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The Washington City Council met in a continued session on Monday, September 23, 2013 at 5:30 pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Bobby Roberson, Mayor Pro tem; Doug Mercer, Councilman; William Pitt, Councilman; Richard Brooks, Councilman; Brian Alligood, City Manager; Cynthia S. Bennett, City Clerk and Franz Holscher, City Attorney. Councilman Moultrie was absent.

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 Utilities Director; John Rodman, Community/Cultural Resources Director; Kristi Roberson, Parks and Recreation Manager; Susan Hodges, Human Resources Director; Gloria Moore, Library Director; Lynn Lewis, Tourism Director; and David Carraway, IT Department.

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

**BOY SCOUT - TROOP 21**

Councilman Mercer recognized and welcomed William Martin and Leland Hill with Boy Scout Troop #21 for working toward receiving their Communications Badges.

**APPROVAL/AMENDMENTS TO AGENDA**

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

**AUTHORIZE/ADOPT: AUTHORIZE MAYOR TO EXECUTE A FINANCIAL ASSISTANCE AWARD WITH THE US DEPARTMENT OF COMMERCE FOR VARIOUS WATER AND SEWER PROJECTS AND ADOPT GRANT PROJECT ORDINANCE AND ADOPT BUDGET ORDINANCE AMENDMENT**

City Manager, Brian Alligood explained this is the agreement for the EDA grant award for \$1.44 million and match by the City of \$1.41 million for the infrastructure rehabilitation.

In October of 2012, Council authorized staff to apply for EDA funding for various water and sewer projects totaling approximately \$2,000,000. At that time, we were under the impression that the maximum amount of funding available would be \$1,000,000 with a 50% match. During the application process we were encouraged to submit a request for funding of all of the proposed projects and received funding for a total of \$1,442,049 as indicated on the attached Financial Assistance Award (see attached). The total project cost approved for these projects is \$2,852,156. There are a total of five (5) projects included in this grant award; the construction of a 16" water line from the water treatment plant to US 264, the design and construction of a liquid chlorine feed system at the water plant, the design and construction of a new sewer pump station at Water and Bonner streets and the design and installation of generators with automatic switch gears at the wastewater treatment plant and the sewer lift station at US 264 and Cherry Run.

By motion of Mayor Pro tem Roberson, seconded by Councilman Mercer, Council authorized the Mayor to execute the Financial Assistance Award with the US Department of Commerce for various water and sewer projects and Adopt the grant project ordinance and budget ordinance amendment.

Councilman Mercer thanked Kevin Richards and staff for being instrumental in writing the grant application. Mayor Jennings commended staff for putting it together and seeing this project through.

United States Department of Commerce  
Economic Development Administration

Re: Investment No. 04-79-06833

(Begin letter):  
Dear Mayor Jennings:

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I am pleased to inform you that the Department of Commerce's Economic Development Administration (EDA) has approved your application for a \$1,442,049 EDA investment to support construction of critical infrastructure improvements to support the retention and expansion of existing industries City-wide as well as small businesses located in the city's historic downtown.

Enclosed are two signed copies of the Financial Assistance Award. Your agreement to the terms and conditions of the award should be indicated by the signature of your principal official on each of the signed copies of the Financial Assistant Award. One of the executed copies should be returned to H. Philip Paradise, Jr., Regional Director, Atlanta Regional Office, Economic Development Administration, 401 West Peachtree Street, N.W, Suite 1820, Atlanta, Georgia 30308-3510. If not signed and returned within 30 days of receipt, EDA may declare the Award null and void.

Please do not make any commitments in reliance on this award until you have carefully reviewed and accepted the terms and conditions. Any commitments entered into prior to obtaining the approval of EDA in accordance with its regulations and requirements will be at your own risk.

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA implements this mission by making strategic investments in the nation's most economically distressed communities that encourage private sector collaboration and creation of higher-skill, higher wage jobs, entrepreneurship and regional development.

I share your expectations regarding the impact of this investment and look forward to working with you to meet the economic development needs of your community.

Sincerely,  
s/H. Philip Paradise, Jr.

**GRANT PROJECT ORDINANCE FOR THE EDA  
GRANT AWARD  
CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2013-2014**

**BE IT ORDAINED** by the City Council of the City of Washington, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is to provide funds for the design and construction of water and sewer infrastructure improvements.

