
The Washington City Council met in a continued session on Monday, June 25, 2012 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Doug Mercer, Councilman; Ed Moultrie, Councilman; William Pitt, Councilman; Richard Brooks, Councilman; Bobby Roberson, Mayor Pro tem; Josh Kay, City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney. Mayor Archie Jennings was absent.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; Gloria Moore, Library Director; John Rodman, Planning Director; Stacy Drakeford, Interim Fire and Police Services Director; Susan Hodges, Human Resources Director and Mike Voss, Washington Daily News.

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

APPROVAL/AMENDMENTS TO AGENDA

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council approved the agenda as submitted.

Mayor Pro tem Roberson requested that the overtime report be discussed at a future Council meeting.

PRESENTATION: ECONOMIC IMPACT OF CYCLE NC

Lynn Lewis, TDA Director reviewed the economic impact of Cycle NC held in April 2012.

2012 Cycle North Carolina Spring Ride

Total Participants = 1137 (A new participation record was set)

Survey Responses = 15%

Was the Cycle NC Spring Ride (April 13-15, 2012) your primary reason for visiting Washington?
YES = 99%

Was this your first visit to Washington?
YES = 51%
NO = 49%

Where are you from?
NC = 74%
VA = 12%

However, participants were from more than 25 states (AK, AL, CO, CT, FL, GA, IL, IN, KS, LA, MA, MD, ME, MI, NC, NH, NJ, NY, OH, PA, SC, TN, UT, VA and WA).

Did you stay overnight?
YES = 97%
NO = 3%

Lodging Mix
Hotel = 46%
Bed & Breakfast (Washington) = 4%
Indoor Camping = 5%
Waterfront Camping = 44%
Bed & Breakfast (Beaufort Co) = 1%
Rental House/Room = 3%
Local Campground = 4%
Hotel outside of Washington = 9%

Length of Stay (for those spending the night) (165)

1 night = 2%
2 nights = 24%
3 nights = 70%
4+ nights = 4%

Size of Party

1 = 14%
2 = 48%
3 = 11%
4 = 27%

Dining

Every downtown restaurant, plus the majority of independently operated restaurants in Washington, had business from the group.

Rate the Experience (170)

Fair = 5%
Good = 34%
Excellent = 61%

Rate Washington and Beaufort County as a cycling venue (169)

Fair = 5%
Good = 36%
Excellent = 59%

Economic Impact

Riders in the event contributed \$150,084 to the local economy. *This does not include extra members of the respondents' party that did not cycle during the weekend.*

Average party spending was \$330.

Disclaimer: This estimate is that of direct spending, meaning spending done between an event participant and local retailer. This does not include expenses borne by the event coordinator on catering, supplies, gas, etc.

PRESENTATION: DOWNTOWN RESTROOM & DOCK MASTER FACILITIES

John Rodman, Planning Director; Fred Watkins, Chairman of the Maritime Team/WHDA and Beth Byrd, WHDA presented the timeline of the design of the west end restroom/dock master facilities. It was explained that in 2009, Land Design held several public meetings and incorporated the thoughts and plans from those meetings in their document. Out of that meeting came the idea to replicate the Pamlico Point Lighthouse (1891) and to have the restrooms & dock master facilities housed at that location. The City has applied and received a grant award from the Division of Coastal Management - Public Access Grant Funds in the amount of \$200,000. Funding in the amount of \$30-50,000 has been appropriated from the BIG-P grant for these facilities as well. These funds will assist in the construction of the new facilities. Mr. Rodman noted the second floor will not be accessible to the public and is for the dock master facilities only. Ms. Byrd explained that there will be many public meetings to review and receive comments regarding the proposed plans. She stated there will also be an online forum for those members of the public who can't attend the meetings to enable them to share their comments.

Councilman Mercer asked that future contracts include a timeline, completion date and penalty clause.

Howard and Nancy Mullins presented a scale model of the proposed restroom & dock master facilities. Mr. Mullins created the scale model at no cost.



DISCUSSION: PERSONNEL POLICY

City Manager, Josh Kay discussed the proposed changes to the personnel policy as listed below.

Personnel Policy DRAFT June, 2012 - Substantive Changes

Article I. Section 2. Add statement regarding At-Will Employment (NC is an At-Will Employment state)

Article I. Section 6. Provide more detail regarding role & responsibility of HR Director. Some responsibilities moved from City Manager Roles & Responsibilities in previous section.

Article I. Section 10. Probationary Employee – revised to reflect 12 months probationary period.

Article III. Section 2. Clarification that all changes to the Pay Plan shall be approved by City Council.

Article III. Section 4. Probationary Raises

- New hires are only eligible for a probationary raise if hired to salary rate below minimum
- At the probationary review, the employee may also be eligible for a performance pay increase
- The combined probationary and performance pay increase shall not exceed 5%.

Article III. Section 5. Performance Pay – added provision that an employee cannot receive both merit and job maturity increase in the same fiscal year and if eligible for both, would receive the one that would provide the greatest increase.

Article III. Section 7. Effect of Promotions, Demotions etc. on Salary –Demotion – clarify that the only time a salary can be retained in demotion is to avoid RIF

Article III. Section 10. Pay for Part-time and Temporary Work – Added the following existing practice to policy - *Part-time employees who are members of the North Carolina Local Governmental Employees' Retirement System (LGERS) shall be paid at least at the minimum rate of the established salary range for the classification after twelve months of employment.*

Article III. Section 11. Overtime Pay Provisions

- Discontinue counting holidays as work time for purposes of determining overtime pay.
- Eliminate 1.5 comp time for Exempt non department heads
- Emphasize that comp time for exempt employees is not guaranteed to be taken and ends without compensation upon separation from employment.

