
The Washington City Council met in a continued session on Monday, March 25, 2013 at 5:30 pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, Councilman; Edward Moultrie, Councilman; Bobby Roberson, Mayor Pro tem; William Pitt, Councilman; Richard Brooks, Councilman; Josh Kay, City Manager; Cynthia S. Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Matt Rauschenbach, Administrative Services Director/C.F.O.; Stacy Drakeford, Fire & Police Services Director; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; Keith Hardt, Electric Director; John Rodman, Community/Cultural Services Director; Kristi Roberson, Parks and Recreation Manager; Susan Hodges, Human Resources Director; Gloria Moore, Library Director; Lynn Lewis, Tourism Director; David Carraway, IT Department and Mike Voss, Washington Daily News.

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

APPROVAL/AMENDMENTS TO AGENDA

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

1. Presentation to Councilman Pitt to be moved to the April meeting.
2. Closed Session – remove from Closed Session - City of Washington vs. Anne & Harry Meredith, et al (08-CVS-105) but will still need an Attorney Client Privilege for general reasons.

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

DISCUSSION: 2013-2014 WORKING DRAFT BUDGET

Josh Kay, City Manager reviewed draft budget updates of revenue in the general fund and utility funds. Mr. Kay reviewed the three part budget goals directive given by City Council to staff: 1) Present budget earlier with more discussion, 2) Two-tier approach to the budget process, and 3.) Reduce the Electric Fund transfer to \$700,000 down from \$860,000.

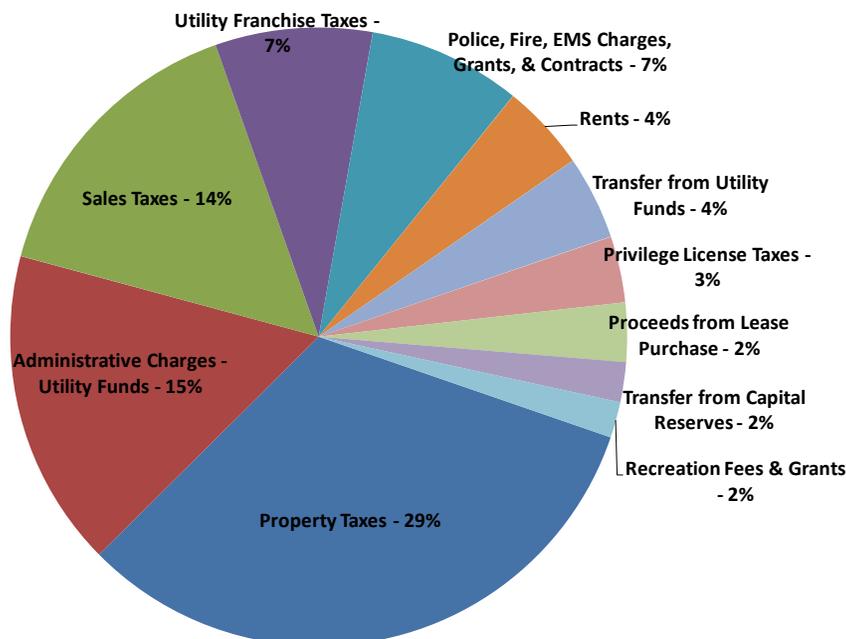
Highlights from the General Fund – FY 2012-2013 of which the original budget approved by City Council was just under \$14.5 million. The current budget we are operating under is \$14.8 million. This equates to roughly a \$350,000 change over the course of this year. Staff is currently working on a \$14.8 million budget which is a 2.1% increase over the original or 0.2% decrease over the current budget. In essence, we are staying in line where we are on the General Fund.

City of Washington
2013-2014 Budget
Revenue

General Fund

- 2012-2013 General Fund
 - Original Budget: \$14,491,745
 - Current Budget: \$14,839,967
- 2013-2014 Proposed General Fund
 - \$14,796,230
 - 2.1% increase over original budget
 - 0.2% decrease over current budget
- 90% of all GF Revenue from 11 sources:
 - Property Taxes (29%)
 - Administrative Charges from Utility Funds (15%)
 - Sales Taxes (14%)
 - Utility Franchise Taxes (7%)
 - Police, Fire, EMS Charges, Grants, Contracts, & Fees (7%)
 - Rents (4%)
 - Transfer from Utility Funds (4%)
 - Privilege Licenses (3%)
 - Proceeds from Lease Purchases (3%)

- Transfer from Capital Reserves (2%)
- Recreation Fees & Grants (2%)