Section 2. The officers of this unit are hereby directed to proceed with the project within the terms of the grant agreements and documents.

Section 3. The following amounts are appropriated for the project:

76-90-8221-0400	Admin. & Legal- Water Line	\$ 10,280
76-90-8221-0405	Architectural & Eng. - Water Line	62,092
76-90-8221-0410	Other Architect & Eng.- Water Line	19,738
76-90-8221-0420	Proj. Insp. Fees & Audit- Water Line	37,628
76-90-8221-4500	Construction- Water Line	940,704
76-90-8221-9900	Contingency- Water Line	102,391
76-90-8221-0401	Admin. & Legal- Liquid Chlorine	3,068
76-90-8221-0406	Architect & Eng. - Liquid Chlorine	18,529
76-90-8221-0415	Other Arch. & Eng - Liquid Chlorine	5,890
76-90-8221-0425	Inspect Fees - Liquid Chlorine	11,229
76-90-8221-4505	Construction- Liquid Chlorine	280,722
76-90-8221-9901	Contingency- Liquid Chlorine	30,555
77-90-8221-0400	Admin. & Legal- Cherry Run	1,070
77-90-8221-0405	Architectural & Eng. - Cherry Run	6,460

77-90-8221-0410	Other Architect & Eng. - Cherry Run	2,053
77-90-8221-0420	Proj. Inspect Fees- Cherry Run	3,915
77-90-8221-4500	Construction- Cherry Run	97,866
77-90-8221-9900	Contingency- Cherry Run	10,652
77-90-8221-0401	Admin. & Legal- Generator	5,066
77-90-8221-0406	Architectural & Eng. - Generator	30,599
77-90-8221-0411	Other Architect & Eng. - Generator	9,727
77-90-8221-0425	Proj. Inspect Fees- Generator	18,543
77-90-8221-4505	Construction-Water & Bonner	463,577
77-90-8221-9901	Contingency-Water & Bonner	50,458
77-90-8221-4506	Construction-Water & Bonner	504,784
77-90-8221-9902	Contingency-Water & Bonner	<u>54,943</u>
	Total	\$2,852,156

Section 4. The following revenue is anticipated to be available to complete this project:

76-90-3480-0000	EDA Grant Funds- Water	\$ 769,939
77-90-3480-0000	EDA Grant Funds- Sewer	672,110
76-90-3980-0000	City Contribution-Trans. Water Fund	706,133
77-90-3980-0000	City Contribution-Trans. Sewer Fund	<u>703,974</u>
	Total	\$2,852,156

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient detailed accounting records to satisfy the requirements of the EDA grant agreements.

Section 6. Funds may be advanced from the Water and Sewer Funds for the purpose of making payments that are due. Reimbursement requests should be made to the granting agency in an orderly and timely manner.

Section 7. The Finance Director is directed to report, on a monthly basis, the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detail analysis of past and future costs and revenues on this grant project in every budget submission made to the City Council.

Section 9. Copies of this grant project ordinance shall be furnished to the City Clerk, Budget Officer, and Finance Director for direction in carrying out this project.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall become effective upon its adoption.

Adopted this the 23<sup>rd</sup> day of September, 2013.

**ATTEST:**

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

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

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2013-2014**

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

Section 1. That the following accounts of the Water and Sewer Fund revenue budget be increased by the respective amounts indicated for the City's cost share of the EDA Grant:

30-90-9910-3991	Fund Balance Appropriated	\$ 706,133
32-90-9910-3991	Fund Balance Appropriated	<u>703,974</u>
	Total	\$1,410,107

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Section 2. That the following accounts of the Water and Sewer Fund appropriations budget be increased by the respective amounts indicated for the City's cost share of the EDA Grant:

30-90-6610-9285	Fund Balance Appropriated	\$ 706,133
32-90-6610-9280	Fund Balance Appropriated	<u>703,974</u>
	Total	\$1,410,107

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 23<sup>rd</sup> day of September, 2013.

**ATTEST:**

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor

**MEMO: JACK'S CREEK ENGINEERING REPORT SUMMARY**

City Manager, Brian Allgood reviewed the memo requested by City Council at the last meeting. This is a summary of reports of the engineering studies that had been done previously on Jack's Creek and how they were reconciled.

