



MARCH 12, 2012
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval of minutes from February 13 & February 27, 2012 **(page 4)**

Approval/Amendments to Agenda

Presentation: Matthew Bailey –Washington Police Department (Retired)

I. Consent Agenda:

- A. Approve – Budget Ordinance Amendment for the Electric Fund (\$70,255) **(page 42)**
- B. Declare Surplus/Authorize – Declare surplus **and** authorize the sale of vehicle through electronic auction using GovDeals **(page 44)**
- C. Adopt – Budget Ordinance for Reallocation of CDBG Funds **(page 45)**
- D. Approve – Purchase Orders >\$20,000 **(page 47)**

II. Comments from the Public:

III. Public Hearing on Zoning: **6:00 PM**

- A. None –

IV. Public Hearing – Other:

- A. Public Hearing - Adopt – Annexation Ordinance to extend the City of Washington corporate limits for non-contiguous property owned by Boddie-Noell **(page 50)**

V. Scheduled Public Appearances:

- A. Mr. Tyrone Wilson - ABA Basketball
- B. Beaufort County Pirates Club – Blue Grass Festival **(page 54)**
- C. WHDA Maritime Team – “Jeannie B” Docking **(page 55)**

VI. Correspondence and Special Reports:

- A. Memo – Little Washington Sailing Club Dockage **(page 62)**



MARCH 12, 2012

- B. Memo – Belle of Washington Dockage **(page 63)**
- C. Memo – Extra-Territorial Jurisdiction Reduction **(page 65)**
- VII. Reports from Boards, Commissions and Committees:
 - A. Human Relations Council **(page 69)**
 - B. Washington Harbor District Alliance **(page 71)**
 - C. Financial Reports **(emailed as available)**
- VIII. Appointments:
 - A. Appointments: – Washington Housing Authority and Parks & Recreation Advisory Board **(page 73)**
- IX. Old Business:
 - A. Authorize/Approve – City Manager to sign a contract with Mid-East Commission **and** Approve the corresponding purchase order for compiling the NCDOT Bicycle Master Plan (\$35,000) **(page 80)**
- X. New Business:
 - A. Adopt/Discuss – Request from Beaufort County and Beaufort County Water Districts I and VI for proposed easements **(page 91)**
 - B. Adopt – Ordinance to condemn as unsafe the structure located at 331 West 7th Street and direct the structure to be vacated and closed **(page 94)**
 - C. Award/Approve – Contract for Tree Trimming Services for FY 2012-13 to Asplundh Tree Expert Company **and** Approve corresponding PO (\$174,554) **(page 99)**
 - D. Adopt/Discuss – Recommended Fees/Charges for use of the grounds and/or facilities of the Festival Park **and** discuss Rules for Festival Park **(page 101)**
 - E. Authorize – City Manager to sign Release, Hold Harmless and Indemnification Agreement with Bridge Harbor, LLC (Fireworks) **(page 104)**
 - F. Adopt/Approve – Budget Ordinance Amendment for Airport Fund **and** Approve corresponding purchase order (\$383,333) **(page 109)**



MARCH 12, 2012

- G. Award/Adopt/Authorize – Financing Bid for Installment Purchases to BB&T, **and** Adopt a Resolution approving financing terms, **and** Authorize the C.F.O. to execute the necessary documents (\$897,666) **(page113)**
- H. Adopt – Resolution Authorizing Worker’s Compensation Claim payment **(page 121)**
- I. Authorize – City Manager to withdraw the demolition of the Charlotte Street Bridge from the current contract with T.A. Loving Company **or** Authorize the City Manager to restart the demolition of the Charlotte Street Bridge as contracted with T.A. Loving Company **(page 123)**
- XI. Any Other Items From City Manager:
A. None
- XII. Any Other Business from the Mayor or Other Members of Council
A. None
- XIII. Closed Session – Under § NCGS 143-318.11(a)(3) Attorney/Client
- XIV. Adjourn – Until March 26, 2012 at 5:30 pm, in the Council Chambers at the Municipal Building.

The Washington City Council met in a regular session on Monday, February 13, 2012 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; Richard Brooks, Councilman; Bobby Roberson, Mayor Pro tem; Josh Kay, City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney.

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; Keith Hardt, Electric Director; Major Sandy Blizzard, Police Department; Susan Hodges, Human Resources Director; and Mike Voss, of the Washington Daily News.

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

APPROVAL OF MINUTES

Councilman Mercer acknowledged discussions held with the City Clerk regarding the correction of a typographical error in the minutes from January 23rd noting that a motion regarding Charlotte Street Bridge was duplicated on page 26 of the agenda packet. One of those motions will be deleted. By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the minutes of January 9th & 23rd as presented.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennings explained that the public hearing regarding the Charlotte Street Bridge will be held on February 27th at 6:00pm.

Councilman Mercer requested that Consent Agenda Item D: Approve – Purchase Orders for Load Management Switch Installations (\$20,000) be moved to Old Business Item C.

Mayor Jennings noted that staff has requested that New Business Item C: Authorize – City Manager to contract with Mid-East Commission to compile NCDOT Bicycle Master Plan **and** Approve corresponding purchase order (\$35,000) be removed from the agenda for discussion at a later date.

City Manager, Josh Kay requested adding Closed Session 143-318.11(a)(3) Attorney/Client Privilege.

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

CONSENT AGENDA

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

A. Declare/Surplus/Authorize – Sale of a vehicle through electronic auction using GovDeals

| Vehicle Number | Make/Model Description | Serial Number | Odometer Reading |
|----------------|--|-------------------|------------------|
| #488 | 1991 International Garbage Truck w/E-Z Packer 20 cubic yard body | 1HTSDNXXRMH373801 | 117,576 |

- B. Declare/Surplus/Authorize – Sale of two trenchers through electronic auction using GovDeals of these vehicles through electronic auction using GovDeals.

| Vehicle Number | Make/Model Description | Serial Number | Odometer Reading |
|----------------|--|---------------|------------------|
| #611 | 1998 Ditch Witch Trencher Model 7020 | Ser. # N5P063 | N/A |
| #621 | 1997 Ditch Witch Trencher Model 3700DD | Ser. # 3P1264 | N/A |

- C. Accept & Authorize – Ratify the Letter of Credit **and** Authorize City Manager/Attorney to effectuate the City’s authority in accordance with the terms (\$70,000)

- D. **Item moved to Old Business Item C: Approve** – Purchase Orders for Load Management Switch Installations (\$20,000)

- E. Approve – Purchase Orders >\$20,000

#10783 \$21,900 to Piedmont Truck Center for a Ford F250 to replace vehicle #652

#10784 \$11,291.98 to Quality Truck Bodies for the Reading truck body. The vehicle will be purchased through the State contract and \$35,000 is budgeted for the purchase in 35-90-7250-7403

#10764 \$21,750 to Tencarva Machinery Co. for sewer pumps in the 13th & Bridge St. project to increase capacity. \$40,000 is budgeted for this project in account 32-90-8230-7400

MR. TOM THOMPSON - ECONOMIC DEVELOPMENT UPDATE

Tom Thompson, Economic Development Commission reviewed several documents with Council which details job announcements throughout the state. He also reviewed JDIG grants which are a return of the company’s withholdings, the state returns 75% of this to the company for up to 12 years. Most of the JDIG grants and job announcements are in the Piedmont area. Currently, we have one company in the Skills Center working on a product and they would probably be interested in the Quick Start 2 Building if it were still available. At the same time, we have two clients working with us now on the Quick Start 2 Building, which are both \$25million investments. P & G Manufacturing Company will be moving into the Industrial Park, they are expanding and building 50,000sq.ft.

Mayor Pro tem Roberson suggested trapping the cats and releasing them at the airport. He further inquired about what would be done to property damage created by the cats? The merchants appear to be happy with the reduction in the number of cats downtown. Monica Ferrari stated she checked the awning and it appeared one of the tears is probably from a cat, but the other appears to be cut with a knife/scissors. The railings have been blocked off so the cats can't jump from the railings on to the awnings. Councilman Pitt asked if the cat colonies were vital to downtown? Ms. O'Neill stated she felt they were because they keep the rodent population down. Councilman Moultrie stated we should be sensitive to those who love cats and he hopes we can find resolution tonight and move on.

PUBLIC HEARING – FY 2011 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Mayor Jennings opened the public hearing. Reed Whitesell, Holland Consulting Planners stated this is the first of two public hearings required for CDBG FY2011 grants. Mr. Whitesell reviewed correspondence from Vicki Miller, Director of Community Investment and Assistance. All houses in Phase I – Keys Landing subdivision should be occupied by 5/31/12. Mr. Whitesell asked Ms. Miller for confirmation on the following items:

*The city may apply for FY11 Catalyst funding, since the city has been granted an extension on #05-C-1490 until 5/31/12. (Miller's response) Since technically the Grant Agreement was amended to allow for more time, and as long as the city is in compliance with the work-out agreement for the 05-C-1490 project, the city may apply for 2011 Catalyst funds. In order for the city to be considered for funding for the Catalyst application, the 05-C-1490 project must be completed as agreed by the time funding decisions are made.

* The city may not apply for an FY11 Catalyst HD component to complete a portion or all of Phase II of the Keys Landing subdivision, because Phase I of the project will not be complete by the FY11 Catalyst deadline of 4/30/12/. (Miller's response) That is correct.

*Once Phase I of the project is substantially complete, city representatives may meet with CI to discuss either FY 12 Catalyst and/or Contingency funds to complete Phase II of the project. (Miller's response) We always welcome the opportunity to discuss potential projects. As mentioned, Contingency projects are not guaranteed due to funding availability.

The purpose of the public hearing is to obtain the views and proposals of the citizens of the City of Washington with regard to the determination of priorities for the community development and housing needs of the city.

Funding categories for FY 2011, as sponsored by the North Carolina Department of Commerce, Division of Community Investment and Assistance, are as follows:

- NC Catalyst Grants to local governments to develop viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate-income. Awards: \$250,000-\$500,000

- Infrastructure: Provides public water or sewer to correct severe health or environmental problems.

- Scattered Site Housing: Given to county governments on a rotating basis to address the most critical housing needs of very low-income families Awards: \$400,000.
- Small Business Entrepreneurial Assistance: Creates and retains jobs for struggling small local businesses. Awards: \$150,000-\$250,000.

Phase I consists of five houses, while Phase II includes seven houses. Phase II granting could provide infrastructure for the remaining seven houses. Rev. David Moore has acquired financing through the NC Housing Financing Agency and permanent financing will be through First South Bank.

Mr. Whitesell stated the plan is to continue working in the 6th & 7th Street area roughly between Bonner and Respass from 5th up to 7th Street. Concentrating strictly on low to moderate, owner occupied, moderately deteriorating housing. Possibly use some of these funds to extend the greenway at the Harding Street corridor. This is a three part process: rehab possibly 7-8, low to moderate income/owner occupied dwellings, acquisitions and code enforcement. If Council is interested in this project, he will need the go ahead from Council due to the application being due by April 30th and the need for another public hearing.

Mr. Whitesell explained the “forgiven loan” which is forgiven in 8 years, but changing that to partial forgiven and a partial 0% amortizing loan. This would allow the generation of program income that could be placed into an emergency repair fund.

Mayor Pro tem Roberson asked Mr. Whitesell what the city’s match would be for this grant? Mr. Whitesell noted the match would be \$50,000 or 10% of the \$500,000 grant amount.

Councilman Mercer asked for clarification regarding grant applications in FY11; can we apply for grants as long it is not regarding the Keys Landing project. Mr. Whitesell stated that is correct. Questions were asked regarding whether the infrastructure grants for water/sewer(septic tanks & wells) was actually a grant or loan. Mr. Whitesell explained these are grants and actually would fully upgrade the water & sewer connections, but the majority of the time the plumbing is completely upgraded along with a new HVAC. Councilman Mercer inquired if grants could be available for the Main & Respass pumping station. Mr. Whitesell explained a letter of interest would need to be prepared for the severe needs category.

Mayor Jennings called for public comments. There being no public comments, the public hearing was closed.

MEMO – SEATOW PAMLICO DOCKAGE

SeaTow Pamlico, dba Inland Enterprises, LLC has executed a Waterfront Docking agreement with the City of Washington. During the past year SeaTow Pamlico has been an invaluable resource to the Waterfront Docks Division, giving advice and assistance to the staff and boaters alike. Dock Attendants have requested logs to be removed from the docks an average of once per month via work order and other times while Larry Williams, Owner, was on site. SeaTow continues to be an asset in the community as well. During recent Storms, his expertise has guided planning and recovery. His experience and contacts with other marinas has been a good resource when comparing policies, rules and regulations. His availability in the area has enabled him to be of assistance to our “resident” boaters

as well as the community at large. In addition to the usual benefit, SeaTow also implemented the Automated Radio Check system. This system aids the hailing and distress channel (16) by cutting down the amount of radio traffic on its frequency, which allows the USCG more open air time for vessels in need of emergency assistance. This system provides radio checks 24/7. The new docking agreement will be for the period of April 1, 2012 March 31,2013.

Councilman Mercer asked staff to detail the services that the City provides to SeaTow(docking space at no cost). We need to review what we are getting in comparison to what we are giving away. Mayor Jennings noted that the docking is provided at no cost in exchange for the clearing of debris in the water. Currently, we do not have anyone else lined up to provide this service. Council would like to revisit this agreement. Mr. Kay stated that the agreement has already been executed, but will review for the next renewal.

HUMAN RELATIONS COUNCIL

Multicultural Festival October 23, 2011 Operations Report

- *Initial funds (seed money from partner agencies) \$755.00
- Grass Roots (Arts Council) \$500.00
- Washington Human Relations Council 255.00
- *Funds raised: \$1,251.00
- Potash Corp. and Kids Fossil Dig \$800.00
- Rod Cantrell with Edward Jones Investments 75.00
- Ray Moore with Moore Oil 50.00
- Sue Nicholson 75.00
- Rick Gagliano 65.00
- Public Donations 186.00
- *Revenue from T-Shirt Sale \$169.00

Several expenses were incurred; the following is a list of major expenses that were covered in some way with raised funds, seed money, t-shirt revenue and donations.