General Fund Revenue Highlights

- Property Taxes
 - Proposed: \$4,286,324
 - No increase in tax rate proposed
 - Increased collections of \$155,000
- Utility Fund Transfer
 - Total Proposed: \$582,495
 - Water Fund: \$71,963
 - Sewer Fund: \$40,532
 - Electric Fund: \$470,000
 - Decrease of \$376,121 from 12/13 Budget
- Administrative Charges from Utility Funds
 - Total Proposed: \$2,202,635
 - Increase of \$218,373 or 1.1%
- Privilege Licenses (*Details Later)
 - Proposed: \$460,374
 - Increase of \$280,374
- Proceeds from Lease Purchase
 - Proposed: \$409,000
 - Decrease of \$362,368
- Fund Balance Appropriated
 - Proposed: \$186,200

Privilege License - Current

- 4 Categories:
 - Service Establishment
 - Merchant Retail
 - Manufacturer
 - Wholesale Merchant
- All other categories governed by NC State Statute
- Current Rate
 - \$50 for 1st \$25,000
 - \$0.80 per each additional \$1,000
 - Maximum \$1,500
- Internet Sweepstakes
 - \$250 per machine
- Proposed Rates
 - Retail, Wholesale, & Service Establishments

- Up to \$80,000: \$50
- \$80,001 - \$1,000,000: \$0.35 per \$1,000
- \$1,000,001 - \$15,000,000: \$0.70 per \$1,000
- Over \$15,000,000: \$1.00 per \$1,000
- Maximum: \$20,000
- Manufacturing:
 - Same as above
 - Maximum: \$10,000
- Internet Sweepstakes
 - \$1,000 per machine

Privilege License Example

- Business #1 - \$250,000 in sales
 - Current: \$190
 - Proposed: \$109.50
- Business #2 - \$1,000,001 in sales
 - Current: \$640
 - Proposed: \$372
- Business #3 - \$5,000,001 in sales
 - Current: \$1,500
 - Proposed: \$3,172
- Business #4 - \$35,000,000 in sales
 - Current: \$1,500
 - Proposed: \$20,000

Utility Funds

- **Water Fund**
 - Proposed: \$4,541,525
 - Increase of \$1,489,788
 - \$100,000 Transfer from Water Reserve
 - \$655,738 Fund Balance Appropriated
 - \$640,550 EDA Grant Funds
 - No rate changes requested
- **Sewer Fund**
 - Proposed: \$4,979,886
 - Increase of \$1,757,747
 - \$120,000 Transfer from Sewer Reserve
 - \$802,338 Fund Balance Appropriated
 - \$837,000 EDA Grant Funds
 - No rate changes requested
- **Electric Fund**
 - Proposed: \$36,296,274
 - No rate changes requested
 - \$2,095,099 decrease from original 12/13 Budget
 - \$2,260,667 reduction in Electric Sales
 - Installment Financing: \$851,000
 - Fund Balance Appropriated: \$337,596
- **Storm Water Fund**
 - Proposed: \$657,276
 - \$129,005 decrease from 12/13
 - Fund Balance Appropriated: \$65,238
- **Airport Fund**
 - Proposed: \$261,675
 - Fund Balance Appropriated: \$70,675
 - Transfer from General Fund: \$0
- **Solid Waste Fund**
 - Proposed: \$1,406,580
 - Fund Balance Appropriated: \$169,280
- **Cemetery Fund**
 - Proposed: \$309,756

- Installment Financing: \$35,000
- Transfer from General Fund: \$115,906
-

Budget Calendar

- April 8, 2013 – Budget Presented to Council
- April 22, 2013 – General Fund Overview
- April 25, 2013 – General Fund Detail Discussion
- May 6, 2013 – Utility Fund Overview
- May 9, 2013 – Utility Fund Detail Discussion
- May 23, 2013 – Budget Public Hearing
- June 10, 2013 – Budget Adoption

Mr. Kay regarding Fund Balance appropriation, that PEG Channel and Powell Bill Funding are restricted fund balance accounts. We have different levels of fund balance – unassigned fund balance and restricted fund balance.

Mayor Pro tem Roberson expressed concern on the proposed increase for the Business Privilege License (increase of \$280,374) and inquired if the Business Privilege License had increased approximately three years ago. Matt Rauschenbach noted that they were restructured. Mayor Pro tem Roberson voiced if we are going to bring this proposal up for discussion then he would like to request some specific examples. Mr. Kay explained this will be presented tonight. Mayor Pro tem Roberson requested explaining the procedure of increasing the threshold to those service establishments that are based on the first up to \$80,000 now be \$50. Mr. Kay addressed this by explaining the hypothetical (examples) businesses covered under privilege license in the budget working draft. Mayor Jennings requested staff provide a current distribution and then the proposed distribution (where the impact is) and how many businesses fall into these categories.