(Begin memo):

SUBJECT: Jack's Creek

Please find attached a copy of a drainage basin study done for Jack's Creek in September of 1999 by Jarvis Associates, P.A., as well as a planning and engineering report for improvements in Jack's Creek also done by Jarvis, as requested at the August 26 Council meeting. The study goes into detail about the existing problems as well as possible solutions, with those solutions proposed to start at the downstream end of the creek, as did the study done by Rivers and Associates in 2007 and mentioned to you several times since their report. Jarvis also proposed to raise Main Street to provide access during large storm events that normally flood Main Street from abnormally high tides. While in theory this will provide the access suggested, when the tide got up to the 8.0 elevation proposed for the new bridge, access would still be denied. Jarvis had also proposed removing the berm at Park Drive adjacent to the stormwater pump station and installing a bridge with a weir. The weir would allow water to flow out of the creek at a lower elevation than the existing berm. Likewise though, it would allow water to flow back into town during times of high tides, not just abnormally high tides. The system of box culverts with flood gates installed in 2004 in essence accomplished the same thing but also prevents high tide from inundating the City unless it breaches the berm. In order to breach the berm at Park Drive, the tide would have to exceed 8.0'. At that point, numerous streets within the City are under water already and we are at the mercy of the storm event and have to wait for the water to recede as we continue to run the pumps at the stormwater pump station, assuming that we are able to remain there and do not need to evacuate the site. As noted numerous times in the past, when the water level in the river falls at least 6" below the water level on the north side of Park Drive, the flood gates on the box culverts will start to open. As it becomes obvious that the tide is going out, we will crank open the flood gates and let the water out of town as quickly as the river will take it.

Again, we did not ultimately build what was proposed in the Jarvis reports, but the system in place accomplishes the same thing without having the creek inundated with an above average high tide. (end memo)

Mayor Pro tem Roberson stated he appreciated the report noting that also there was another report in 1970 by William Freeman and Associates with a cost estimated around \$40,000 and requested a copy of this report. Mayor Pro tem Roberson had requested Mr. Lewis provide a two page summary of the engineering reports. This would provide us with three (3) different engineering opinions about how to address these specific issues. Mayor Pro tem Roberson inquired about the property over at the 7<sup>th</sup> Street gym and the probability of opening that up to increase storage capacity (Ed Tech property). Mr. Lewis stated it is already opened up and is probably 40 ft. across the top.

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Councilman Mercer directed Council's attention to the Jarvis report noting that all calculations are essentially done utilizing an elevation of 5½ feet. Councilman Mercer stated he is curious of what the storage capacity may be with the current elevations. Mr. Alligood and Mr. Lewis provided this information (approximately 7 ½ - 8 acres for the surface area of the water—from John Small Avenue to Park Drive) but do not know about the slope on the Creek area.

**MEMO: IRON CREEK DRAINAGE**

City Manager, Brian Alligood summarized the letter from Mr. Lewis and a copy of The Wooten Company report. Essentially, based on their determination, flood elevation of Ore Court is approximately 10.4 feet. You can raise the road but the problem is you can't get any higher than 9.1 feet and this will end up pushing water into garages. There is no way to fix it except going in and raising the entire area.

Mayor Jennings voiced at first it was thought to be cost prohibited for the 4 or 5 houses west of that road. The ditch or swell runs between those houses and the houses that are behind the next road over. If we are talking about ½ million dollars we could acquire those homes, move them, then make a retention pond. This would give us a holding pond strategy and Mayor Pro tem Roberson agreed. Mayor Pro tem Roberson said another possibility would be to elevate the houses above the BFE. We have had a great working relationship with FEMA and this is an area that consistently floods (originally this was not in the flood zone). Mr. Alligood inquired if there had been flooding in the actual homes and Mayor Pro tem Roberson voiced he has heard different stories. Mr. Alligood noted that unless water has actually been in the home, FEMA will not pay to raise the house. Mr. Lewis stated to the best of his knowledge there has not been water in the home. Mayor Pro tem Roberson stated when the houses were first built, the duct work was below the BFE and FEMA changed the regulation stating this could not be done; it has to be raised above the BFE for the duct work that is underneath the house. Mr. Lewis noted one thing that did help was the 47 lb. beaver they caught out there.