- Total Expenses: \$2,389.70
- Litho Graphix \$ 44.84
- Grand Rentals 395.00
- The Flag Company 387.12
- Oriental Trading 120.74
- Party Makers 107.00
- Lone Bull Advertising 510.00
- Civic Center Rental 350.00
- Flair by Sharon 475.00

Note: Some other expenses were incurred but with no money being available, planning committee members made a total contribution of \$554.00

Update - Ed Peed Commemoration

Avenues for advertisement:

- > Banners >About Town Ad
- >Word of mouth >Cable 9

Discussion Formulated list of Interpreters for the Latino community at Brown Library
A list of Spanish speaking interpreters had been forwarded to Ms. Moore for consideration of the vacant position at the Library.

Discuss Proclamations for the month of February:

- >Human Relations Council Month > Ed Peed Day
- > Brotherhood/Sisterhood Week >ASALH

Discussion Beaufort County 300th Anniversary Celebration: Board members nominated Vice chairwoman Cherry and Board member Howard to represent the Washington/Beaufort County Human Relations Council on the committee for the 300th anniversary of Beaufort County.

FYI : All reminders and announcements were discussed at this time inclusive of October, November, and December report submitted to City Council. Chief Reed announced the employment of Kimberly Grimes as the Criminal Justice Program Administrator (Project next Step).

RESIGNATION: Board member Castro submitted her resignation letter (effective 1-10-2012) and offered her regrets as she will be pursuing her Master’s degree.

**WASHINGTON TOURISM DEVELOPMENT AUTHORITY RESOLUTION
TO SUPPORT YEAR-ROUND ACCESS TO FESTIVAL PARK RESTROOMS**

WHEREAS, the new waterfront Festival Park has been completed; and

WHEREAS, Festival Park is an asset for the enjoyment of both residents and visitors to Washington; and

WHEREAS, the City of Washington, the Tomasulo Family, the Washington Harbor District Alliance, and other organizations have financially supported the improvements and building of a premiere venue for year-round use and entertainment; and

WHEREAS, the Washington Tourism Development Authority promotes the events, activities, and use of Festival Park for public events; and

WHEREAS, the mild climate in eastern North Carolina attracts visitors and residents to the Washington waterfront year-round.

NOW, THEREFORE, BE IT RESOLVED, that the Washington Tourism Development Authority supports the immediate opening of and year-round use of the Festival Park restrooms for the public.

ADOPTED this the 18th day of January, 2012.

**s/Lynn W. Lewis
Tourism Development Director**

**s/David Gossett, Chairman
Washington Tourism
Development Authority**

WASHINGTON HARBOR DISTRICT ALLIANCE

Some of the current projects WHDA is facilitating:

Washington Maritime Group

The Washington Maritime Committee has been formed under the Economic Restructuring Committee in recognition of the impact our city's waterfront has on the downtown.

The Maritime Committee has determined these five activities as the most important for the advancement of the Washington waterfront, viewed by the committee as an important economic driver for Washington.

- Establish Water Front Advocate Group to bring issues to the City
- Determine appropriate management model for the City's Waterfront Docks
- Build new boater bathrooms, public restrooms, and dock attendant's facility
- Establish and recommend final layout for City Docks and Waterfront
- Provide diesel and gasoline to boaters

So as others on the Economic Restructuring Committee continue to work on business recruitment, hotel development and furthering the Visualization and Reinvestment Strategy, this team will now handle issues concerning the waterfront. The group hopes to serve the Mayor and Council well and invites the Mayor and council to attend any meeting.

Downtown Washington Historic Window Cling Decorations – A small group is trying to address the negative impact the empty, unkempt buildings have on the image of downtown Washington. Rebecca Clark and John Schermerhorn have lobbied for private funds and have installed historical photographs in two of the windows of the Fowle Building. Four historical images of Washington have been displayed. Text describing the historical context of the pictures will be added. Once expanded to other empty buildings a brochure will be produced that will offer a map and more information on the history of our commercial district. Washington Area Historic Foundation has been supportive of the project both financially and operationally. WHDA hopes this will help to visually fill the gap between retail establishments when walking and driving through downtown.

Old City Hall- Main Street Solutions Fund Grant

Indicators are positive when it comes to the possibilities of securing \$200,000 in State money from the Main Street Center's Solutions Fund Grant. Announcements should be made by the end of the month. In the mean time, Ms. Piciotta and Ms. Darre have made great progress on the plans for Old City Hall. They continue to meet with the Planning Dept., Public Works and Permitting on the feasibility of their plans and hope to identify any problems or concerns with their plans before construction begins in March. They also continue to meet with John Wood of the State Historic Preservation Office and hope to successfully apply for State Historic Tax Credits.

Golden Leaf Community Initiative Grant

The Washington Chamber of Commerce, with the assistance from WHDA and City Planning is applying for the Golden Leaf Community Initiative Grant program. The Chamber hopes to spur small business development by creating "*Beaufort's Next Bright Idea*" a business plan competition designed to incentivize small business owners and other entrepreneur's to create or expand businesses within Beaufort County, NC. If awarded, WHDA will continue to provide assistance with this project by serving on the judging committee.

“A Perfect Day” Beaufort County’s Wedding Planner Guide

In an effort to promote Washington as an ideal place to hold weddings, WHDA Organization Committee is in the process of creating a new publication called “A Perfect Day”. This publication will highlight small businesses, venues and services that cater to the bride on the big day. This is the only publication of its kind in Beaufort County. WHDA’s goals are two-fold, one is to support the small businesses in Beaufort County as the average amount spent on a wedding is \$29,000 and the other is to create a fundraiser for WHDA that does not rely on weather as the Beach Music Festival and the Crab Pickin’ does. The publication should be distributed in late March 2012.

The 2nd Annual Washington Marine Market

The Washington Harbor District Alliance is will host the second Marine Market on Saturday, April 28th from 9 AM to 9PM. The event will offer a nautical market along the City of Washington docks where one can browse through all types of nautical gear – both new and used – or take advantage of the bargains on everything from fishing tackle to boats. But this year WHDA is proud to announce we’ve joined forces with the BoCo Music Festival. This will help the two agencies to present a quality venue, attract hundreds if not thousands downtown and will help keep the cost of production to a minimum.

| WHDA 2012 Calendar of Events | |
|-------------------------------------|--|
| April | Music in the Streets Starts April 3rd - Runs every Third Friday thru Oct. Saturday Market Begins April 21 st . Continues every weekend Nautical Market April 28th |
| May | Artwalk – Thursday, May 10th Sat Market Every Saturday Music in the Streets May 18 th |
| June | Sat Market Every Saturday Music in the Streets June 15th Little Washington Sailing Club 2012 Season |
| July | Sat Market Every Saturday July 4 th Celebrations Music in the Streets July 20th Little Washington Sailing Club 2012 Season |
| August | Sat Market Every Saturday Music in the Streets 17th Pickin on the Pamlico - Sat., Aug. 25th Little Washington Sailing Club 2012 Season |
| September | Sat Market Every Saturday Rockin’ on the River - Saturday, Sept. 15th Music in the Streets September 21st |
| October | Sat Market Every Saturday Music in the Streets October 19th (Assist) Smoke on the Water Oct. 26/Oct. 27 |
| November | Art Walk Thursday, Nov. 8th |
| December | Flotilla & Hometown Holiday Sat., Dec. 1 |

Music in the Streets will be Celebrating its 10th Year!

The MITS volunteer committee is putting the final touches on a promotional CD that will feature many of the favorite musicians hosted at last year's MITS. The committee hopes to raise funds by selling the CD.

Board Continues to Meet:

The WHDA Board meets every third Wednesday of the Month at 8:30AM at the Inner Banks Artisans Center. The meetings are open to the public and any interested person is invited to attend.

FINANCIAL REPORTS (EMAILED AS AVAILABLE)

Councilman Mercer reiterated that the revenues and expenses do not balance, although they are better than they have been. Mayor Pro tem Roberson asked Mr. Kay to develop a plan of action to get our finances in line and to have this information presented at the Committee of the Whole meeting.

APPOINTMENTS: – WASHINGTON HOUSING AUTHORITY AND HUMAN RELATIONS COUNCIL

City Attorney, Franz Holscher, explained that the City Code provides that the Council makes appointments to the Housing Authority, while State Statute says the Mayor makes the appointment. This is a section of the City Code that will need to be changed. Mayor Jennings advised this appointment will be pulled and made by him at the March Council meeting.

Councilman Pitt nominated Melita Davis to fill the unexpired term of Nattalie Castro. By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council appointed Melita Davis to the Human Relations Council to fill the unexpired term of Nattalie Castro, term to expire June 30, 2012.

ADOPT/AUTHORIZE – RESOLUTION TO LEASE PROPERTY ON AIRPORT ROAD TO THE BEAUFORT COUNTY COOPERATIVE EXTENSION AND AUTHORIZE CITY MANAGER TO NEGOTIATE AND TO EXECUTE (3 YEARS) LEASE

City Manager, Josh Kay explained that the Master Gardener program of the Beaufort County Cooperative Extension service has requested to renew their lease of approximately an acre of land opposite the Extension Service building on Airport Road. The land has no present Airport use and has been used by the Master Gardner Program for the last three years. The Master Gardener Program established a Community Gardens Program where local citizens who do not have access to garden plots can establish a plot with the assistance from the Master Gardener Program. The current lease is set to expire February 14, 2012. In addition to reducing the City's maintenance responsibilities, the consideration for the lease is that the property shall be utilized in conjunction with and in furtherance of the Beaufort County Master Gardener Program, a public use, and the lease will restrict the use of the property to the same. Mr. Kay further explained that this is a renewal of the current lease.

Mayor Pro tem Roberson suggested possible screening of the garden area in the off season.

Councilman Mercer suggested that in the future, if agreements are the same and just a renewal, to please note that in the beginning of the action item to alleviate reading. He also stated that there would've been no need to include the agreement in the packet if it was just a renewal.

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council adopted the Resolution to Lease Property on Airport Road to the Beaufort County Cooperative Extension for three (3) years and Authorized the City Manager to further negotiate, if necessary, and execute the lease.

(copy attached)

APPROVE – ORDINANCE FEEDING OF FERAL ANIMALS

Mr. Kay explained that by amending Section 22-97 (j) would decriminalize this section of City Code, thereby, allowing for the violator to be charged with a civil penalty (\$50) rather than a misdemeanor. Councilman Mercer noticed that with rewriting Section 22-97 and the penalty may be paid to the Magistrates Court instead of the City. He fears that by routing collection through the courts will increase the penalty to \$160. He suggested that the amendment should state that the penalty should be paid to the Office of Collections within 14 days, if not paid within that 14 day period, the penalty could be referred to the Magistrate Court system. Mayor Jennings stated that if the wording was changed as opposed to what is presented tonight, then we will have to wait for approval because the ordinance that is adopted has to be correct at the time Council adopts it.

Mayor Jennings asked if a recess was taken could the ordinance be written to reflect the aforementioned changes? Mr. Holscher stated that he and staff would do their best to incorporate the changes suggested.

Council stood in recess 6:45pm-7:00pm.

Councilman Mercer stated that the corrections have been incorporated as suggested and was ready to make a motion. By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council adopted an Ordinance amending Chapter 22, Parks and Recreation, Article IV, Use of Waterways, Wharves, Docks, Boardwalk and Promenade, Section 22-97, Unlawful Acts, of the Code of the City of Washington, North Carolina to Decriminalize Certain Provisions of Section 22-97 and Impose Civil Penalties for Violations of those certain Provisions.

**AN ORDINANCE AMENDING
CHAPTER 22, PARKS AND RECREATION, ARTICLE IV, USE OF WATERWAYS,
WHARVES, DOCKS, BOARDWALK AND PROMENADE, SECTION 22-97, UNLAWFUL
ACTS, OF THE CODE OF THE CITY OF WASHINGTON, NORTH CAROLINA TO
DECRIMINALIZE CERTAIN PROVISIONS OF SECTION 22-97 AND
IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THOSE CERTAIN PROVISIONS**

WHEREAS, North Carolina General Statute Chapter 160A, Cities and Towns, Article 8, Delegation and Exercise of General Police Power, authorizes cities and towns to, among other things, provide that violations of ordinances shall subject the offender to a civil penalty to be recovered in a civil action in the nature of a debt if the offender does not pay the penalty within a prescribed period of time after being cited for a violation of the ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Council for the City of Washington, North Carolina that Chapter 2, Parks and Recreation, Article IV, Use of Waterways, Wharves, Docks, Boardwalk and Promenade, Section 22-97, Unlawful acts, shall be amended as follows.

Section 1. Section 22-97, Unlawful acts, is hereby amended by deleting the section title, Unlawful acts, and replacing it with the following.

Sec. 22-97. Prohibited acts.

Section 2. Section 22-97(j), *Violation, penalty*, is hereby amended by deleting the subsection in its entirety and replacing it with the following subsection.

Sec. 22-97. Prohibited acts.

(j) *Violation, penalty.* Any violation of Sec. 22-97(i) shall subject the offender to a civil penalty in the amount of \$50.00. Offenders shall be issued a written citation for all such violations and shall pay the same within fourteen (14) calendar days from the issuance of the citation to the office of the Collector of Revenue. If the citation is not paid within fourteen (14) calendar days of issuance, the offender shall be liable for an additional civil penalty of the same amount for failure to pay within fourteen (14) days. The civil penalties imposed hereunder shall be the sole method of enforcing violations of Sec. 22-97(i) and no citation issued for such violations shall be enforced through the application of North Carolina General Statute § 160A-175(b) or North Carolina General Statute § 14-4. It being the intent of this subsection that citations issued for such violations shall not be enforced through criminal misdemeanor prosecution. Said penalties may be collected by the city through Magistrate's Court, the cost for which will be assessed to the offender receiving the citation.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 5. This ordinance shall take effect and be enforced from and after the date of its adoption.

This the 13th day of February 2012.

ATTEST:

**s/Cynthia S. Bennett, City Clerk
City of Washington**

**s/N. Archie Jennings, III, Mayor
City of Washington**

Mr. Kay reviewed the two options regarding the ordinance amendment. As discussed at previous City Council meetings, there are concerns about the current ordinances of the City in relation to the feeding of feral animals within the corporate limits of Washington.

