINE RESOURCES FUNDS**

Philip Mobley, Parks and Recreation Director explained the City Council adopted the updated Five Year CIP in January 2010. One of the "on-going" items in that Plan was an update to Havens Gardens, with future improvements such as replacement of the old fishing pier, replace 600' of bulkhead and 100' of new wooden walkway with fishing stations from the

park side to the concrete walkway under Hwy 32 Bridge. The total preliminary cost is \$406,750. The City is not required to match the grant monies awarded. However it will help the City in the ranking process if the City will offer a match. He proposes the City offer a \$25,000 match. The Washington Recreation Advisory Committee voted at their July meeting to support this Resolution, the Havens Gardens Grant project and the \$25,000 cash match. Rivers and Associates of Greenville is assisting the Parks and Recreation Department in applying for the Marine Resources Fund. On July 30, 2010 we will be applying for monies from the Marine Resources Fund. Mr. Mobley stated this item was not in the budget as the funds just became available July 1<sup>st</sup>. Councilman Davis said we told Mr. Mobley to research and find grant funding, of which he did.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the Resolution designating support for the proposed access enhancement project at Havens Gardens from the Marine Resources Funds.

**AUTHORIZING RESOLUTION BY THE CITY COUNCIL OF THE CITY OF  
WASHINGTON, NORTH CAROLINA**

WHEREAS, The North Carolina Marine Fisheries Commission (MFC) and the North Carolina Wildlife Resources Commission (WRC) has authorized the making of Marine Resources Funds to aid universities, local North Carolina governmental entities, and eligible agencies in funding the cost of projects that will manage and enhance the marine resources of North Carolina; and

WHEREAS, The City of Washington has need for and intends to plan for the construction or rehabilitation of a publicly-owned facility/access site (Havens Gardens Park) to provide fishermen access to fisheries resources; and

WHEREAS, The City of Washington intends to request funding assistance from the Marine Resources Fund for the project;

**NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF  
WASHINGTON:**

That the City of Washington supports the proposed access enhancement project. That the City of Washington will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Archie Jennings, Mayor, and Jim Smith, City Manager, and successors so titled, are hereby authorized to execute and file an application on behalf of City of Washington with the North Carolina Division of Marine Fisheries (DMF) for a grant to assist in the construction of the project described above.

That Archie Jennings, Mayor, and Jim Smith, City Manager, and successors so titled, are hereby authorized and directed to furnish such information as the DMF may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Washington has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 26<sup>th</sup> day of July, 2010 at Washington, North Carolina.

**s/Cynthia S. Bennett  
City Clerk**

**s/N. Archie Jennings, III  
Mayor**

**AUTHORIZE – SALE AND CONSUMPTION OF ALCOHOL AT WHDA'S 5<sup>TH</sup> ANNUAL PICKIN' ON  
THE PAMLICO**

Jim Smith, City Manager stated WHDA is hosting its 5th Annual Pickin' on the Pamlico on Saturday, August 14th. This is a ticketed event with an anticipated crowd of around 500

people. A special events permit has been granted through Kristal Hardison at Washington Parks and Recreation.

By motion of Councilman Davis, seconded by Councilman Moultrie, Council allowed the sale and consumption of alcohol at WHDA's 5th Annual Pickin' on the Pamlico on August 14<sup>th</sup>, 2010. Councilman Mercer opposed, motion carried 4-1.

**ADOPT – RESOLUTION DIRECTING CITY CLERK TO INVESTIGATE A PETITION FOR A CONTIGUOUS ANNEXATION OF WHEATFIELD SUBDIVISION**

John Rodman, Planning Director explained on July 15, 2010, Mr. John Wehrenberg presented a petition for a contiguous annexation for the property located at Wheatfield Subdivision. The property contains 35.15 acres and is adjacent to Tree Shade Community (Phase II). The property is located off of Old Bath Hwy (SR 1501).