Mr. Kay reviewed the aforementioned Utility Funds. Several months ago, Council authorized staff to apply for an EDA Grant for numerous projects. This grant is a 50/50 grant. EDA will give the City 50% and the City will need to come up with 50% to provide those projects. This (EDA) is the majority of the increase in the water and sewer fund.

Mr. Kay stated staff is proposing a \$36.2 million of revenue in the Electric Fund and requesting no changes in rates; however, approximately \$2.2 million decrease in electric sales.

Mayor Jennings addressed the issue of the City Manager's new job opportunity and that Mr. Kay will be leaving at the end of May. The scheduled date for budget adoption is June 10th, so we need to be mindful of our time table.

Mayor Pro tem Roberson requested an organization/administration chart with name, vehicles, cell phone, equipment, etc. Councilman Mercer added to this request by following up on the replacement of a vehicle (i.e. pickup truck) show that you will replace a pickup truck with a pickup truck and explain if it is not the same size/capacity stating why. Councilman Moultrie requested during the budget process if Council members question anything in the budget, correct those items prior to the night or day of adoption. Mr. Kay stated this year there would be a little more overview. This will give Council an opportunity to have any recommendations regarding any line item that would need specific justification. Staff can compile recommendations and bring those back to the full body of Council. Mayor Jennings agreed, recommending Council should receive a lot of documentation from the summary activities (recommendation/outcomes) from each session; this way when we get down to the end we can prevent having a ripple impact of looking back.

Also, Mayor Pro tem Roberson requested developing a policy for funding of outside agencies inclusive of previous funding/amount requested. Mr. Kay stated this information will be compiled and provided for Council. Mayor Jennings stated as well as in-kind contributions (entity occupying City owned space - free space, etc) this should be documented in the budget. Councilman Moultrie inquired if outside agencies funding would be cut this year and Mr. Kay stated the City has received outside agencies request and he is working on a proposed funding level for those outside agencies.

DISCUSSION: LOCATION OF COUNTY JAIL

Mr. Kay referred to the memo received from John Rodman, Community/Cultural Services Director on page two of the agenda which outlines the permitted and non-permitted uses that are currently allowed in the Industrial Park.

Mayor Jennings summarized the information received from Mr. Rodman and the City Attorney, stating it is pretty clear that either from a restricted covenant or zoning standpoint, not mentioning joint ownership, that the County Jail move can't happen without City input. Mayor Jennings suggested resting comfortably in the City's position and that the City will be better served by remaining confident around our ownership stake and our zoning regulations.

MEMO: INDUSTRIAL PARK ZONING USES

(begin)The premise of most zoning ordinances is that compatible land uses should be grouped together so as to minimize conflict. Typically a local government's jurisdiction is divided into two or more zones, with acceptable land uses listed for each zone. Municipalities may zone within their boundaries, as well as, extraterritorially certain lands outside of their boundaries.

Generally, a zoning ordinance permits certain uses, allows some uses on a conditional or special exception basis, and prohibits other uses. For example, a residential district might allow only single family homes and maybe churches and parks. Two-family homes might be a special use – allowed only with a special use permit. All other uses would be prohibited.

The City of Washington has seventeen (17) zoning districts established:

Eight residential districts
Five business & commercial districts
Two industrial districts
One office & institutional district
One airport district

The concept of permitting and prohibiting various uses in the aforementioned zoning districts works fairly well. Within each district, specific uses are allowed either by-right (permitted), or with special exception approval. The City established their list of permitted and special uses that are acceptable in each district by consulting the Standard Industrial Classification System (SIC). The SIC was developed for use in the classification of establishments by activity and comparability. The SIC has since been renamed the North American Classification System (NACS).

According to the Standard Industrial Classification System, Government Jails are established under the category of Education and Institutional Uses. Jails are further listed under the term "Correctional Institutions" (#9223 under SIC).

The Washington/Beaufort County Industrial Park has been established as an 1-2 (Light Industrial) zoning classification. As stated earlier, this zoning classification has a list of Permitted Uses and Special Uses that are allowed within that zoning district.

According to the City of Washington's Table of Permitted Zoning Uses, Correctional Institutions are **not allowed** in the 1-2 Zoning District as a permitted or a special use. Therefore, the proposed county jail is **not allowed** as a use in the Industrial Park.