Option 1: Prohibit the feeding of feral animals in the City

1. Section 22-97 (i): Parks and Recreation should be amended to better define areas where the feeding of animals is prohibited. The proposed language is as follows:

Section 22-97 (i) Animal and bird feeding restrictions. Restrictions upon feeding of animals and birds in specified areas.

(1) No person shall do any of the following:

- a. Feed any bird or animal; or*
- b. Disperse any food material or other matter edible by any bird or animal so as to make such material or matter available to other birds or animals for ingestion.*

(2) No person shall leave any food or other matter edible by any bird or animal to remain on the ground after dispersing or dropping the same in or on the designated area.

(3) These restrictions shall apply to all City-owned parks, facilities, boardwalks, roads, easements, and rights-of-ways including, but not limited to, the following areas:

- a. Downtown area further defined by Bridge Street on the west, Bonner Street on the east, 2nd Street on the North, and the federal channel of the Pamlico River on the south (private single-family residences within the outlined area are exempt from these restrictions);*
- b. Festival Park;*
- c. Haven Garden;*
- d. Veterans Park; and*
- e. Boardwalk along Pamlico River.*

2. Section 22-97 (j) be amended with the attached ordinance to decriminalize this section of City Code, thereby, allowing for the violator to be charged with a civil penalty rather than a misdemeanor.

Option 2: Allow designated individuals and/or groups to feed animals in designated areas as approved by City Council

1. Section 22-97 (i) to be revised to add:

Section 22-97 (i) Animal and bird feeding restrictions. Restrictions upon feeding of animals and birds in specified areas.

(4) Certain individuals and/or groups may be exempt from the prohibitions of this section, provided they provide the following information to City Council and receive such exempt status from City Council on an annual basis. Exemption from the prohibitions may be withdrawn by City Council at any time and for any reason.

- a. Overall program description and purpose of program;*
- b. Locations where animals are to be fed;*
- c. Times that feeding will occur times shall be limited to no more than one hour per day;*
- d. List of individuals with up-to-date contact information that will be overseeing the feeding;*

- e. Disposition of animals fed and/or caught, including, but not limited to, number of animals, locations animals caught and released, and medical procedures or vaccines given; and*
- f. Any other information, plan, and/or requirement that City Council may impose or require from said individuals or groups.*

2. Section 22-97 be amended with the attached ordinance to decriminalize this section of City Code, thereby, allowing for the violator to be charged with a civil penalty rather than a misdemeanor.

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council adopted an Ordinance amending Chapter 22, Parks and Recreation, Article IV, Use of Waterways, Wharves, Docks, Boardwalk and Promenade, Section 22-97, Unlawful Acts, of the Code of the City of Washington, North Carolina to Further Define the Areas where the Feeding of Animals and Birds is Prohibited and Allow for Certain Individuals and/or Groups to be Exempted from the Prohibitions.

Councilman Mercer stated that this ordinance means any animal or bird, not just cats. Councilman Pitt stated someone will need to monitor the feeding program? Councilman Moultrie suggested a time frame of sixty (60) days to monitor and revisit this program. Mayor Pro tem Roberson asked who would need to be contacted regarding possible feeding violations? Mr. Kay stated the individual would make the Police Dept. aware of the issue.

AN ORDINANCE AMENDING

CHAPTER 22, PARKS AND RECREATION, ARTICLE IV, USE OF WATERWAYS, WHARVES, DOCKS, BOARDWALK AND PROMENADE, SECTION 22-97, UNLAWFUL ACTS, OF THE CODE OF THE CITY OF WASHINGTON, NORTH CAROLINA TO FURTHER DEFINE THE AREAS WHERE THE FEEDING OF ANIMALS AND BIRDS IS PROHIBITED AND ALLOW CERTAIN INDIVIDUALS AND/OR GROUPS TO BE EXEMPTED FROM THE PROHIBITIONS

NOW THEREFORE, BE IT ORDAINED by the City Council for the City of Washington, North Carolina that Chapter 2, Parks and Recreation, Article IV, Use of Waterways, Wharves, Docks, Boardwalk and Promenade, Section 22-97, Unlawful acts, shall be amended as follows.

Section 1. Section 22-97(i), *Animal and bird feeding restrictions*, is hereby amended by deleting the subsection in its entirety and replacing it with the following subsection.

Sec. 22-97. Prohibited acts.

(i) *Animal and bird feeding restrictions.* Restrictions upon feeding of animals and birds in specified areas.

(1) No person shall do any of the following:

- a. Feed any bird or animal; or
- b. Disperse any food material or other matter edible by any bird or animal so as to make such material or matter available to other birds or animals for ingestion.

(2) No person shall leave any food or other matter edible by any bird or animal to remain on the ground after dispersing or dropping the same in or on the designated area.

- (3) These restrictions shall apply to all City-owned parks, facilities, boardwalks, roads, easements, and rights-of-ways including, but not limited to, the following areas:
 - a. Downtown – area further defined by Bridge Street on the west, Bonner Street on the east, 2nd Street on the North, and the federal channel of the Pamlico River on the south (private single-family residences within the outlined area are exempt from these restrictions);
 - b. Festival Park;
 - c. Haven’s Garden;
 - d. Veterans Park; and
 - e. Boardwalk along Pamlico River.
- (4) Certain individuals and/or groups may be exempt from the prohibitions of this section, provided they provide the following information to City Council and receive such exempt status from City Council on an annual basis. Exemption from the prohibitions may be withdrawn by City Council at any time and for any reason.
 - a. Overall program description and purpose of program;
 - b. Locations where animals are to be fed;
 - c. Times that feeding will occur – times shall be limited to no more than one hour per day;
 - d. List of individuals with up-to-date contact information that will be overseeing the feeding;
 - e. Disposition of animals fed and/or caught, including, but not limited to, number of animals, locations animals caught and released, and medical procedures or vaccines given; and
 - f. Any other information, plan, and/or requirement that City Council may impose or require from said individuals or groups.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 5. This ordinance shall take effect and be enforced from and after the date of its adoption.

This the 13th day of February 2012.

ATTEST:
s/Cynthia S. Bennett,
City Clerk

s/N. Archie Jennings, III,
Mayor

(MOVED FROM CONSENT AGENDA) APPROVE – PURCHASE ORDERS FOR LOAD MANAGEMENT SWITCH INSTALLATIONS (\$20,000)

Councilman Mercer expressed concern with an apparent price escalation in the cost of the switches. Keith Hardt, Electric Director explained the average cost per switch installation price is \$110-

\$120 depending on the number of appliances that it operates. The quoted price is being followed and additional funds are needed to be transferred inside the current budget to cover the expenses. The funds will come from maintenance accounts in the substation budget.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council approved the purchase order for load management switch installation in the amount of \$20,000 to Buck Electric, Washington, NC. Councilman Mercer voted against the motion and the motion carried 4-1.

AUTHORIZE & APPROVE – CITY MANAGER TO TENTATIVELY AWARD A CONTRACT TO STEP CONSTRUCTION, INC. OF LAGRANGE, NC FOR THE CONSTRUCTION OF A NEW SEWER LIFT STATION SOUTH OF THE INTERSECTION OF MAIN AND RESPESS STREETS AND APPROVE PURCHASE ORDER (\$438,401.45)

AND

ADOPT – CAPITAL PROJECT AMENDMENT, BUDGET ORDINANCE AMENDMENT, AND A LOAN OFFER RESOLUTION FOR THE MAIN & RESPESS LIFT STATION PROJECT

City Manager, Josh Kay explained that staff advertised to receive bids for this project on January 26, 2012 and received six (6) bids. The low bid was submitted by Step Construction, Inc. from LaGrange, NC. As shown on the attached bid tab, their base bid was \$418,401.45. This bid included Fairbanks-Morse submersible pumps. We currently do not have any of these brand pumps in use. Over 70% of the submersible pumps we have at our sewer lift stations are manufactured by Flygt, thus the bid alternate in the bid package. The difference between the base bid and the amount we are requesting the contract to be tentatively awarded for is the difference, of \$20,000. There is also an action item for a Capital Project Ordinance Amendment and Budget Ordinance Amendment to cover these additional costs, as well as a Loan Resolution. The reason for the “tentative award” is to allow staff time to thoroughly review the contractor’s qualifications and safety program and to allow the loan agency the opportunity to review the bid package with the above mentioned Loan Resolution.

| CONTRACTOR | TOTAL BASE BID | BASE BID W/ALT |
|--------------------------------------|-----------------------|-----------------------|
| Step Construction, Inc. | \$418,401.45 | \$438,401.45 |
| Centurion Construction Company, Inc. | \$466,675.00 | \$466,675.00 |
| W. O. White | \$467,617.25 | \$467,617.25 |
| T.A. Loving Company | \$473,780.00 | \$473,780.00 |
| Trader Construction Company | \$510,575.00 | \$510,575.00 |
| FIG. Reynolds | \$818,388.00 | \$823,338.00 |

Mr. Kay summarized the Capital Project stating it was initially established for \$600,000. The project was recently bid and the revised estimate is \$659,241.45. We have been approved for a 15 year State Revolving loan at 2.455% interest in the amount of \$646,321.45. Loan closing cost of \$12,930 are not eligible for the loan and will be provided from local funds(reserves in the Sewer Fund). A Capital Project amendment is necessary to adjust the project to the revised cost. A budget Ordinance amendment provides for the local fund contribution.

Two Options are included for consideration:

Option 1- accept maximum allowable loan of \$646,321.45 with local funds of \$12,930

Option 2- accept loan of \$600,000 with local funds of \$58,321.45 (loan closing cost \$12,000)

By motion of Councilman Pitt, seconded by Councilman Brooks, Council authorized the manager to tentatively award a contract to Step Construction, Inc. of LaGrange, NC for the construction of a new sewer lift station just south of the intersection of Main and Respass Streets at a cost of \$438,401.45, subject to funding approval, verifying qualifications and safety program, and approve the corresponding purchase order. Mayor Pro tem Roberson opposed, motion carried 4-1

Councilman Mercer expressed reluctance in spending an additional \$900 in closing cost and borrowing an additional \$46,000 for this project while paying interest on the additional amount for 15 years. He would prefer to proceed with the original loan amount and pull the needed funds from the reserve amount.

Mayor Pro tem Roberson inquired as to the length of time we have been working on this project. Allen Lewis, Public Works Director explained that the City pursued ARRA funds in 2009 and we were not awarded the 100% grant. In 2010 we pursued a 50% grant/50% loan and we were not funded again. In late 2010, early 2011, we pursued another 100% loan and were tentatively awarded the loan in the spring of 2011.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council adopted a Capital Project Amendment, Budget Ordinance Amendment and a Loan Offer Resolution for the Main and Respass Lift Station Project by accepting the original loan amount of \$600,000 with local funds (sewer reserves) of \$58,321.45, which includes \$12,000 in loan closing cost.

(copy attached)

(REMOVED FROM AGENDA) AUTHORIZE – CITY MANAGER TO CONTRACT WITH MID-EAST COMMISSION TO COMPILE NCDOT BICYCLE MASTER PLAN AND APPROVE CORRESPONDING PURCHASE ORDER (\$35,000)

APPROVE – BUDGET ORDINANCE AMENDMENT FOR THE ELECTRIC FUND (\$25,000)

Mr. Kay explained the funds referenced in the budget ordinance amendment are an increase in the account 35-90-3350-8002, Miscellaneous Revenue Jobbing and an increase in the account 35-90-8390-4502, Contract Services- Jobbing Reimbursable, Power Line Construction. These accounts are utilized when requests are made for construction or relocation of the City's electric plant and the cost of said work will be reimbursed by the requestor. Expenditures are not made out of this budget code unless there is offsetting revenue for the request. The current appropriation for expenditures and revenue has been exceeded and we have additional requests for work. The account levels are requested to be increased so as to account for the requested work.

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council adopted a budget ordinance amendment in the amount of \$25,000 for the electric fund.

(copy attached)

APPROVE – PURCHASE ORDERS FOR GENERATOR COMPLIANCE WITH EPA NESHAPS REGULATIONS ~~\$162,307~~ \$124,487

Included in the fiscal year 2011-2012 budget is a project for EPA NESHAPS regulation compliance on five of the City's peak shaving generators.

The purchase requests are:

Requisition #10678; Industrial Park Generator \$30,166

Requisition #10692; Stanadyne Generator #2 \$29,338
 Requisition #10693; Stanadyne Generator #3 \$29,338
 Purchase Order #48288; Stanadyne Generator #1 \$18,016
 Purchase Order #48290; Weir Valves \$17,629

This project will install catalytic reduction modules and associated monitoring on each of the units. The preferred vendor is PowerSecure, Inc. for this peak shaving generator catalyst installations to meet EPA requirements. Requests were solicited and PowerSecure, Inc. was the only vendor to respond to the request and provide a proposal. ElectriCities did have a joint bid opening on behalf of the cities. The cost to accept this bids would be a total of \$188,813 for the five (5) units included in this request.

Five units for a total of \$125,000 are budgeted in account 35-90-8370-7403. The current estimated cost for the remaining seven (7) generating units is \$162,307 which will be included in the upcoming FY 2012-13 budget request. All applicable generation units must be in compliance with the RICE NESHAPS regulations by 3 May 2013.

Councilman Mercer expressed concern with the EPA NESHAPS regulations and there is no way to benefit from the new regulations.

By motion of Councilman Pitt, seconded by Councilman Brooks, Council approved the purchase orders for generator upgrades to comply with EPA NESHAPS regulations.