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council adopted the resolution directing the City Clerk to investigate a petition for a contiguous annexation received under General Statutes 160A-31.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on July 26, 2010 by the Washington City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Washington deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Washington that: The City Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

**s/Cynthia S. Bennett  
City Clerk**

**s/N. Archie Jennings, III  
Mayor**

**AMEND – CHAPTER 8, SECTION 18 – RESTRICTION OF ANIMALS IN CEMETERIES**

Mayor Jennings stated this item serves as clarification for an item that was thought to be an ordinance, but was generally a "best practice". Allen Lewis, Public Works Director explained in a Council Action form presented in the agenda packet, that during recent Council meetings, the issue of animals, specifically dogs, within the cemeteries has been discussed. As noted to you in an e-mail last month, the current ordinance does not completely prohibit animals within the cemetery. Rather Sec. 8-18 states that "No person shall permit any animal to run at large or wander into the cemeteries." To completely prohibit animals, or at least pets, from our City-maintained cemeteries, the attached amendment is proposed for your approval.

By motion of Councilman Davis, seconded by Mayor Pro tem Roberson, Council adopted an ordinance to amend Chapter 8, Section 18 Animals restricted in reference to animals in the cemetery, with an effective date of August 1, 2010.

**AN ORDINANCE TO AMEND CHAPTER 8,  
SECTION 18: ANIMALS RESTRICTED  
OF THE WASHINGTON CITY CODE**

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

Section 1 That Chapter 8, Section 18: Animals restricted be amended by deleting the following:

"No person shall permit any animal to run at large or wander into the cemeteries."

Section 2. That Chapter 8, Section 18: Animals restricted be amended by adding the following:

“No Person shall permit any animal onto city-owned cemetery property whether restrained or at large.”

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall become effective August 1, 2010.

This the 26th day of July 2010.

**s/Cynthia S. Bennett  
City Clerk**

**s/N. Archie Jennings, III  
Mayor**

**AWARD – CONTRACT FOR 2010-2011 STREET IMPROVEMENTS AND RESURFACING (\$288,480)**

Jim Smith, City Manager reviewed the locations to be improved or resurfaced. Councilman Mercer questioned the need for paving Brown Street from Second Street to Moss Landing and feels we shouldn't pave the portion of the street that is mainly used for commercial deliveries at the building supply company. Frankie Buck, Asst. Public Works Director stated this is still a public write-of-way and this is why it was included in the list.

Street resurfacing work will be performed at the following locations:

1. East 7th Street from Havens St. to Hudnell St.
2. Charlotte Street from John Small Ave to Park Dr.
3. Fleming Street from W. 2nd St to W. 5th St.
4. Washington Street from W. Main St to W. 5th St.
5. Market Street from 2nd St to 3rd St.
6. Brown Street from Moss Landing to E. 2nd St.(except the southernmost block of Brown Street below the intersection of Main Street)
7. East Fourth Street from Harvey St. to Bonner St.
8. Aycock Street from E. 9th St. to Willow St.
9. East Fourth Street from Charlotte St. to Simmons St.
10. Bridge Street from W. 9th St to W. 11th St

Additionally, milling work to be performed on the following streets prior to resurfacing:

1. Charlotte Street from John Small Ave to Park Dr.
2. Market Street from 2nd St to 3rd St.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council awarded a contract, in the amount of \$288,480.00 to Greenville Paving Company for the 2010-2011 Street Improvements and Resurfacing. Street resurfacing and improvements will be performed at the following locations:

1. East 7th Street from Havens St. to Hudnell St.
2. Charlotte Street from John Small Ave to Park Dr.
3. Fleming Street from W. 2nd St to W. 5th St.
4. Washington Street from W. Main St to W. 5th St.
5. Market Street from 2nd St to 3rd St.
6. Brown Street from Moss Landing to E. 2nd St.(except the southernmost block of Brown Street below the intersection of Main Street)
7. East Fourth Street from Harvey St. to Bonner St.
8. Aycock Street from E. 9th St. to Willow St.
9. East Fourth Street from Charlotte St. to Simmons St.
10. Bridge Street from W. 9th St to W. 11th St

Additionally, milling work to be performed on the following streets prior to resurfacing:

1. Charlotte Street from John Small Ave to Park Dr.
2. Market Street from 2nd St to 3rd St.

**ADOPT – BUDGET ORDINANCE AMENDMENT TO APPROPRIATE FUNDS FOR THE REPLACEMENT OF THE HVAC SYSTEM AT THE WATER TREATMENT PLANT**

Adam Waters, Water Treatment Division explained they started having issues with the HVAC system around mid-to-late June, after the budget was passed, and without much warning. For the first week or so after the system started malfunctioning, they had contractors try to make repairs to keep the existing system running. Unfortunately they were unsuccessful. Mr. Waters started getting quotes in late June/early July to replace the system. Initial prices were in the range of \$30,000 to \$94,000. The quotes were discussed with the vendors and made adjustments in the type of replacement system to be installed. As a result, the price to replace the existing system was negotiated down to approximately \$19,000.