- Change from quarterly clearing to end of year clearing of comp time for exempt employees and allow City manager to authorize carry over through the end of January of the following year.

Article III. Section 14. Call Back Pay

- Add policy for non exempt employee responding to telephone or computer call – minimum 30 minutes
- Eliminate provision for mandatory meetings scheduled in advance to be paid at OT (1.5) pay
- Eliminate call back pay policy for exempt employees rather refer back to the Overtime Policy

Article III. Section 15. Holiday Premium Pay (New section)

- Previously included under Article VI. Holidays & Leave.
- Adds provision that holiday leave earned for working on a holiday must be taken within 3 months or paid.
- Clarifies the current practice of paying any non-compensated holidays upon termination of employment and paying part-time and temporary employees 1.5 when they are work on a holiday.

Article III. Section 16. Pay for Acting Assignment in a Higher Classification (temporary promotion) – New.

Article III. Section 17. Longevity Pay – change wording from shall to may if appropriated in City budget

Article IV. Section 3. Recruitment and Application

- Added the following: *In rare situations because of emergency conditions, avoidance of reduction –in –force, high turnover, etc., the City may hire or promote without advertising jobs, upon approval of the City Manager.*
- Added provision for option to post internally before advertising to the public consistent with current practice

Article IV. Section 5. Probationary Period

- Probationary period changed to 12 months for all new hires
- Eliminate probationary period for promoted employees

Article V. Section 7. Outside Employment

- Added notation of conflict of interest where undue absences are created
- Clarified what is considered outside employment, such as consulting, etc.
- Added requirement for annual update and approval
- Prohibit outside employment activities during City FMLA and Workers Comp leave

Article V. Section 8. Limitation of Employment of Relatives – eliminated City Clerk & cohabitive relationships

Article V. Section 10. Residency Requirement – Reference to City Code

Article V. Section 11. Travel Time and Expenses

- Added more specific details / reference to travel policy

Article V. Section 13. Use of City-Owned Vehicles – Creates two categories of employees driving vehicles home:

- Non Emergency Personnel
- Emergency Personnel
- Add provision that at no time shall an employee living more than 20 road miles of the City limits be allowed to drive a vehicle home. (consistent with Residency Code)

Article V. Section 14. City Provided Cellular Telephone / Electronic Mobile Devices- New

Article V. Section 15. Internet, E-Mail, Telephone, and Other Communication Systems – New

Article VI. Section 1 Holidays

- Updated Fire Dept. holidays to include 9 – administrative oversight when Veterans Day was added.
- Eliminated holiday pay for part-time employees

Article VI Sections 2 & 3 Vacation Leave & Sick Leave

- Reorganized considerably
- Removed provision that an employee is not eligible to use vacation and/or sick leave during the first 6 months of initial employment.
- Defined time frame for accrual of leave – 15th of month
- Defined terms for transfer in and out of sick leave and transfer out of vacation leave consistent with current practice.
- Defined terms of reinstatement with re-employment. An employee who separates from employment with the City and is subsequently rehired within three years shall have his or her unused or non transferred sick leave reinstated.
- Provided provision that the City Manager may authorize substitution of comp leave for the requirement to use 40 hours of vacation leave each calendar year.
- Added clarification that holiday and compensation time shall be used before vacation leave.

Article VI Section 4. Shared Leave

- Added to personnel policy instead of “free standing”
- Deleted normal maternity as a non qualifying medical condition
- Added prolonged medical condition of the employees spouse, child, or parent (including in-law and step relationships) as qualifying condition

Article VI Section 5. Family & Medical Leave – updated in accordance with current law

Article VI Section 6. Military Family & Medical Leave – new in accordance with current law

Article VI Section 7. Leave Without Pay – new policy

Article VII. Section 7. Law Enforcement Special Separation Allowance - updated based on revisions to GS 143-166

Article VII. Section 9. Changed Separation Gift to Retiree Separation gift

Article VIII. Section 1. Types of Separation (a) Resignation - policy for negotiated resignation - authorizes severance consideration

“The City Manager may negotiate a resignation with an employee when it is determined to be in the best interest of the City. Such negotiated resignation may include a severance package consisting of a combination of salary, benefits and/or accumulated leave (vacation, compensatory, etc.).”

Article VIII. Section 2. Reduction in Force – policy revised and added to Personnel Policy instead of separate/free standing policy

Article IX. Unsatisfactory Job Performance & Detrimental Personal Conduct – restructured

- Disciplinary suspension for Job Performance generally not to exceed 3 days or 24 hours for shift personnel (except for exempt personnel)
- No pre-disciplinary conference for demotion or suspension; pre-dismissal conference only
- City Manager approves any suspension
- Updated descriptions of detrimental personal conduct

Article X. Grievance Procedure and Adverse Action Appeal – basically re-written

- Extended response time to 10 days
- Added procedure for Department Heads and other employee situations in which the City Manager had significant involvement in determining disciplinary action

Article XI. Section 1. Public Information – updated based on revisions to GS 160-168A.42

Council requested a more in depth review of the following items:

- COLA
- Longevity
- Job maturity & Merit
- Grievance Procedure & Adverse Action Appeal

Mr. Kay explained that once the Council has finished their review, the policy will need legal review by an HR/Personnel attorney.

EXTEND MEETING

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council extended the meeting until 7:15pm.

ADJOURN

By motion of Councilman Brooks, seconded by Councilman Moultrie, Council adjourned the meeting at 7:12pm until Monday, July 23, 2012 at 5:30pm in the Council Chambers at the Municipal Building.

Cynthia S. Bennett, CMC
City Clerk