AUTHORIZE – PURCHASE OF A VERMEER TRENCHER THROUGH THE PIGGYBACK OF THE CITY OF HUTCHINSON BID AND AUTHORIZE THE ISSUANCE OF THE RESPECTIVE PURCHASE ORDER (\$69,400)

| <u>Vendor</u> | <u>Cost Per Unit</u> | <u>Delivery</u> | <u>Less Trade-In</u> |
|---------------|----------------------|-----------------|----------------------|
| Vermeer | \$69,400 | 60 days | N/A |

Mr. Kay reviewed the item with Council, explaining that the 2007 General Assembly approved G.S. 143-129(e)(9a) as an exception which allows purchases of apparatus, supplies, materials, or equipment from contracts established by the United States of America or any federal agency, if the contractor is willing to extend to a political subdivision of the State the same or more favorable prices, terms, and conditions as established in the federal contract if bid in the past 12 months. The Electric Department will be reducing its fleet by one trencher. Two used trenchers will be sold on GovDeals, vehicles #611 & #622. Keith Hardt, Electric Director explained that currently there are three trenchers in the Electric Department and two of them were approved to be sold on GovDeals. With the purchase of the new trencher, there will be a total of two trenchers in the Electric Department.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council authorized the purchase of a Vermeer Trencher through the piggyback of the City of Hutchinson’s bid and authorized the issuance of the respective purchase order.

AWARD – AUDIT CONTRACT FOR FISCAL YEAR 2011-2012 TO MARTIN STARNES AND ASSOCIATES, CPA, PA (\$33,000)

Mr. Kay reviewed the item and noted that last year the Finance Department went out to bid for an independent auditor to perform the fiscal year 2010-2011 audit and Martin Starnes was awarded the bid. The Request for Proposal stated that the City intended to continue the relationship with the auditor for 5 years on the basis of annual negotiation after the completion of the first year’s audit. The contract

is consistent with the bid submitted and we are recommending that Council award the audit contract for fiscal year 2011-2012 to Martin Starnes, & Associates, CPA, PA in the amount of \$33,000.

Councilman Mercer expressed concern with substantial errors with the audit report from Martin Starnes & Associates.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council awarded the audit contract for fiscal year 2011-2012 to Martin Starnes and Associates, CPA, PA located in Hickory, NC at a cost of \$33,000.

ADOPT – RESOLUTION IN OPPOSITION TO THE STATE TOLLING THE FERRY(S) IN NORTH CAROLINA

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the resolution in opposition to the state tolling the ferries in North Carolina.

Mayor Jennings also noted that the Beaufort County Mayor’s Association adopted a similar resolution.

Resolution Opposing Ferry Fees

WHEREAS, the State of North Carolina has proposed imposing or increasing fees on those who utilize the ferry system in North Carolina; and

WHEREAS, the ferries in question are essential to transportation not only for residents but to the economic well-being of the coast which is, in general, much poorer than the Piedmont area of the State; and

WHEREAS, the State of North Carolina has invested heavily in economic development projects in other areas of the State, e.g. the Microelectronics Center, the Biotechnology Center, the Research Triangle Park, and the Global Transpark, just to name a few; and

WHEREAS, road construction in the Piedmont areas of the State is consuming immense quantities of transportation funding to alleviate traffic congestion caused by vigorous economic growth there; and

WHEREAS, the ferries exist in many cases in the East because of a lack of investment in bridge construction in eastern North Carolina; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Washington does hereby join with our sister counties, cities, and organizations in eastern North Carolina in protesting this egregious use of State power which is in direct opposition to the economic well being of this region and the welfare of its citizens.

This 13th day of February, 2012.

s/Cynthia S. Bennett, CMC
City Clerk

s/N. Archie Jennings, III
Mayor

ADOPT – RESOLUTION CELEBRATING THE TRICENTENNIAL OF BEAUFORT COUNTY

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council adopted a resolution celebrating the Tricentennial of Beaufort County.

A RESOLUTION TO CELEBRATE BEAUFORT COUNTY’S 300th YEAR: 1712-2012

WHEREAS, Beaufort County (originally Beaufort Precinct) was formed out of Pamptecough Precinct in 1712, during the turmoil of the armed conflict with the Tuscarora Indians. It was so named to honor Henry, Duke of Beaufort, Palatine of Carolina, one of the Lords Proprietors.

WHEREAS, the troubled beginning of Beaufort County and its unique geography made it a crossroads for interacting with some of the most notorious pirates in history, and

WHEREAS, Beaufort County became a valuable royal colony as a supplier of naval stores, and

WHEREAS, Beaufort County and its citizens were active participants in all of our national wars and conflicts, from the Revolutionary War for Independence to the War Between the States to our World Wars and the conflicts that followed, sometimes at significant sacrifice locally, and

WHEREAS, Beaufort County has always relied on a spiritually strong population, evidenced in part by the first Anglican/Episcopal Church, the first Catholic Church, and the many and diverse other churches and congregations prominent and active in every corner of our County, and

WHEREAS, Beaufort County has gloried throughout its history in the strength and accomplishments of its citizens of all races and backgrounds, acknowledging the difficulties of those such as its hard-working subsistence farmers, and its African-American population that rose from slavery to community leadership, and

WHEREAS, Beaufort County is proud of its renown for its forestry products, and its agricultural products such as tobacco, cotton, potatoes, flower bulbs and grains, and

WHEREAS, Beaufort County celebrates the historical industry of its citizens in areas and essential products such as lumber, boats, mining, textiles, automotive, and seafood, and

WHEREAS, Beaufort County has been an important crossroads in maritime shipping and travel, railroads and highways, and shall continue to be so in the future,

NOW, THEREFORE, BE IT RESOLVED, that the citizens of the City of Washington are justly proud of and wish to celebrate the accomplishments of the first 300 years of Beaufort County’s history, with all its human warts and blemishes, and wish, with divine guidance, for another 300 years of progress.

**LET 2012 BE RECOGNIZED AND CELEBRATED AS BEAUFORT COUNTY’S
TRICENTENNIAL YEAR WITH ALL APPROPRIATE CEREMONY AND
SHARING OF THE LESSONS OF OUR PAST.**

Adopted this the 13th day of February, 2012.
s/Cynthia S. Bennett, CMC
City Clerk

s/N. Archie Jennings, III
Mayor

UPDATES – NCLM GENERAL GOVERNMENT LEGISLATIVE ACTION COMMITTEE
(reviewed by Councilman Pitt)

General Government

- Transportation: Funding, utility relocation, DOT communication and processes, transit improvements, equity formula (12)
- Economic development: Downtown & small town revitalization and restoration, industrial recruitment and site development, additional incentives (11)
- Public safety: Crime prevention and reduction, funding for drug enforcement officers, equipment funding (6)
- Regionalism, intergovernmental cooperation (3)
- ABC system: Defense of current system, local input (2)
- Electronic notification of meetings (1)
- Sweepstakes (1)
- Hurricane preparation & recovery (1)

Tax & Finance

- Water and wastewater infrastructure
- Economic/downtown development
- Parks and recreation funding
- Potential for sales tax reductions by the state

Planning & Environment

- Minimum housing code enforcement
- Clean energy/ sustainability
- Water and wastewater infrastructure
- Parks and recreation funding
- Zoning/land use authority & ETJ
- Municipal growth post-annexation reform

Issues for Consideration

The League has not yet adopted a position on the following goals, but the committee may wish to recommend that it does so due to the potential for legislative action.

- Billboards — Legislation passed last year that impacted the regulations regarding billboards on state highways, including increasing the vegetation removal areas surrounding them. A rulemaking process to determine further changes in regulation is currently ongoing, and the potential for further legislative action remains. The League worked to limit the impact of this legislation during the last session and may need to continue to do so in the short session.
- Public-private partnerships—There has been ongoing discussion at legislative committee meetings about the potential privatization of various government services. Legislative language has yet to be presented, so it is currently unclear as to what extent the General Assembly might wish to pursue this matter.

General Government

- Seek legislation enhancing the authority of cities to own and operate broadband systems for their citizens, and providing incentives for last mile public-private partnerships. Include

- authority for cities that currently have operating broadband systems to continue.
- Seek legislation to protect the privacy of municipal residents by limiting public access to lists of email addresses submitted by citizens to municipalities.
- Support legislation to promote the reporting of criminal activity to 911 centers by protecting the confidentiality of callers through the use of either transcripts or alteration of voices on recordings to prevent caller recognition, and making appropriate amendments to public records laws.
- Seek legislation to allow municipalities to establish vacant housing receivership programs for the purpose of rehabilitating structures not meeting minimum housing standards and transferring them to responsible ownership.
- Seek legislation to ban all Internet sweepstakes operations.
- Support a system of liquor sales that maintains a local referendum about the decision to sell liquor, preserves local control over the location and density of liquor outlets, preserves the local revenue stream from liquor sales, and increases the authorized local permit fees statewide.
- Seek legislation to strengthen the role of municipalities in the approval, renewal and revocation of ABC permits.
- Support legislation permitting a governmental entity to seek an order of abatement where a property may have some legitimate use, but is also the source of regular criminal nuisance activity.
- Seek legislation to grant more flexible authority for local public safety officers to enforce ABC related laws.
- Seek legislation to allow Powell Bill funds to be used for sidewalks and walking paths that are adjacent to, but not located within, the right-of-way of State-maintained roads.
- Seek legislation ensuring significant municipal decision-making authority and respect for local ordinances in the design of transportation projects across all NCDOT Divisions, to lower congestion, enhance quality of life, improve aesthetics, improve public safety and bolster public health for city residents, regardless of the city's financial participation in a project.
- Seek legislation to give municipalities the option to use electronic legal public notices in lieu of publication in a newspaper.
- Support legislation maintaining the fiscal integrity of the Local Government Employees' Retirement System and its defined benefit structure, which promotes reasonable pension reforms that are prospective in nature, and tailored to meet the needs of local employees and retirees.
- Seek legislation to mandate that counties share state-collected E911 revenue with municipalities, providing existing E911 dispatch centers functioning as Primary or Secondary Public Safety Answering Point (PSAP) contingent upon all jurisdictions (county or municipal receiving funding meet levels of service requirements and use highly trained personnel and modern technology.
- Support legislation to authorize local governments to award contracts to local bidders under specified circumstances.

Tax & Finance

- Seek legislation to revise the local land transfer tax so that: 1) it can be adopted without a referendum; and 2) municipalities receive a share of the revenues.
- Support legislation to expand the sales tax base to include services.
- Seek legislation to allow all municipalities to adopt a prepared meals and beverage tax.
- Seek legislation to: 1) require that counties conduct a public hearing before approving a

resolution choosing the method of sales tax distribution; 2) delay the implementation of a change in method until July 1 of the calendar year following the adoption of the change; and 3) phase in the change in method over four years.

- Seek legislation to allow all municipalities to adopt impact fees to pay for growth-related infrastructure and services.
- Support legislation to reform the municipal business privilege license tax by: 1) eliminating exemptions and caps for specific categories of businesses; 2) specifying the appropriate bases for the tax; 3) requiring municipalities to adopt a rate schedule that applies to all types of businesses within a municipality; 4) limiting the amount of taxes paid by businesses that have business activity within a municipality but no business location within it; and 5) capping the amount of tax that can be imposed on any single business location.
- Support legislation providing municipalities with the authority to impose a fee to recover the costs of vehicle accident and fire response from at-fault drivers and parties responsible for fires, up to a statutory maximum amount.
- Seek legislation to increase the existing municipal vehicle fee for public transportation from \$5 to a maximum of \$20, and allow it to also be used for pedestrian and bicycle projects.
- Support legislation to increase funding for the State Mobility Fund in order to support regional congestion mitigation projects, interstate maintenance and a Powell Bill supplement; and to provide additional funding sources for State transportation projects.
- Support legislation to maintain funding for Historical Black Colleges! Universities (HBCU5) and

Community Colleges

- Support study of the Economic Development Tier system and how it applies to all municipalities in terms of funding and or services.

Planning & Environment

- Seek legislation reforming annexation laws that ensures the ability of a city to grow in a reasonable manner, while providing quality municipal services on a timely basis.
- Seek legislation to allow municipal creation or extensions of extra-territorial jurisdictions (ETJ) without county approval.
- Seek legislation creating a state bond program for upgrades to water and wastewater treatment systems, expansion of stormwater programs and assured water supplies.
- Support the equal application of water quality management rules that impact cities to N.C. municipalities, counties, state agencies and private operations, require payment of city stormwater fees by all state agencies, and require maintenance of all stormwater structures by permitted entities.
- Support legislation establishing a water permitting system that protects existing municipal withdrawals, allows for future growth, includes all withdrawers and accounts for all downstream users.
- Support legislative and regulatory efforts for efficiencies in water, wastewater and stormwater permitting processes.
- Seek legislation to classify reclaimed water as a resource water, and study the injection of treated water into aquifers.

Councilman Mercer also indicated the discussions regarding NCDOT projects and the local costs of those projects and asked Councilman Pitt to review this item with the Legislative Committee. Mayor Pro tem Roberson inquired about the fuel tax cap. Councilman Pitt noted this will be discussed in the short session of the Legislation as well.

CLOSED SESSION – UNDER § NCGS 143-318.11(A)(4) ECONOMIC DEVELOPMENT; NCGS § 143-318.11(A)(6) PERSONNEL; AND NCGS § 143-318.11(A)(3) ATTORNEY/CLIENT PRIVILEGE

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council entered into closed session under § NCGS 143-318.11(A)(4) Economic Development; NCGS § 143-318.11(A)(6) Personnel; and NCGS § 143-318.11(A)(3) Attorney/Client Privilege.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council excused Councilman Pitt from the meeting at 8:45pm allowing him to return to work.

ADJOURN

By motion of Councilman Brooks, seconded by Mayor Pro tem Roberson, Council adjourned the meeting at 9:00pm until February 27, 2012 at 5:30pm in the Council Chambers at the Municipal Building.

(Subject to the Approval of the City Council)

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

**CITY COUNCIL MINUTES
WASHINGTON, NORTH CAROLINA**

February 27, 2012

The Washington City Council met in a continued session on Monday, February 27, 2012 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; Ed Moultrie, Councilman; Richard Brooks, Councilman; William Pitt, Councilman; Josh Kay, City Manager; Franz Holscher, City Attorney and Cynthia Bennett, City Clerk.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Fire Chief; Sandy Blizzard, Major; Allen Lewis, Public Works Director; John Rodman, Planning & Development Director; Philip Mobley, Parks and Recreation Director; Susan Hodges, Human Resource Director; Gloria Moore, Library Director; Mike Voss, of the Washington Daily News and Delma Blinson, of the Beaufort Observer.