However, sometimes exceptions to strict adherence to zoning regulations or the need for zoning changes are allowed. The exceptions generally fall within the following categories: Rezoning, Variances, or Text Amendments. These exceptions can be discussed if needed. (end)

**ADOPT: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ASSOCIATED WITH PRE-DISASTER MITIGATION GRANT (PDM-PJ-04-NC02010-
003) 403 HARVEY STREET**

Mayor Jennings stated this item was held over from the last session. Mr. Kay stated this declaration to restrict the use of the Old Health Department property (403 Harvey Street) is a

requirement of the FEMA mitigation grant we were awarded. Mr. Kay noted the covenants and restrictions basically state the property will always be used for green space.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council adopted a Declaration of Covenants, Conditions, and Restrictions for the Old Health Department Property located at 403 Harvey Street associated with Pre-Disaster Mitigation Grant (PDM-PJ-NC02010-003).

BK 1812 PG 050

FOR REGISTRATION REGISTER OF DEEDS
Jennifer Leggett Whitehurst
Beaufort County, NC
March 26, 2013 09:03:35 AM
Book 1812 Page 50-55
FEE: \$26.00
INSTRUMENT # 2013001756

COPY

PREPARED BY AND RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington, NC 27889
Telephone: (252) 946-3122



STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

INSTRUMENT # 2013001756

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS ("Declaration") is made this 25th day of March, 2013, by the **CITY OF WASHINGTON**, a municipal corporation organized and existing under the laws of the State of North Carolina, whose address is P.O. Box 1988, 102 E. Second St., Washington, North Carolina 27889 (hereinafter may be referred to as "Declarant" or "Grantee") pursuant to 44 Code of Federal Regulations Part 80 *et seq.*

WITNESSETH

WHEREAS, Declarant is the owner of that certain tract or parcel of land more particularly described in Exhibit A attached hereto and made a part hereof ("Property");

WHEREAS, the Property was conveyed by the Deed between Christian Fellowship Enrichment Program, Inc. participating in the federally-assisted acquisition project (the "Grantor") and the City of Washington, (the "Grantee"), its successors and assigns;

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 *et seq.*, identifies the use of pre-disaster mitigation grants under § 5133, Pre-Disaster Mitigation, to assist States and local governments in implementing cost-effective hazard mitigation measures to reduce injuries, loss of life, and damage and destruction of property;

WHEREAS, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

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WHEREAS, the State of North Carolina has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency and has entered into a mitigation grant program Grant Agreement dated on or about February 15, 2010 for PDM FY 2010 with FEMA and herein incorporated by reference; making it a mitigation grant program grantee;

WHEREAS, the Property is located in the City of Washington, Beaufort County, North Carolina and the City of Washington participates in the National Flood Insurance Program and is in good standing with NFIP as of the date of the Deed;

WHEREAS, the City of Washington, acting by and through the City Council for the City of Washington, has applied for and been awarded federal funds pursuant to a North Carolina Pre-Disaster Mitigation Grant Agreement with the State of North Carolina dated August 17, 2012 ("State-Local Agreement"), and herein incorporated by reference, making it a mitigation grant program subgrantee; and

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-Local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values.

NOW THEREFORE the grant is made subject to the following terms and conditions and Declarant hereby declares that all of the Property is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied, and improved, subject to the following covenants, conditions, and restrictions, all of which are established and agreed upon for the purpose of complying with 44 Code of Federal Regulations Part 80. All of these restrictions shall run with the land and shall be binding upon the Declarant and upon the parties having or acquiring any right, title, or interest, legal or equitable in and to the Property or any part or parts thereof subject to such restrictions, and shall inure to the benefit of the Declarant and every one of the Declarant's successors in title to any of the Property.

1. Terms. Pursuant to the terms of the North Carolina Pre Disaster Mitigation Grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-Local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the Deed recorded in Deed Book 1696, Page 785 of the Beaufort County Registry and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.

b. Structures. No new structures or improvements shall be erected on the

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Property other than:

- i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
- ii. A public rest room; or
- iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

c. Disaster Assistance and Flood Insurance. No Federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph.

i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.

ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.

iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or

b) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible

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status under this section.