A motion was made by Mayor Pro tem Roberson, seconded by Councilman Davis, to adopt the attached budget ordinance amendment in the amount of \$19,000 to provide funds for the replacement of the HVAC system at the Regional Water Treatment Plant. Discussion. Councilman Mercer felt it would be more beneficial to replace the system with a bigger unit to achieve the required temperature in both areas. Mr. Adams explained it would be cheaper to complete both jobs now. A mini-split system in the electrical room could be installed for about \$3000. No vote was taken, motion died.

By motion of Councilman Mercer, seconded by Councilman Davis, Council adopted a budget ordinance amendment in the amount of \$25,000 to provide funds for the replacement of the HVAC system at the Regional Water Treatment Plant which will include a HVAC system for the electrical room.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE  
OF THE CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2010-2011**

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 \$25,000 in the account Fund Balance Appropriated, account number 30-90-3991-9910.

Section 2. That account number 30-90-8100-1500, Maint/Repair Buildings, Water Treatment portion of the Water Fund appropriations budget be increased in the amount of \$25,000 to provide funds for replacement of the HVAC system at the Water Treatment Plant.

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 26<sup>th</sup> day of July, 2010.

**s/Cynthia S. Bennett  
City Clerk**

**s/N. Archie Jennings, III  
Mayor**

**MEMO – LICENSE ASSIGNMENT AGREEMENT WITH MD7 CAPITAL THREE, LLC RENEW CELL TOWER ON 3<sup>RD</sup> STREET WATER TANK**

(begin memo from Allen Lewis, Public Works Director) In 1999 the City entered into a License Assignment Agreement with Triton PCS Property Company, LLC to, in effect, rent space on our 3<sup>rd</sup> Street water tower for the purposes of attaching a cellular antenna. The current agreement calls for rent increases every five (5) years and the proposed agreement does not allow an increase for the next ten (10) years, the current agreement allows for a termination of the contract with a thirty (30) day written notice. The proposed agreement guarantees rental income for ten (10) years. This is being submitted for your review only at this time as we just received the latest version of this agreement today. With further review, we hope to bring this to you for approval at the August 9, 2010 Council meeting. (end memo)

City Attorney, Franz Holscher noted in his initial review of the agreement it appears MD7 is requesting to increase the term of the agreement while decreasing payments. Mr. Holscher suggested this item needs further review. Council, by consensus agreed to revisit this item on August 9<sup>th</sup>.

**DISCUSSED – CITY-OWNED VEHICLES AUTHORIZED TO BE DRIVEN HOME  
2010-2011 AND JUSTIFICATIONS**

Council discussed the need of taking certain vehicles home in regards to service vehicles such as Electric, Water/Sewer, etc. and public safety vehicles. Mr. Smith stated we probably will only be talking about a few people, which would be employees who don't get paid overtime, they get comp time and those employees get to drive the vehicle home to use in the event of an afterhours call. Mayor Jennings suggested staff look at possibly reducing the fleet even more. Councilman Mercer commended Chief Reed for reducing the fleet for the Police Department. Chief Reed stated the authorized vehicles are not taken home every night, but on an as needed basis. Mark Yates, Fire/Rescue/EMS stated he and Chief Hardison take their vehicles home only the week they are on call. Councilman Pitt stated the people taking home the vehicles are the experts in their fields and need the vehicles.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the list of vehicles as presented with the exception that if any vehicles on this list are going out of the county that they be removed. Discussion. Chief Reed voiced concern over the K-9 officer and requested permission that this employee lived outside of the county, they be given an exception. Mayor Jennings stated we should let the motion stand and if there are issues such as this they should be taken up with the City Manager for possible resubmission to the Council. Mayor Pro tem Roberson explained that authority was given in the past in regards to response time, not distance from the City. Frankie Buck, Asst. Public Works Director stated that David Gibbs, Streets Superintendent lives on Clark's Neck Road(Pitt Co.) and his response time would be less than his own as he lives on Market Street. Ext. Mr. Buck is asking that Council consider response time or mileage exemptions. Mayor Jennings explained the few exemptions would be addressed on a case by case basis with the City Manager. Motion carried.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the list of vehicles as presented with the exception that if any vehicles on this list are going out of the county that they be removed. The few exemptions, such as K-9 Officer and Streets Superintendent(David Gibbs) would be addressed on a case by case basis with the City Manager for possible resubmission to Council. Motion carried.