Mayor Pro tem Roberson requested Mr. Lewis reiterate how we had an issue concerning building the Hwy 17 By-pass. This is when The Wooten Company came in and applied for a special use permit for the Briley property. Mayor Pro tem Roberson said he didn't believe the City ever received a call during the entire construction period from the Iron Creek residents and requested an update. Mr. Lewis provided an update. Councilman Brooks inquired at the other end of the waterway where the water goes out of Iron Creek is there anything on the other side that could be moved to help push the water out any quicker – (i.e. another pond on the other side)? Councilman Mercer suggested no one wants to acknowledge that Iron Creek is built in the bottom of a shallow and the rain events are one thing but the real flooding comes during a tropical storm. We can't control Mother Nature and Mayor Jennings said unless we can strategically hold more water in Iron Creek. Please see memo below:

(Begin memo):

SUBJECT: Ore Court – Preliminary Evaluation  
Summary for Mayor and Washington City Council  
Washington, North Carolina

Dear Mayor Jennings & Washington City Council Members:

As requested by the City of Washington, The Wooten Company has completed a preliminary evaluation of flooding issues during rain events along Ore Court in the Iron Creek Subdivision. More specifically it was requested that the option of raising the elevation of Ore Court to mitigate flooding be evaluated. For this evaluation flooding caused by the 10-year storm (a storm event that will occur on average once every ten (10) years) was used to assess the effectiveness of the proposed improvements. In addition an estimate of probable cost for the raising Ore Court was prepared.

Ore Court is off of Ore Drive approximately 0.40 miles east of the US Highway 264 crossing of Mitchell Branch Creek and is located in the 100-year flood zone. Based on this preliminary evaluation, Ore Court cannot be raised to the degree necessary to prevent flooding of the roadway during the 10-year storm. It appears that the roadway can be raised approximately 0.75 feet higher than its current elevation which would place the low point of Ore Court at approximately nine (9) feet. However, during the 10-year storm water will back up at the culvert crossing under Ore Drive and cause the flood elevation to be at least 10.4 feet at Ore Court.

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Two different data sets were used to assess the flood elevation for this evaluation. First, available federal flood information including the Federal Emergency Management Agency (FEMA)/Flood Insurance Rate Maps (FIRM) and Flood Insurance Studies (FIS) were studied. These documents showed that the approximate flood elevation in the area of Ore Court is 9.1 feet during the 10-year storm. In addition to the federal flood information, existing data from the Iron Creek Subdivision Stormwater Narrative was used along with topographic data collected by The Wooten Company. Using a combination of the sources listed above, results show that water backs up at the culvert under Ore Drive and will cause the 10-year flood elevation to be 10.4 feet. At this point, a detailed hydrologic/hydraulic analysis has not been completed.

It was also relayed to us that residents along Ore Court have reported that during heavy rain events water is backing up in the roadway and, in extreme events, up to the bottom of the mailboxes at the low point on the south side street (approximately 3.5 feet above the back of curb or an elevation of 11.6 feet). A review of the survey data collected shows that Ore Court cannot be raised to this height as it would be higher than the garage floors of the homes along Ore Court. The maximum possible height of Ore Court was derived by raising the roadway without creating other drainage issues along Ore Court. The results showed that the roadway could be raised approximately 0.75 feet to an elevation of 9.1' at the low point. Consistent with the City's request, an Estimate of Probable Cost for raising the roadway was generated which shows and Estimated Construction Cost of \$331,000 and a Total Project Cost of \$425,000.

While evaluating the possibility of raising the roadway at Ore Court to allow access during large rain events, we considered other possible options to help alleviate flooding. These options included large pumping facilities or large pumping facilities combined with berms. The extent of pumping facilities required to offer relief to Ore Court have not been determined as it was beyond the scope of this preliminary evaluation. Though the extent of pumping facilities have not been determined, it should be noted that due to the location of the existing 100-year flood plain, and the amount of flow experienced in the Iron Creek sub-division, significant infrastructure improvements and design/permitting efforts would be required and do not seem to be economically feasible.

As discussed above, it appears that the flood elevation for Ore Court, based on our preliminary evaluation, is 10.4 feet during the 10-year storm. Also, it appears Ore Court cannot be raised higher than 9.1 feet at the low point without causing additional drainage issues. While raising the road would mitigate flooding during smaller storms, it will not be effective for storms equal to or greater than the 10-year storm.