Councilman Mercer delivered the invocation.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennings requested adding:

1. Mr. Alvin Powell to present a Police Athletic League presentation
2. Closed session § NCGS 143-318.11(a)(4) Economic Development.

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

DISCUSSION – ALVIN POWELL – POLICE ATHLETIC LEAGUE

Mr. Powell stated he is looking at setting up a partnership involving the Washington Police Department and the Parks & Recreation Department to establish a Police Athletic League (PAL) in the City of Washington. PAL is a nonprofit extension of a law enforcement agency. Reception in the community has been very positive and the Dr. Phipps, Beaufort County Schools is very supportive of program.

Mr. Powell noted all PAL programs are customized and based on the needs of the community. PAL would be the only afterschool program in Beaufort County in which the police department interacts with the community youth on an ongoing, scheduled basis. PAL creates an opportunity for the youth (male and female) and law enforcement personnel to get to know and respect each other by interacting in a non-adversarial and neutral environment. Mr. Powell mentioned there are about 500 of these clubs throughout the United States. He is seeking the support of City Council and will come back to Council with a proposal.

Mayor Pro tem Roberson called inquired about staffing and stated it would help Council to have a number attached to the operation (job positions and all other amenities'). Mr. Powell has contacted a law enforcement instructor and he is supportive as well and would be able to help with staffing (internship arrangement). Mayor Jennings noted

Council will take this “under advisement” and is looking forward to when Mr. Powell returns with a full proposal.

DISCUSSION – FINANCIAL UPDATE

City Manager, Josh Kay stated the presentation was provided for Council on their computer. At the request of Mayor Pro tem Roberson, staff wanted to give an update on where we stand financially and to provide some projections for the City of Washington. Mr. Kay stated he would try to answer the questions posed by Mayor Pro tem Roberson – will/can we end the fiscal year in the black and if not how can we balance? Mr. Kay stated his goal is to end FY 2011-12 in the black if at all possible. Mr. Kay advised that in the General Fund from July 1 – January 31 we are approximately \$1.4 million in the red. We collected \$8.2 million in revenue.

Mr. Kay pointed to the 5 page document in front of Council which is a snapshot of the City’s organization/finances and stated he will explain this as well through this power-point presentation. Discussion topics included:

- Snapshot of current (end of January 2012) finances (most recent financial statements that Council has received)
- Three-year trend analysis
- End of 2011-2012 FY projection

Discussion continued on the financial update and Mr. Kay addressed trend analysis and projections.

Mr. Kay received and addressed questions/concerns from Council at this time. Councilman Brooks requested to receive a snapshot of the projections periodically to see where we are each month or quarterly. Mr. Kay stated this is his goal and he and staff will be working to pull this together for Council. Mayor Jennings requested having a document we could call a trend report that shows reminders that we may have a spike ahead.

FINANCIAL UPDATE -POWER POINT PRESENTAION



Financial Update

Washington City Council
Committee of the Whole
February 27, 2012

Discussion Topics

- ▶ Snapshot of current (end of January 2012) finances
- ▶ Three-year trend analysis
- ▶ End of 2011–2012 FY projection

End of January Finances

| | 2011-2012 Budget | End of Month | % of Budget | Year-to-Date | % of Budget |
|-----------------------------|---------------------|------------------|----------------|------------------|----------------|
| Total Organization Revenue | \$74,902,615 | \$5,496,700 | 7.34% | \$43,853,658 | 58.55% |
| Total Organization Expenses | \$74,902,615 | \$5,062,711 | 6.76% | \$43,689,782 | 58.33% |
| Balance | \$0 | \$433,989 | | \$163,876 | |

End of January – General Fund

| | 2011-2012 Budget | End of Month | % of Budget | Year-to-Date | % of Budget |
|-----------------------|---------------------|------------------|----------------|----------------------|----------------|
| General Fund Revenue | \$16,075,313 | \$1,782,984 | 11.09% | \$8,213,894 | 51.10% |
| General Fund Expenses | \$16,075,313 | \$1,263,743 | 7.86% | \$9,695,077 | 60.31% |
| Balance | \$0 | \$519,241 | | (\$1,481,183) | |

January General Fund Highlights

- ▶ Revenue – \$8.213 million (51.1%)
 - Property Taxes – \$2.47 million (61.26% of budget)
 - \$1 million collected in January – 40%
 - Sales Taxes – \$654,754 (35.51% of budget)
 - Utility Franchise Taxes – \$314,187 (25.13%)
 - Administrative Charges from Utility Funds – \$1.19 million (58.33%)
 - Transfer from Utility Funds – \$698,915 (58.33%)
 - Public Works Fees & Grants – \$145,509 (17.49%)

January General Fund Highlights

- ▶ Expenditures – \$9.695 million (60.31%)
 - Miscellaneous – \$960,252 (75.11% of budget)
 - Hurricane Irene Expenditures – \$284,067 (84%)
 - Installment Purchases – \$100,120 (100%)
 - Transfers to Capital Reserve, Airport, & Cemetery Fund – \$281,154 (100%)
 - Equipment Services – \$250,730 (171.11% of budget)
 - Gasoline, Tire, & Parts Purchases – \$752,642
 - Gasoline, Tire, & Parts Reimbursement – \$582,796
 - Other General Funds – \$325,987 (92% of budget)
 - Transfers to Capital Reserves – \$309,779 (100%)

End of January – Utility Funds

| | 2011-2012 Budget | End of Month | % of Budget | Year-to-Date | % of Budget |
|------------------------|---------------------|------------------|----------------|--------------------|----------------|
| Utility Funds Revenue | \$49,338,893 | \$3,655,369 | 7.41% | \$27,682,649 | 56.11% |
| Utility Funds Expenses | \$49,338,893 | \$3,442,297 | 6.98% | \$26,361,345 | 53.43% |
| Balance | \$0 | \$213,072 | | \$1,321,303 | |

End of January – Utility Funds

- ▶ **Water Fund – (\$29,989)**
 - Revenue: \$1,815,654 (56.82%)
 - Expenditures: \$1,845,643 (57.75%)
- ▶ **Sewer Fund – \$160,766**
 - Revenue: \$1,906,694 (55.55%)
 - Expenditures: \$1,745,928 (50.87%)
- ▶ **Electric Fund – \$1,382,604**
 - Revenue: \$22,481,234 (56.99%)
 - Expenditures: \$21,098,630 (53.48%)
 - Purchase Power: \$14,396,098 (49.53%)
- ▶ **Solid Waste Fund – (\$140,919)**
 - Revenue: \$719,176 (43.23%)
 - Expenditures: \$860,095 (51.7%)

End of January – Utility Funds

- ▶ **Water Fund – (\$29,989)**
 - Hurricane Irene – \$45,000 Budgeted Offset
 - Revenue – \$0
 - Expenses – \$19,836
 - Water Meter Services–Non-capitalized Purchases: \$220,798 (99.8%)
 - Water Treatment–Chemicals: \$310,849 (88.15%)
 - Water Construction–Capital Outlay: \$89,312 (99.24%)
- ▶ **Solid Waste – (\$140,919)**
 - Hurricane Irene – \$300,500 Budgeted Offset
 - Revenue – \$0
 - Expenses – \$73,127
 - Installment Purchases – \$114,530 (100%)
 - Fund Balance Appropriation
 - Budgeted – \$114,536
 - Appropriated – \$0

End of January – Project & Special Funds

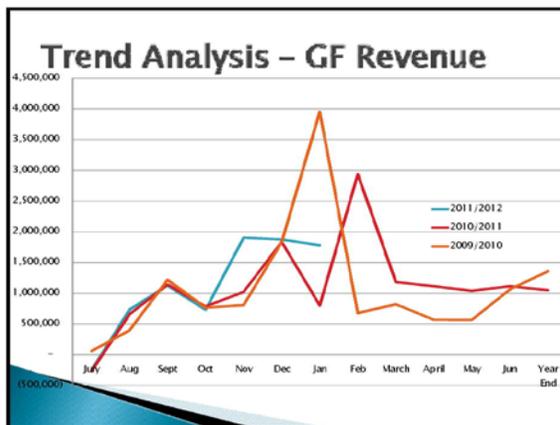
| | 2011-2012 Budget | End of Month | % of Budget | Year-to-Date | % of Budget |
|-------------------------------------|---------------------|--------------------|----------------|------------------|----------------|
| Project & Special Accounts Revenue | \$9,488,409 | \$58,347 | 0.61% | \$7,957,116 | 83.86% |
| Project & Special Accounts Expenses | \$9,488,409 | \$356,671 | 3.76% | \$7,633,360 | 80.45% |
| Balance | \$0 | (\$298,324) | | \$323,755 | |

Project & Special Accounts

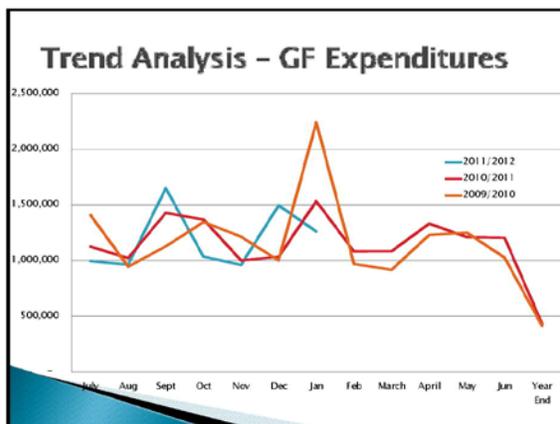
- ▶ CDBG – Affordable Housing
- ▶ Keysville Road Subdivision Grant
- ▶ Bicycle Plan
- ▶ Gang Investigator Grant
- ▶ Talent Enhancement Grant
- ▶ Pacific Seacraft Rural Center Project
- ▶ Impressions
- ▶ RZEDB – Storm-water Project
- ▶ ARRA Lighting Retrofit Grant
- ▶ PARTF Grant – Festival Park
- ▶ Police Station Capital Project Fund
- ▶ Main Street Energy Fund Grant
- ▶ Façade Grant Program Fund
- ▶ Main & Respass Project
- ▶ Outside Agency Gasoline Fund
- ▶ Worker’s Compensation Fund

Discussion Topics

- ✓ Snapshot of current (end of January 2012) finances
- ▶ **Three-year trend analysis**
- ▶ End of 2011–2012 FY projection



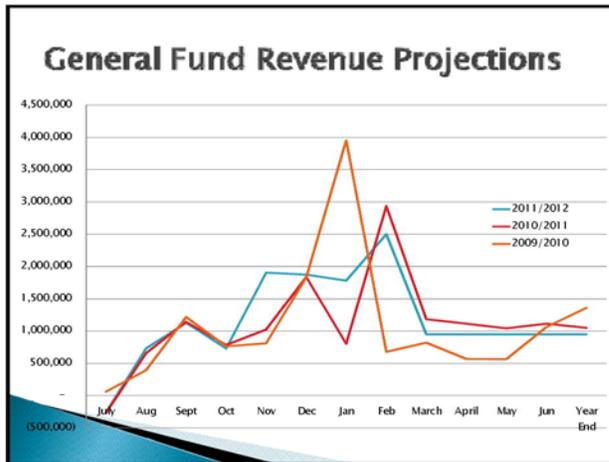
- ### Trend Analysis – GF Revenue
- ▶ Notes
 - Negative revenue in July of 09/10 and 10/11 are reversals of prior year end accruals
 - November 2011/2012 spike is attributed to:
 - Property tax collections of \$611,718
 - Rescue Squad payment of \$129,483
 - “Year-end” is accruals for year-end, collected from July to September



- ### Trend Analysis – GF Expenditures
- ▶ Notes
 - September 2011/2012 –
 - Hurricane Irene Expenses
 - December 2011/2012 –
 - Hurricane Irene Expenses
 - Brown Street Bridge
 - January 2009/2010 – \$1 million transfer for Police Station
 - January 2010/2011 – \$295,125 transfer for Festival Park

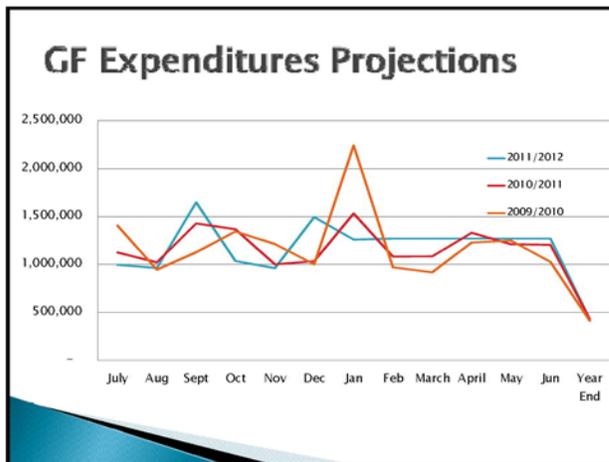
- ### Discussion Topics
- ✓ Snapshot of current (end of January 2012) finances
 - ✓ Three-year trend analysis
 - ▶ End of 2011–2012 FY projection

- ### 2011–2012 Projections
- ▶ General Fund Revenue
 - Property Taxes
 - Budget: \$4 million
 - Estimate: \$4.15 million
 - Timing: \$1.17 received in February (as of 02/24)
 - Sales Taxes
 - Budget: \$1.8 million
 - Estimate: \$2 million
 - Timing: Runs 3 months behind – 10/11 accrual was \$632,000
 - Estimates
 - February: \$2.5 million
 - March – June & Year-end Accrual: \$950,000 each
 - Total: \$15.14 million



2011–2012 Projections

- ▶ General Fund Expenditures
 - 2009/2010 & 2010/2011 Averages
 - Monthly: \$1.15 million
 - Year-end: \$430,000
 - Projections
 - Monthly: \$1.27 million
 - Year-end: \$430,000
 - Total: \$15.14



2011–2012 Projections

- ▶ Summary
 - Projections
 - Revenue: \$15.143
 - Expenditure: \$15.139
 - Balance: \$4,000

6:00 PM – PUBLIC HEARING: CHARLOTTE STREET DRAINAGE CULVERTS AT JACK’S CREEK

Mayor Jennings opened the public hearing and the following citizens came forward to speak:

Councilman Mercer reviewed the four drainage basins within the City.