2. Inspection. FEMA, its representatives and assigns including the state or tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

3. Monitoring and Reporting. Every three (3) years on September 2nd, the Grantee (mitigation grant program subgrantee), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

4. Enforcement. The Grantee (mitigation grant program subgrantee), the State, FEMA, and their respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.

i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:

a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.

b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or

c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

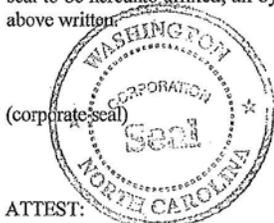
5. Amendment. This agreement may be amended upon signatures of FEMA, the state, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and

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enforceable.

IN WITNESS WHEREOF, the City of Washington, a municipal corporation, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereunto affixed, all by proper corporate authority duly given, this the day and year first above written:



ATTEST:

Cynthia S. Bennett
Cynthia S. Bennett, City Clerk

CITY OF WASHINGTON

BY:

N. Archie Jennings, III
N. Archie Jennings, III, Mayor

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Reatha B. Johnson a Notary Public of the State and County aforesaid, certify that CYNTHIA S. BENNETT personally appeared before me this day and acknowledged that she is City Clerk of the CITY OF WASHINGTON, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by N. ARCHIE JENNINGS, III, its Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the 25 day of March, 2013.

Reatha B. Johnson
NOTARY PUBLIC

My Commission expires: 12/14/2014



BK 1812 PG 055

EXHIBIT A

LYING AND BEING in the City of Washington, Beaufort County, North Carolina, more particularly described as follows:

Lying on the East side of Harvey Street and on the North side of Fourth Street and beginning at the intersection of the Northern side line of Fourth Street with the Eastern side line of Harvey Street, and running thence North 33° East 391 feet to a ditch; thence with said ditch South 29° 15' East 75 feet (this call is corrected from the erroneous call of South 29° 15' West 75 feet contained in that deed in Book 1389, Page 676, Beaufort County Registry); South 15° 45' East 160 feet; thence South 0° 45' East 68 feet to a marker; thence South 33° West 210 feet to the Northern side line of Fourth Street; thence with the Northern side line of Fourth Street in a Westwardly direction 210 feet to the beginning, containing 1.35 acres according to the survey and plat of W. C. Rodman, Jr., RS, dated December 1949 and being that portion of the above described lands formerly known as the Beaufort County Health Department, BUT SAVING AND EXCEPTING that portion of said lands fronting 50 feet on Fourth Street and running back between parallel lines a distance of 100 feet on which was formerly located the Girl Scout Hut owned by the City of Washington. Further reference is made to Deed dated January 25, 1950 from the City of Washington to the county of Beaufort of record in Book 396, Page 273, Beaufort County Registry.

This being all of that property conveyed to the City of Washington by deed dated September 2, 2009 of record in Book 1696, Page 785, Beaufort County Registry to which deed reference is herein made for a more complete and accurate description.

DISCUSSION: APRIL CITY COUNCIL MEETING DATES

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council agreed to move the regular scheduled meeting date of April 8, 2013 to April 15, 2013.

CLOSED SESSION – UNDER § NCGS 143-318.11(a)(3) ATTORNEY CLIENT PRIVILEGE – INCLUDING CITY OF WASHINGTON – GENERAL, 143-318.11(a)(6) PERSONNEL, AND 143-318.11(a)(4) ECONOMIC DEVELOPMENT

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council agreed to enter closed session at 6:20pm under § NCGS 143-318.11(a)(3) Attorney Client Privilege; 143-318.11(a)(6) Personnel and 143-318.11(a)(4) Economic Development.

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council agreed to come out of Closed Session at 6:55 pm.

APPROVED AND AUTHORIZED – CITY ECONOMIC INCENTIVE GRANT AGREEMENT FOR PROJECT BLUE GOOSE, LOAN AGREEMENT AND LEGALLY BINDING COMMITMENT COMMUNITY DEVELOPMENT BLOCK GRANT – GRANT NO. 12-E-2404, PROMISSORY NOTE AND NORTH CAROLINA DEED OF TRUST

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council approved and authorized the execution of:

1. City Economic Incentives Grant agreement for Project Blue Goose.
2. Loan Agreement and Legally Binding Commitment Community Development Block Grant - Grant No. 12-E-2404.
3. Promissory Note.
4. North Carolina Deed of Trust including the substantives and non-substantives revisions thereof.

ADJOURN – UNTIL MONDAY, APRIL 15, 2013 AT 5:30 PM IN THE COUNCIL CHAMBERS AT THE MUNICIPAL BUILDING

By motion of Councilman Pitt, seconded by Councilman Brooks, Council adjourned the meeting until Monday, April 15, 2013 at 5:30 pm in the Council Chambers at the Municipal Building.

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