**City-owned vehicles authorized to be driven home 2010-2011**

(f) City-owned vehicles may be authorized to be driven home in accordance with the following provisions.

(1) For bona fide non-compensatory business reasons, a department head, with approval of the City Manager, may require employees in certain positions to commute to and from work in City vehicles. These positions must receive annual approval from the City Council during the annual budget process in order for the employee in the position to utilize a City-owned vehicle to commute to and from work. In accord with federal and state law, an employee may not use the City-owned vehicle for personal use other than commuting. Under these conditions, the City will account for commuting use as specified and required in IRS regulations.

(2) The City Manager will consider need, distance, and proximity to city and county limits, City service area, public perception, and other relevant factors in making decisions about commuting. Updates by department heads shall be submitted during the annual budget process to the City Manager who will forward the information to the City Council for review and approval.

<p><b>Finance</b> 653 Field Service Rep 620 Field Service Rep</p>	<p><b>Fire</b> 238 Fire Chief 237 Fire Marshal 248 Operations Chief</p>
<p><b>Electric</b> 615 Electric Line Operations Superintendent</p>	<p><b>Recreation</b> 801 Rec. Maint. Supv.</p>

---

---

<b>Police</b> 133 Chief Reed 166 Detective Davis 138 Detective Black 143 Detective Lee 139 Lt. Chrismon 144 Lt. Hales 145 SRO Bailey 147 SRO Everett 161 Detective Watson 131 Detective Dickinson	<b>Public Works</b> 412 Mike Woolard 452 Floyd Wainwright 411 Willie Blount 451 David Gibbs 401 Frankie Buck 410 Bill Wynne
---	---

**GREEN FLEET COMMITTEE**

Councilman Mercer requested a report from the Green Fleet Committee.

**MR. ALLEN PITTMAN – EXCEL T-BALL**

Mr. Allen Pittman explained that Exceptional Children Enjoying Life (ExCEL) is a Tee ball league for children with special needs. ExCEL will be starting its 2010 season on September 12, 2010. The season will feature 6 games. The games will be held on Sunday afternoons at 2:30 PM at the McConnell Sports Complex. He requested assistance with the \$300.00 field rental fee. Exceptional Children Enjoying Life was founded to provide special needs children a way to “enjoy” the types of recreational activities that most other children take for granted. We provide this league at no cost to the children who participate. Volunteers and donations are always needed and appreciated for this program to be a success.

Mayor Pro tem Roberson suggested each Councilmember donated \$50 each to this program. Mayor Jennings said he would like to see the Council’s personal contribution as well as the City’s contribution.

By motion of Councilman Davis, seconded by Councilman Pitt, Council provided \$300 from Fund Balance to pay for the field rental fee. Council also agreed that each member would personally donate \$50 to this program.

**CLOSED SESSION – UNDER NCGS 143-318.11(A)(1) DISCLOSURE OF CONFIDENTIAL INFORMATION AND NCGS 143-318.10(E) THE PUBLIC RECORDS ACT**

Closed Session items were removed and placed on the August 9, 2010 agenda.

**ELDER JOHN WHITE**

Mr. John White came back before Council and stated he wanted to make Council aware that a work order was in place to cut a 16’ easement that was two driveways down from his residence to cut down and trim trees near the power lines. He asked to be placed on the list so the tree could be removed at his property. Mayor Jennings asked if that tree could be placed back on the list. Mr. Smith noted he believed some items needed to be moved before any work could be started. Mr. White stated he has already moved the items that were in the way.

**ADJOURN**

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council adjourned the meeting at 9:30pm until August 9, 2010 at 5:30pm at the Municipal Building.

---

**Cynthia S. Bennett**  
City Clerk