Ms. Linda Witchell, a resident of 114 East 12th Street suggested that two bridges are unnecessary. Leaving the Charlotte Street culverts in place contrary to expert advice, makes you knowingly inflict damage on the people you are suppose to protect. Why does Council waste money on studies that they just ignore – why pay professionals for their opinions and then decide that you know better? The City spent \$1 million on a bridge one block away and keeping the bridge at Charlotte Street is unnecessary, redundant and in the

way. The City has taken care of the drainage problems in the neighborhoods not labeled impoverished but those of us between the completed projects and the undersized culverts at Charlotte Street, will flood worse than ever before if the project is stopped now. If the pumps and the bottleneck are removed, many of us will be spared from future damage.

Mr. Derik Davis, a resident of 316 Charlotte Street noted the following issues: the majority of the drainage from the City of Washington (from any expert you talk to) comes through and by the Jack's Creek basin. Pumps didn't work during Hurricane Irene and there is an issue with bottlenecking of water at Jack's Creek. He would request Council consider removal of the Charlotte Street culverts to further assist in the drainage issue. There is an issue of drainage there that needs to be addressed and we need help from Council.

Mr. Zane Buckman, a concerned landowner, would like to refer to facts from the 2007 drainage study by Rivers and Associates. It was interesting to read in the report/study not only the things that were recommended for the conveyance of stormwater throughout the City and for the safety of the residents. When you have a water problem then you have a safety issue. Mr. Buckman's concerns were on Pontiac Drive and his property – the Old Seaboard Supply Building. This issue is a problem and a puzzle. He can't say taking the culverts out will solve the problem but it will certainly help. The 2007 study advised Council on what and where to start first, we are doing all these other projects which is dumping more water to Jack's Creek. Mr. Buckman mentioned the fine job Mr. Lewis and staff does but we put them in a position to bring in engineers for studies so Council can make good decisions for our town. The report states approximately 80% of the storm drainage system analyzed within this area does not pass the 10 year 10 minute design criteria. When Rivers & Associates analyzed more frequent storm events such as the 5 year and the 2 year storms, 70% of the study area was still deemed inadequate for stormwater conveyance. The pipe systems in place within the Jack's Creek study area may have functioned adequately when installed 50 years ago; however, development has greatly increased the demands of stormwater conveyance for these pipes.

Mr. Gil Davis stated he grew up at 707 Willow Street and that water will not go out of Jack's Creek until it can flow into the Pamlico River. Mr. Davis stated he was there before the dam was put in and there after the dam was installed. The problem goes back to 1956 when the dam was put in at Park Drive. Hurricane Hazel put 58" of water and all the water went out of Jack's Creek within two days because it went to the river. Mr. Davis suggested the problem is not Charlotte Street but Park Drive. The pumps aren't adequate enough to get the water out. We would need to do one of two things – install larger pumps or open up the dam and let the water flow in and out. If you open up Park Drive the water can flow with the tides. Following Hurricane Irene, the water was there for at least 3 ½ weeks after the storm left.

Mr. James Coke, a resident of 323 East 2nd Street suggested the bridge is "broken". The water can't flow through this bridge and it should, at the very least, be removed.

Mr. Jimmy Davis a resident of 309 North Charlotte Street suggested there is a drainage problem. Somewhere around 2000, the City developed a partnership with NCDOT to put in flood gates at Park Drive. Mr. Davis suggested the flood gates operate off head pressure – meaning they need to have more pressure on the Jack’s Creek side than on the river side before they will automatically open. Mr. Davis shared some of the report in the City engineering plan. The current setup has the capacity to flow 784 cu. ft. per second if converted to gallons 5,864 gallons. The piping under the Charlotte Street Bridge will only move 231 cu. ft. per second which converts to 1,728 gallons. Every second the water is flowing through the basin there is 4136 gallons backing up (assuming the worst case scenario). According to the engineering study actually 80% or 1100 acres drain to Jack’s Creek. Mr. Davis feels the flood gates were a great idea and they work well when the water is higher on the creek side than the river side

Mr. Mike McClure stated he doesn’t live in the affected area. Mr. McClure feels the bottleneck needs to be removed in the basin area. Washington is a water city and sometime sthe water is where it is suppose to be and sometime it isn’t. There may be times when you can do something about it and then other times when you can’t. This is a very complex issue and we need to get it right the first time (it is a money issue). Compare what it will cost the city to do today versus what it will cost 5 years from now. If the job is done wrong what it might cost individuals that are being affected by the high waters. This does not fit well with people wanting to relocate to Washington nor to our efforts to build tourism. Mr. McClure addressed several concerns/questions and Mayor Jennings directed Mr. Kay to pass along the answers to Mr. McClure during the break.

Mr. Hackney High suggested something has to be done to assist with the flooding in this area as we have had this problem for years. What happens if the bridge is removed and water hits the Park Drive dikes? Pumps have been inadequate so why not put adequate pumps there and install a diesel generator there? Pumps should be working at all times to prevent buildup/backup of water.

Ms. Jennifer Small, a resident of 403 East 10th Street suggested removing the bridge at Charlotte Street and replace or repair pumps.

Ms. Renada Brown, a resident of 409 Gladden Street suggested re-routing or recycle the water. Is it financially possible to create an aquatic generator and resize current basins?

Ms. Jane Alligood, owner of 220 & 218 Simmons Street would suggest dredging Jack’s Creek but understands this is no longer being done. The Park Drive dike is a problem but not the only problem – there is a bridge problem. Ms. Alligood stated they owned three lots on Willows Street. She understands the financial restraint. Ms. Alligood stated she is disappointed that the study did not address this area first but it has been left until last.

Mr. Buzz Cayton, a resident of 1301 North Respass Street suggested the water would come in to the edge of their yard in 1954 if we had bad Hurricane’s but now the yard

and street is full if we have bad weather. Infrastructure has been built over the years and we do not have adequate drainage. He would like to suggest Council take a look at the things that need to be done first. Beautification is wonderful and nice to look at, but the guy that has a family wants a dry house.

EXTENSION OF MEETING

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council extended the meeting until 8 pm. Mayor Jennings explained that by Ordinance the Committee of the Whole is limited to 90 minutes but it can be extended by the vote of a super majority of City Council.

(continued public comments re: Charlotte Street)

Mr. Robbie Rose is a resident of the East side of Charlotte Street and has concerns as well. Mr. Rose concurs with the engineers, if the study says take the bridge then let's take the bridge out. Also let's address the issue of the water being backed-up and get the water pumped out.

Ms. Susan Zachary a National Guard Armory resident came forth to speak and regarding the backup of water during Hurricane Irene. Once the water was released there was 18" of water in the basement of the Armory. Do we need to look at purchasing generators?

Mayor Jennings closed the public hearing at 7:05 pm.

Councilman Moultrie requested a copy of 2007 study performed by Rivers and Associates – Bridges. He voiced why do a study if we don't follow through? Councilman Brooks agreed.

Mayor Jennings commented for clarification purposes, that the stormwater fees are paying for this project. What has led to this public hearing was the last piece of this – taking out Charlotte Street Bridge. Mayor Jennings noted partly because we didn't have Brown Street Bridge to use during the project itself, we deferred the Charlotte Street piece which came at the end by project design and was not the Council's decision. Mayor Jennings deferred to Mr. Lewis for the correct fee of this portion and Mr. Lewis stated it was \$150,000 and we will be borrowing money to do this. Council felt it was prudent to here from the residents, particularly those in the neighborhood before we follow through. Mayor Jennings stated we scheduled this public hearing as quickly as possible so it would be the shortest amount of deferral period (meaning we can take action as early as our next meeting). This way the project will not be delayed any longer than it needs to be. Councilman Mercer clarified that in 2000 Council appointed a committee and a study was done on Jack's Creek drainage basin and the Smallwood drainage basin. As a result, the committee recommended the City adopt a stormwater fee and that this fee be utilized for stormwater projects. It is not totally correct to state the project is being paid for with stormwater fees and Mayor Jennings agreed noting indirectly, in using future dollars this project is being funded by stormwater fee.

Recessed at 7:10 pm and reconvened at 7:25 pm

CONTINUATION OF THE FINANCIAL UPDATE ON PAGE TWO

EXTENSION OF MEETING

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council extended the meeting until 8:30 pm.

DISCUSSION – REORGANIZATION PROPOSAL

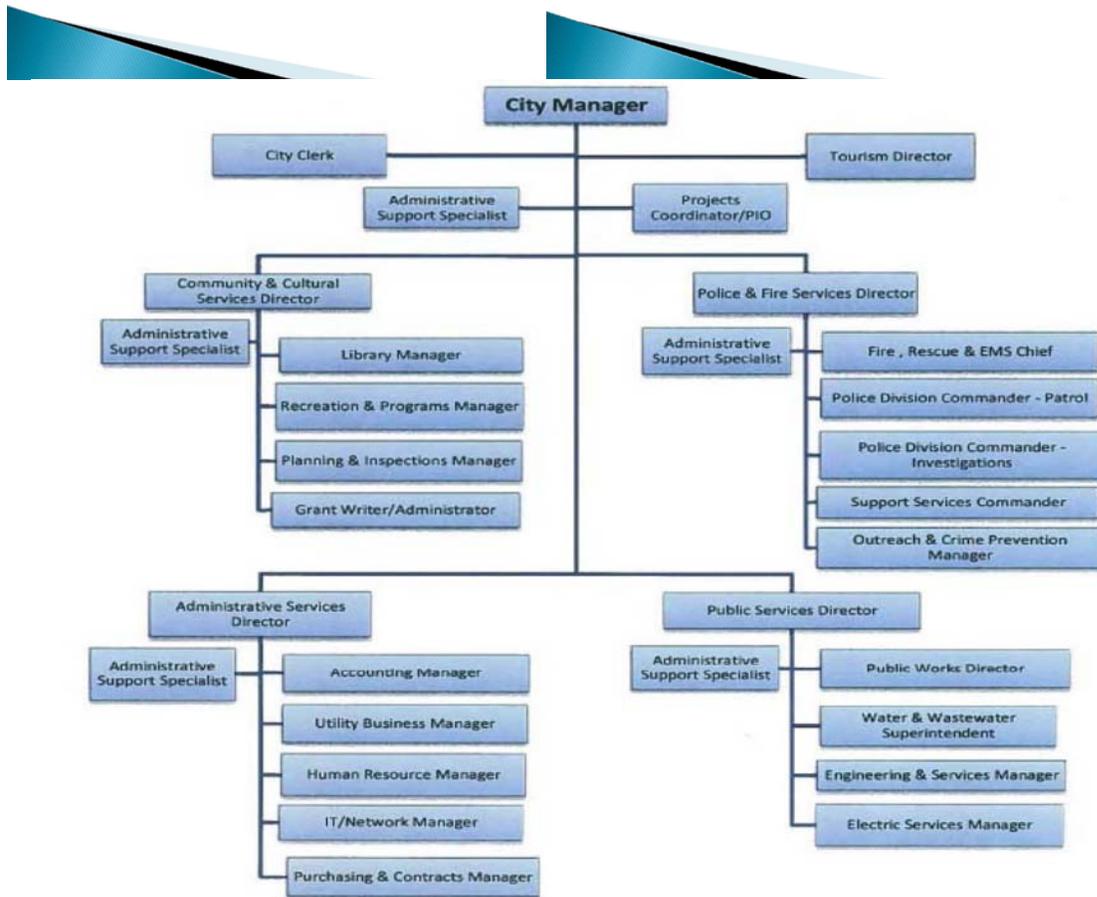
Mr. Kay summarized the reorganization proposal with Council:

Proposal

- ▶ Highlights
 - 3 year transition
 - 80% reduction accomplished through attrition
 - Focuses resources into four departments
 - Administrative Services
 - Community & Cultural Services
 - Police & Fire Services
 - Public Services
 - Not finalized, still receiving input from staff

Purpose

- ▶ Operational Expenditures
 - Proposal will reduce annual expenditures by \$1.2 million
- ▶ Create Efficiencies
 - Combine "like" resources to allow greater flexibility in providing services;
 - Provide shared support services in similar departments.
- ▶ Services
 - Fully analyze services offered to:
 - Eliminate services that are not fully or efficiently utilized OR
 - Expand upon services most important to our customers and citizens.



Mayor Jennings sought feedback/input from Council:

- Councilman Mercer – advocated a program of staff reduction /impressed with potential savings of over one million dollars and reiterated that the plan is not cast in stone.
- Councilman Moultrie – some comfort with the reorganization chart – his main concern with a person being laid off but was reassured by the Manager that a lot of the eliminated positions would come through retirements thus eliminating layoffs. He sees this as being productive for the City to move ahead but assuring employees there will be jobs here to provide for their families.
- Councilman Pitt – very concerned for employee well being but as we move ahead for the City we have no choice but to make necessary changes to make us more efficient in operations.
- Mayor Pro tem Roberson – it is a two way street - employees have to buy into program. Council needs to work through the Manager and in essence work with staff through the Manager. He likes the approach, there may be other alternatives if this doesn't work.
- Councilman Brooks – understands where some of the employees are coming from and they are the best asset a company can have. He was assured this project will come through retiring of personnel and doesn't want to see anyone without a job. He hopes that this will be the case and trusts in the Lord what we do is right and just.
- Mayor Jennings – feels this plan can give clarity from Council through the Manager to Staff and onto the Citizens of Washington. This plan, in its design, puts the service back in public service.

Mr. Kay shared the following:

1. Upcoming budget will be similar to what Council has seen in the past – next budget year we will implement some of the structural changes to reflect reorganization
2. Employee buy-in critical – getting input from our employees
3. Possible elimination of some services
4. Reduction in number of employees and approximately \$1.2 million in savings – new positions and increases.
5. Three year process – this is a multi-step process, overall move will be a long process. 80% will be through attrition but we need to be upfront with our employees.

MEMO – POOL DEHUMIDIFIER COMPRESSOR BUDGET TRANSFER

City Manager, Josh Kay stated the Budget Officer transferred \$3,275 of funding between Parks & Recreation divisions of the General Fund to provide funds for additional work that was identified when the pool dehumidifier compressor was disassembled for repair.