Please note that these findings, with additional details, are discussed in a letter addressed to Mr. Allen Lewis dated July 3, 2013. Should you have any questions or would like to discuss further, please do not hesitate to contact us. (end memo)

Sincerely,  
THE WOOTEN COMPANY  
/John A. Core, P.E.

**MEMO: 2013 AFG GRANT**

City Manager, Brian Allgood explained this is the FEMA Assistance Firefighters Grant and it is for informational purposes noting staff just wanted to get this out in front of Council because it will require a quick turnaround.

(Begin memo):

SUBJECT: 2013 AFG Grant

In anticipation of the opening of the application period for the FEMA Assistance to Firefighters Grant in the near future, I am writing to give you an overview of our plans for this process. As we were recently informed that we would not be awarded the 2012 grant, we intend to roll that application over into the 2013 process. That grant consisted of two thermal image cameras, washing and drying equipment for firefighting gear, and a vehicle exhaust system for station one at a total application cost of \$70,000. The 95% federal share of that grant would be \$66,500 and our 5% match would be \$3,500. In addition on the 2013 grant we are also considering adding a fire engine to the application in the amount of \$350,000. This would represent a 95% federal share of \$332,500 and our 5% match of \$17,500.

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The grant writer will charge a fee of \$50 to roll over the 2012 grant and his normal fee of \$500 to add the fire engine to the 2013 application.

This memo is for your informational purposes only, and I can answer additional questions as required as we will come back to you during a regular council meeting requesting formal support to enter into the application process. (end memo)

/rr

**MEMO: PROPOSED NCDOT PROJECT TO WIDEN 15<sup>TH</sup> STREET AND 2014 RESURFACING PLAN**

City Manager, Brian Alligood explained that he and Mr. Lewis met with Division 2 Operations Engineer and Eastern Regional Field Operations Engineer to discuss the proposed NCDOT Project to widen 15<sup>th</sup> Street and 2014 resurfacing plan.

By being a channelized left-turn only median Mr. Alligood mentioned that NCDOT has raised a concern which will occur from business owners that this will be cutting off access from customers. NCDOT believes this will be minimum impact especially when it comes to safety. DOT is proposing to pay for it with an estimated \$3.2M and they are willing to move forward with the project with Council's support. If Council will not support the project then it will be thrown back in the hopper with all the other projects and it will compete with those projects on a State wide level. The good thing is because this project has been in play for so long it's been approved to be done. Cost benefit analysis on the State wide level funding is about a 5.0 level and this project by State number is only about a 3.2 level which leaves the probability that it will never get built if it goes on the State wide level. Please see memo:

(Begin memo):

SUBJECT: Proposed NCDOT Project to Widen 15<sup>th</sup> Street and 2014 Resurfacing Plan  
On August 29, 2013 Allen Lewis, Public Works Director and I met with Dwayne Alligood, Division 2 Operations Engineer and Haywood Daughtry, Eastern Regional Field Operations Engineer to discuss upcoming proposed NCDOT projects within the City of Washington.

NCDOT is proposing to widen a 0.64 mile segment of 15<sup>th</sup> Street from Carolina Avenue (US 17 Business) to Pierce Street. It was reported that based on NCDOT data, this section of road has three (3) times the amount of crashes compared to similar sections of roads across the State. The proposed project will widen the existing 48' four-lane undivided section to a 64' four-lane divided section with a 16' median and 7'berms. In order to address the crash concerns, the median section will be a channelized left-turn only median. Traffic movements at signalized intersections will not be changed but left-turn movements throughout the remaining section will be controlled by channelization. The total cost of the project is estimated at \$3.5M with NCDOT paying the entire share.

NCDOT officials have stated that they anticipate concerns being raised by business owners that channelization will impede customer access to their property when compared to a free-flowing median. Based on past history with similar projects, officials believe this disruption to be minimal and far outweighed by the reduction in crashes and improved traffic safety. NCDOT has asked that Council support this design in order for the project to continue. After the first of the year NCDOT officials will make a presentation to Council on the proposed project and seek formal support.