Councilman Mercer expressed concern with the line item and Mr. Kay noted he would provide Councilman Mercer with a detailed copy of that line item.

MEMO – e-DUX/ENERGY RIVER PROGRAM TERMINATION

City Manager, Josh Kay reviewed the memo from Keith Hardt, Electric Director to Council.

(Begin memo) In November 2009 the City of Washington began a pilot project with BreezePlay, Inc. to install energy management systems in residential customer homes. For a myriad of reasons this initial project was not successful. The company that initiated the BreezePlay program was purchased by what is now EnergyRiver Inc. (formally e-Dux, Inc.).

Mr. Bob Gary of then e-Dux, Inc. presented to the City Council at their 8 November 2010 regular meeting a proposal for the City to participate in an enhanced home energy management system program. Mr. Gary was asked to present his program to the Washington Electric Utilities Advisory Board. Mr. Gary presented the program to the Advisory Board on 1 December 2010. Although there was not a quorum present those members in attendance endorsed the program.

At the 13 December 2010 the City Council approved a contract for \$20,000 to e-Dex, Inc. for 40 energy management systems.

In May 2011 the e-Dux systems were delivered to the City of Washington. Staff began testing the system by installing units in five (5) City of Washington employees' homes.

Since May 2011 we have received four (4) hardware upgrades and numerous firmware/upgrades to the system. In addition there has been very poor response for service from the provider, EnergyRiver, Inc. The current configuration of the system does not meet the minimum technical requirements outlined in discussions with EnergyRiver throughout the life of the project. Electric Department staff has spent many hours in installations and upgrades and has made every attempt to have a working system. We are no closer to a working system today than we were in December 2010.

On 6 January 2012 I gave Mr. Rick Sabath, CEO of EnergyRiver, Inc. 45 days to provide systems that met our minimum requirements. He acknowledged the 45 day notice and agreed to provide systems that met our requirements within the period. That period has expired.

I request concurrence from the City Council to terminate the contract with EnergyRiver, Inc. and return the 40 home energy management systems purchased last year. (end memo)

By motion of Councilman Pitt, seconded by Councilman Brooks, Council agreed to terminate the contract with EnergyRiver, Inc. and return the 40 home energy management systems purchased last year.

CLOSED SESSION – UNDER § NCGS 143-318.11(a)(6) PERSONNEL AND UNDER § NCGS 143-318.11(a)(4) ECONOMIC DEVELOPMENT

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council agreed to enter closed session under § NCGS 143-318.11(a)(6) Personnel and under § NCGS 143-318.11(a)(4) Economic Development at 8:20 PM.

By motion of Councilman Brooks, seconded by Councilman Moultrie, Council agreed to come out of Closed Session at 8:50 pm.

AUTHORIZE – RESOLUTION BY GOVERNING BODY OF THE APPLICANT NC BUILDING REUSE AND RESTORATION GRANTS PROGRAM

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council authorized the Resolution by a governing body of the applicant NC Building Reuse and Restoration Grants Program. The City of Washington will provide 5% of the grant amount for the renovation project, if approved for the grant.

AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT NC BUILDING REUSE AND RESTORATION GRANTS PROGRAM

WHEREAS, the Occupied Building Category of the Building Reuse and Restoration Grants Program of the North Carolina Rural Economic Development Center is designed to assist with the expansion and renovation of buildings currently in use by companies; and

WHEREAS, the City of Washington is engaged in activities to assist local industries to increase the number of jobs in the area; and,

WHEREAS, the City of Washington intends to request grant assistance from the Building Reuse and Restoration Grants program for a local industry;

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

That the City of Washington will provide 5% of the grant amount for the renovation project, if approved for the grant.

That the grantee with assistance from the city and the grant administrator will provide for effective administration, implementation and operation/maintenance of the project.

That the Mayor is hereby authorized to execute and file an application on behalf of the city of Washington with the North Carolina Rural Economic Development Center.

That the Mayor is hereby authorized and directed to furnish such information as the North Carolina Rural Economic Development Center may request in connection with the grant application and project; to make 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, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 27th day of February, 2012.

ATTEST:

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

**N. Archie Jennings, III
Mayor**

**ADJOURN – UNTIL MONDAY, MARCH 12, 2012 AT 5:30 PM IN THE COUNCIL
CHAMBERS AT THE MUNICIPAL BUILDING**

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council adjourned the meeting at 9:00 pm until March 12, 2012 at 5:30 pm in the Council Chambers at the Municipal.

(Subject to the Approval of the City Council)

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



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Keith Hardt, P.E., Electric Director
Date: 2 March 2012
Subject: Approve a Budget Ordinance Amendment for the Electric Fund
Applicant Presentation: None
Staff Presentation: Keith Hardt, P.E., Electric Director

RECOMMENDATION:

I motion that the City Council adopt a budget ordinance amendment in the amount of \$70,255 for the electric fund.

BACKGROUND AND FINDINGS:

This request is to approve a budget ordinance amendment for the electric fund in the amount of \$70,255.

The funds referenced in the budget ordinance amendment are an increase in the account 35-90-7220-0411, US Hwy 17 Relocation - 2510C and an increase in the account 35-90-7220-5601, Hwy 32 DOT Bridge Project. These expenditures will be reimbursed by NCDOT.

PREVIOUS LEGISLATIVE ACTION

None.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Budget Ordinance.

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: TH Concur _____ Recommend _____ Denial _____ No Recommendation 3/7/12 Date
 March 12, 2012
 Page 42 of 123

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2011-2012**

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

Section 1. That account number 35-90-3500-3605, NC DOT Reimbursements, portion of the Electric Fund revenue budget be increased in the amount of \$70,255.

Section 2. That the following accounts and amounts be increased in the Electric Director portion of the Electric Fund appropriations budget:

| <u>Account</u> | <u>Description</u> | <u>Amount</u> |
|-----------------|-----------------------------|---------------|
| 35-90-7220-0411 | Us Hwy 17 Relocation- 2510C | \$20,620 |
| 35-90-7220-5601 | Hwy 32 DOT Bridge Project | <u>49,635</u> |
| | Total | \$70,255 |

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 12th day of March, 2012.

MAYOR

ATTEST:

CITY CLERK



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Allen Lewis, Public Works Director *AL*
Date: March 6, 2012
Subject: Declare Surplus/Authorize Electronic Auction of Vehicle through GovDeals
Applicant Presentation: N/A
Staff Presentation: Allen Lewis

RECOMMENDATION:

I move that City Council declare surplus and authorize the sale of the following vehicle through electronic auction using GovDeals.

BACKGROUND AND FINDINGS:

The purpose of this Council Action is to declare surplus the following city vehicle and authorize the sale of this vehicle through electronic auction using GovDeals.

| <u>Vehicle Number</u> | <u>Make/Model Description</u> | <u>Serial Number</u> | <u>Odometer Reading</u> |
|-----------------------|-------------------------------|----------------------|-------------------------|
| #415 | 2004 Ford F350 Cab & Chassis | 1FDWF36P74EC41914 | 57,876 |

This truck was replaced with Council authorization at the 10-10-11 Council meeting.

PREVIOUS LEGISLATIVE ACTION

10-10-11 – authorized purchase of 1-ton pick up to replace this vehicle.

FISCAL IMPACT

Currently Budgeted (Acct.) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

N/A

City Attorney Review: Date By: (if applicable)
Finance Dept Review: Date By: (if applicable)
City Manager Review: *AL* Concur Recommend Denial No Recommendation *3/7/12* Date

**AN ORDINANCE TO AMEND THE GRANT PROJECT ORDINANCES
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2011-2012**

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

Section 1. That the account numbers in the CDBG Affordable Housing Grant Project Fund appropriations budget be increased or decreased by the following amounts.

| | | |
|-----------------|----------------|--------------|
| 50-60-4930-0400 | Administration | \$(5,000) |
| 50-60-4930-0401 | Planning | <u>5,000</u> |
| | | 0 |

Section 2. That the account numbers in the CDBG Keyville Road Subdivision Grant Project Fund appropriations budget be increased or decreased by the following amounts.

| | | |
|-----------------|---------------------|--------------|
| 51-60-4930-4500 | Street Improvements | \$(22,416) |
| 51-60-4930-4501 | Water Improvements | 14,728 |
| 51-60-4930-4502 | Sewer Improvements | <u>7,688</u> |
| | Total | 0 |

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 12th day of March, 2012.

MAYOR

ATTEST:

CITY CLERK

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #: 10925
PO #: Not Assigned
User Name: Beverly Clark

Date: 03/06/2012
Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$21,050.00

LEE ELECTRICAL CONSTRUCTION INC.
P.O. BOX 55
ABERDEN, NC 28315

Ship To:
CITY OF WASHINGTON WAREHOUSE
203 GRIMES ROAD
WASHINGTON, NC 27889

Vendor Instructions: ED PRUDEN AND ADAM WATERS PER PROPOSAL
252-975-9365

| Quantity | Description | Job Number | Unit Price | Extended |
|------------------|---|------------|-------------|--------------------|
| 1 | LABOR & EQUIPMENT NECESSARY TO INSTALL (1) 145FT. AND (1) 140FT. GALVAMIZED POLES IN THE WASHINGTON NC AREA | | \$21,050.00 | \$21,050.00 |
| Sub Total | | | | \$21,050.00 |
| Total Tax | | | | \$0.00 |
| Total | | | | \$21,050.00 |

| Account Number | Account Description | Amount |
|-----------------|--------------------------------|--------------------|
| 30-90-8100-7000 | NONCAPITALIZED PURCHASES | \$10,525.00 |
| 35-90-8370-7403 | INSTALLMENT PURCHASES FY 11/12 | \$10,525.00 |
| Total | | \$21,050.00 |

Approval List

Dept Level Approval: _____
Department Head: _____
PO Level Approval: _____
Purchase Order Prep: _____

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:10905
PO #: Not Assigned
User Name: Frankie Buck

Date: 03/01/2012
Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$23,400.00
Ship To:
CITY OF WASHINGTON WAREHOUSE (PW)
203 GRIMES ROAD
WASHINGTON, NC 27889

CONCRETE CONSERVATION, INC.
PO BOX 24354
JACKSONVILLE, FL 32210

Vendor Instructions:NOTIFY FRANKIE BUCK PRIOR TO STARTING WORK 252-943-4460

| Quantity | Description | Job Number | Unit Price | Extended |
|------------------|--|------------|------------|--------------------|
| 120 | REHAB. MANHOLES ALONG U.S. 264 W CREEKSIDE DR. TO TRAVEL STORE | | \$195.00 | \$23,400.00 |
| Sub Total | | | | \$23,400.00 |
| Total Tax | | | | \$0.00 |
| Total | | | | \$23,400.00 |

| Account Number | Account Description | Amount |
|-----------------|-------------------------------|--------------------|
| 32-90-8210-4500 | CONTRACT SERVICES SEWER REHAB | \$23,400.00 |
| Total | | \$23,400.00 |

Approval List

| |
|----------------------------|
| Dept Level Approval: _____ |
| Department Head: _____ |
| PO Level Approval: _____ |
| Purchase Order Prep: _____ |



City of Washington REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: John Rodman, Planning & Development
Date: March 1, 2012
Subject: Public Hearing: Adopt annexation ordinance to extend the City of Washington corporate limits for non-contiguous property owned by Boddie-Noell.

Applicant Presentation: Boddie-Noell Enterprises
Staff Presentation: John Rodman

RECOMMENDATION:

I move City Council approve the adoption of the annexation ordinance to extend the City of Washington corporate limits for the non-contiguous annexation of the Boddie-Noell property located on US Hwy 264 West and containing 2.55 acres.

BACKGROUND AND FINDINGS:

At the November 28, 2011 City Council Meeting, Council adopted a resolution calling for a public hearing on the request for an annexation of the non-contiguous property currently owned by Herbert A. Perry. The property is located on US Hwy 264 West and contains 2.55 acres.

After the public hearing if Council desires to proceed with the annexation the attached ordinance needs to be adopted that will place the property inside the city limits effective May 14, 2012.