In addition as part of its 2014 resurfacing program, NCDOT is planning to resurface 5<sup>th</sup> Street (US 264) from 15<sup>th</sup> Street to Hudnell Street at an estimated cost of \$2M and 3<sup>rd</sup> Street (NC 32) from Bridge Street (US 17 Business) to Washington Park at an estimated cost of \$650,000. (end memo)

/ba

Mayor Jennings stated that safety is our first concern. Mayor Pro tem Roberson expressed his concerns regarding the right-of-way. Mayor Jennings noted that the Manager will arrange to have DOT come back after elections for a formal presentation, answer any questions, and will request the City's support. Discussion followed.

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**DISCUSSION: LIGHTHOUSE RESTROOM & BOATER FACILITIES BID OPENING**

City Manager, Brian Alligood stated there was a bid opening on Wednesday, September 18 and that 6 sets of plans were picked up but only received 3 bids. Attached handout:

**Lighthouse Restrooms & Boaters Facilities**

Bid opening: Wednesday, September 18<sup>th</sup> at 4P

3 bids received (6 picked up plans)

Base bids:	Stocks and Taylor	\$385,000
	AR Chesson	\$369,272
	White Construction	\$349,932

Project budget \$300,000

Approximately \$20,000 spent to date on design and bidding

Leaves approximately \$280,000 for construction

Using current low bid we are approximately \$70,000 short

John Rodman is meeting with White Construction this week to review bid (plan)

- hope to value engineer approximately \$20,000 out of bid

- leaves us approximately \$50,000 short

- 3 currently bid projects have come in under budget which picks up \$30,000

- believe we can identify the additional \$20,000 in the budget or look to contingency

Bring back solid numbers at the next regular meeting (Monday, October 7, 2013) for approval.

Councilman Mercer suggested that the square footage of the building is approximately 1200 sq. ft. and the bid is coming in at about \$300 per sq. ft. Mr. Alligood and Mr. Rodman said that's correct. Mr. Alligood stated they heard this from the bidders that it is very expensive (one of the things putting in the block because it is anticipated that water will get in there and there will be additional cost because of flood proofing).

Mayor Jennings noted that Council will need to realize we have an expensive design but from a practical insight of our current budget capabilities we are \$20,000 away. We have been kicking this one around for a decade and if we can find \$20,000 inside our current budget then we need to close the gap. Councilman Mercer agreed it is time to get it done. Mr. Alligood stated we do have grant funding on this project. Mayor Pro tem Roberson wanted to be sure that White Construction is a licensed general commercial contractor. Mr. Alligood stated he owns an unlimited license – Mayor Pro tem Roberson inquired residential? Mr. Alligood was not sure and stated staff will confirm.

**DISCUSSION: SCHEDULING FOR OCTOBER COUNCIL MEETING**

Mayor Jennings expressed that the regular scheduled Council meeting for the month of October coincides with the NCLM Conference. We have at least two Council members scheduled to attend the conference. It has been proposed to move the Council meeting back to October 7 and Mayor Jennings inquired if anyone had a conflict.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council agreed to move the regular October 14, 2013 Council meeting to October 7, 2013.

**CLOSED SESSION: UNDER NCGS § 143-318.11(a)(1) DISCLOSURE OF CONFIDENTIAL INFORMATION AND 143-318.10(e) THE PUBLIC RECORDS ACT, NCGS 143-318.11(a)(3) ATTORNEY CLIENT PRIVILEGE – INCLUDING ROULHAC, ET AL VS. CITY OF WASHINGTON (11-CVS-1150) AND JAMES L. DAVIS VS. CITY OF WASHINGTON (09-OSP-06499)**

By motion of Councilman Pitt, seconded by Council Brooks, Council agreed to enter closed session under NCGS § 143-318.11(a)(1) Disclosure of Confidential Information and 143-318.10(e) The Public Records Act, NCGS 143-318.11(a)(3) Attorney/Client Privilege – including Roulhac, et al vs. City of Washington (11-CVS-1150) and James L. Davis vs. City of Washington (09-OSP-06499) at 6:12 pm.

By motion of Councilman Mercer, seconded by Councilman Brooks, Council agreed to come out of Closed Session at 7:20 pm.

**ADJOURN – UNTIL MONDAY, OCTOBER 7, 2013 AT 5:30 PM IN THE COUNCIL  
CHAMBERS AT THE MUNICIPAL BUILDING**

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council adjourned the meeting at 7:20 pm until Monday, October 7, 2013 at 5:30 pm in the Council Chambers at the Municipal Building.

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

DRAFT