PREVIOUS LEGISLATIVE ACTION

Investigated Petition – November 14, 2011

Set Public Hearing – November 28, 2011

FISCAL IMPACT

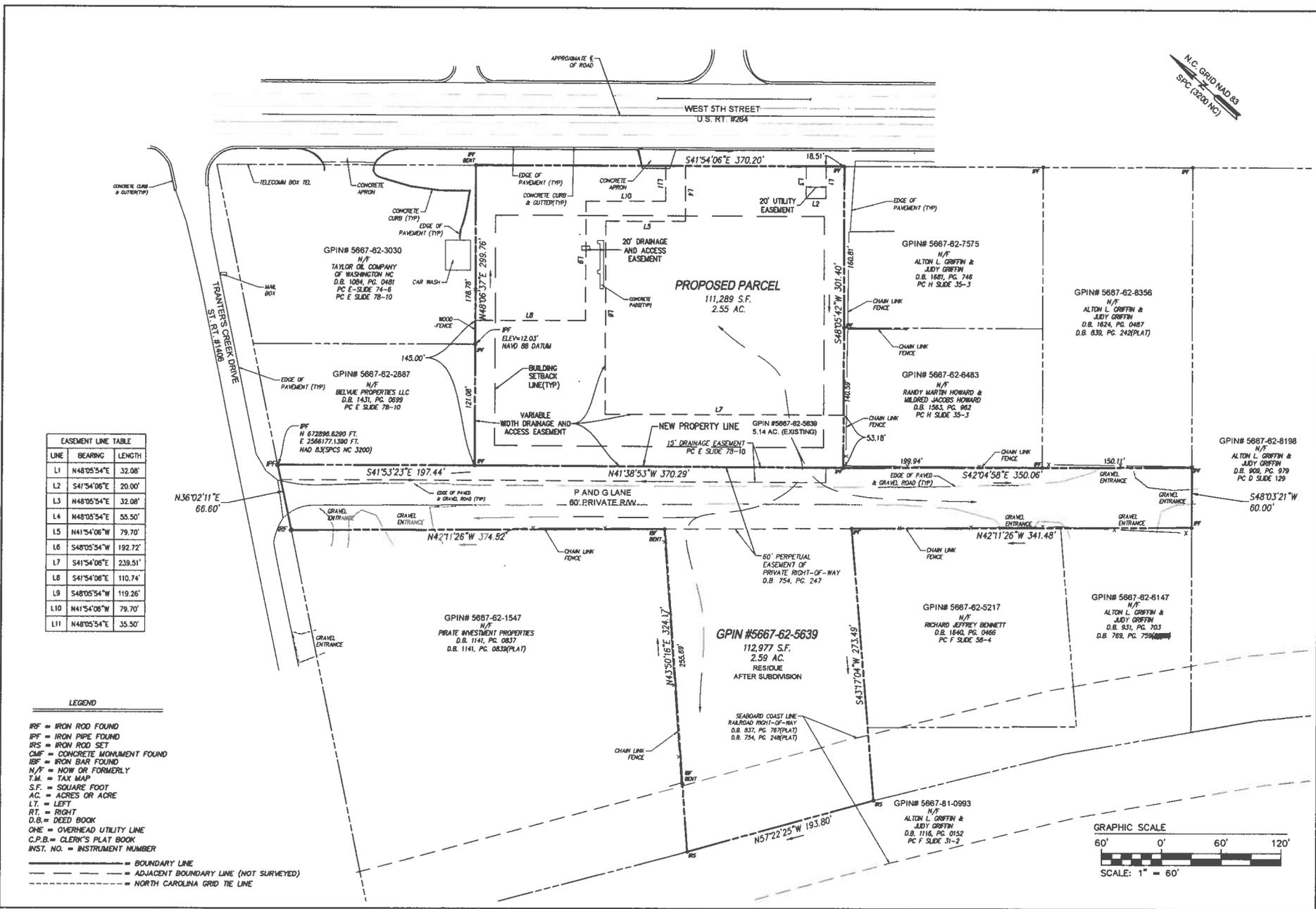
___ Currently Budgeted (Account _____) ___ Requires additional Appropriation ___ No Fiscal Impact

SUPPORTING DOCUMENTS

Attached map, legal description & annexation ordinance

| | | | |
|------------------------------|---------------|----------------|------------------------------------|
| City Attorney Review: | _____ | Date By: _____ | (if applicable) |
| Finance Dept Review: | _____ | Date By: _____ | (if applicable) |
| City Manager Review: | <u>JD</u> | Concur _____ | Recommend Denial _____ |
| | <u>3/2/12</u> | March 12, 2012 | No Recommendation _____ Date _____ |

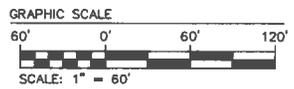
N.C. GRID NAD 83
SPC (3200 NC)



| LINE | BEARING | LENGTH |
|------|-------------|---------|
| L1 | N48°05'54"E | 32.08' |
| L2 | S41°54'06"E | 20.00' |
| L3 | N48°05'54"E | 32.08' |
| L4 | N48°05'54"E | 55.50' |
| L5 | N41°54'06"W | 79.70' |
| L6 | S48°05'54"W | 192.72' |
| L7 | S41°54'06"E | 239.51' |
| L8 | S41°54'06"E | 110.74' |
| L9 | S48°05'54"W | 119.26' |
| L10 | N41°54'06"W | 79.70' |
| L11 | N48°05'54"E | 35.50' |

LEGEND

- IRF = IRON ROD FOUND
 - IPF = IRON PIPE FOUND
 - IRS = IRON ROD SET
 - CMF = CONCRETE MONUMENT FOUND
 - IBF = IRON BAR FOUND
 - N/F = NOW OR FORMERLY
 - T.M. = TAX MAP
 - S.F. = SQUARE FOOT
 - AC. = ACRES OR ACRE
 - L.T. = LEFT
 - R.T. = RIGHT
 - D.B. = DEED BOOK
 - O.H.E. = OVERHEAD UTILITY LINE
 - C.P.B. = CLERK'S PLAT BOOK
 - INST. NO. = INSTRUMENT NUMBER
- BOUNDARY LINE
 - - - - - ADJACENT BOUNDARY LINE (NOT SURVEYED)
 - - - - - NORTH CAROLINA GRID TIE LINE



| Rev | Date | Description | Revised by |
|-----|------|-------------|------------|
| | | | |
| | | | |
| | | | |



6421 Canon Way
Glooucester, Virginia 23061-0194
Phone: (804) 693-4450
Fax: (804) 693-2520
www.aesva.com

SUBDIVISION
OF LAND STANDING IN THE NAME OF
HERBERT A. PERRY

WASHINGTON TOWNSHIP
RALPH HORTON COUNTY NORTH CAROLINA

Project Contact: LCB
Project Number: G8638-00
Scale: 1" = 60'
Date: 02/15/12
Sheet Number
2 OF 2

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF WASHINGTON, NORTH CAROLINA**

WHEREAS, the Washington City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Washington City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question on of this annexation was held at the City Council Chambers on the 2nd floor of the municipal building located at 102 East 2nd Street at 6:00 p.m. on Monday, March 12, 2012, after due notice by the Washington Daily News on March 2, 2012 & March 9, 2012;

WHEREAS, the Washington City Council finds that the area described herein meets the standards of G.S. 160A-31;

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

Section 1. By the virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Washington as of May 14, 2012:

Being all of that tract of land noted on that survey "Boddie-Noell Enterprises, Inc." by AES Consulting Engineers dated September 14, 2011 and being located in Washington Township, Beaufort County North Carolina and being more particularly described as follows;

Beginning at a Point of Beginning, an iron pipe found, which is on the south side right-of-way line for "West 5th Street", US Route 264 and is the northwest corner of the land standing in the name of Alton L. Griffin and Judy Griffin, whose Northing is 672674.374 and whose Easting is 2566779.356 (NAD 83 SPCS NC 3200); Thence a bearing of S 48 05 42 W a distance of 301.40 feet along the western boundary of said land and the western boundary line of the land standing in the name of Randy Martin Howard & Mildred Jacobs Howard to an iron pipe found, said line intersecting with the north side of the 60' perpetual easement of right-of-way for "P and G Lane", Thence a bearing of N 41 38 53 W a distance of 370.29 feet, along the north side of said right-of-way and the northern boundary line of the land standing in the name of Herbert A. Perry, to an iron pipe found; Thence a bearing of N 48 06 37 E a distance of 299.76 feet along the eastern boundary line of the land standing in the name of Belvue Properties LLC and the eastern boundary line of the land standing in the name of Taylor Oil Company, to a bent iron pipe found, said line intersecting with the south side of the right-of-way for "West 5th Street", US Route 264; Thence a bearing of S 41 54 06 E a distance of 370.20 feet along the southern right-of-way line of said road to an iron pipe found, Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 2.55 acres more or less.

Section 2. Upon and after May 14, 2012, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Washington and shall be entitled to the same privileges and benefits as other parts of the City of Washington. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Washington shall cause to be recorded in the office of the Register of Deeds of Beaufort County, and in the office of the Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this ____12th____ day of __March__, 2012.

N. Archie Jennings, Mayor

ATTEST:

APPROVED AS TO FORM:

Cynthia S. Bennett, Clerk

City Attorney

Annexation #11-A-01
Boddie-Noell Enterprises Inc

Saturday, February 25, 2012

MEMO

Beaufort County Pirate Club Bluegrass Festival

Proposed Date: Sunday 5/20/12

Proposed Location: Festival Park

We are planning to have the 1st Annual Beaufort County Bluegrass Festival at Festival Park with 3 bands playing music on Sunday afternoon.

We are planning to charge \$10 per ticket

We would like the two docks closest to Festival Park to prevent folks from coming into the Park area without paying for tickets.

We would also like to allow canned beer in coolers brought by the concert goers.

This will be a great event for Beaufort County and we are planning on using some of the proceeds to help fund the NFL Day along with the Boys and Girls Club of Beaufort County. The Pirate Club plans to help bring over 500 kids to meet over 8 NFL players and have free hotdogs, games and get to meet and play with the players. We are also expecting to get Coach Ruffin McNeill to come over to meet the kids. We really want this event to be for and all about the kids.

Thank you for your help with this event.

Sincerely,

Amy Ward
President, Beaufort County Pirate Club

Partnership between Schooner *Jeanie B* and the City of Washington

Jeanie B a 72' tall masted Schooner built in 1985.

Jeanie sails with education and teaching as her mission. She provides team building and character development for young men and women of Eastern North Carolina.

The Jeanie B can accommodate up to 25 passengers and has sleeping quarters for 12 passengers. No one will live aboard the vessel while docked in Washington.

The *Jeanie B* would be away for Washington on all weekends and from June 15 to August 15. While away the slip could be leased to transient boaters.

January 1 of any given year until approximately June 15, the Schooner Jeanie B would occupy space on the waterfront. And then from August 15 until December 31, Jeanie B would be back in Washington.

When in Washington Jeanie B will offer scheduled sunset/star gazing trips on Sunday, Wednesday and Thursday afternoon/evenings. Monday, Tuesday would allow for tours.

The Jeanie B requests from the City of Washington in this proposed partnership:

- Waiver of slip rental on an annual basis.
- Approval of commercial activity for the Jeanie B on the City of Washington docks.
- The approval to move forward with the partnership as legal council reviews and approves the agreements. Jeanie B would like to come to Washington to celebrate the Vernal Equinox on March 20th, 2012.
- A five year commitment, with annual reviews and modifications. Jeanie B hopes to make Washington its homeport for the foreseeable future.

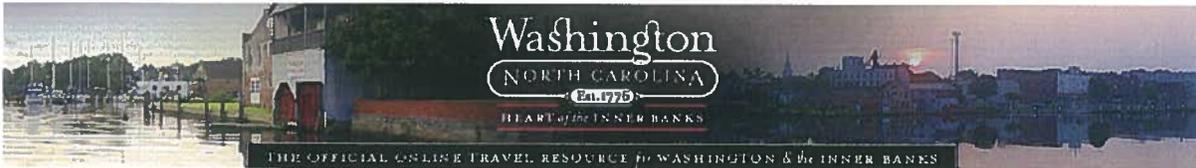
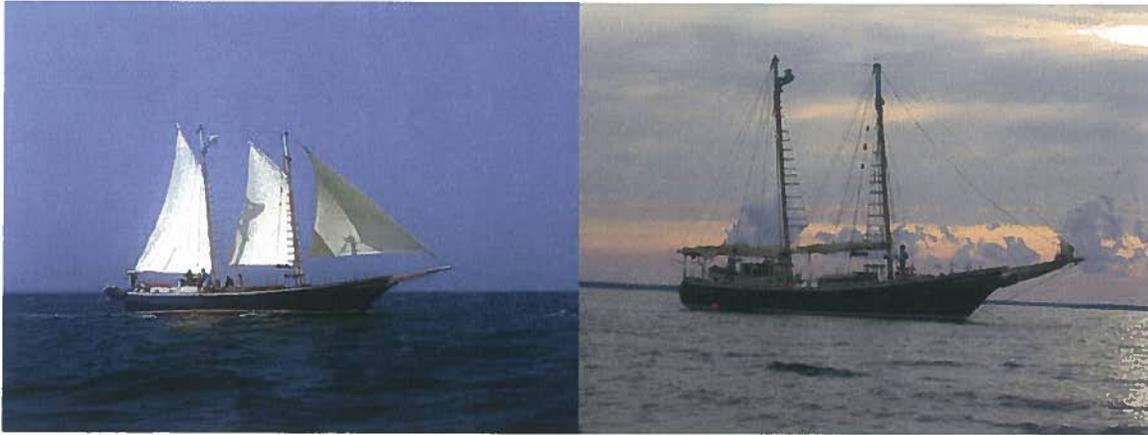
Schooner Jeanie B will extend, as a minimum, a guaranteed amount of \$2,700 *or* 20% of total revenues generated from any/all sailings from the waterfront of the City of Washington – whichever is greater.

All insurance requirements will be met, pump-out needs minimal.

Named storms- Jeanie B will go elsewhere.

Schooner *Jeanie B* and the City of Washington, North Carolina

At the Heart of the Inner Banks



When events and experiences are viewed in retrospect, whether positive or negative, there are always turning points that allow the event to proceed successfully. There are always people in those places that either facilitated the growth or not. Last Wednesday, February 22, was one of those days when many people from the City of Washington began to create or evolve a partnership between the Schooner *Jeanie B* and the City of Washington.

That partnership between *Jeanie B* and Washington will simply be a 72' tall masted jewel in a crowned waterfront that already has beauty, structure and success. To see the *Jeanie B* and to associate her with Washington would be an alliance between the two. It doesn't take long to see the potential of tourism, engagement and visibility along the waterfront. The images above describe the piece that completes the waterfront of Washington. Imagine *Jeanie B* alongside the docks of Washington with

groups of people to see her, to sail her, to come to the City of Washington to experience the congenial atmosphere, the shops and businesses and the docks and waterfront.

The basis of the partnership would be a symbiotic event for both schooner and city. The educational activities and schooling that go on aboard *Jeanie B* will complement the existing waterfront and rich history of Washington. *Jeanie B* sails with Boy Scouts of America as well as Camps Sea Gull and Seafarer, both YMCA camps located in Eastern North Carolina along the Neuse River. The Boy Scouts are the East Carolina Council, based in Kinston, NC with their Pamlico Sea Base just 7 miles east of Washington along Blounts Bay. The *Jeanie B* would sail on weekends and summers (June 15 – August 15) with those educational opportunities and take her new Washington roots with her wherever she would sail with those groups; Ocracoke, Manteo, Belhaven, Edenton. As she sails from port to port, she would be a tall ship sailing ambassador for the City of Washington as she educates and provides team building and character development for young men and women of Eastern North Carolina, with her base and home on the waterfront of Washington as the jewel of the crowned waterfront. How appropriate when *Jeanie B* pulls into the various ports, that she could be recognized as the Schooner of Washington, or hear along the waterfront of other towns, “wow, she’s sailed from Washington, NC – maybe we could go see her in Washington.” Bringing folks to the City of Washington and the waterfront is the symbiosis that Schooner *Jeanie B* can provide.

The activities of *Jeanie B* in Washington would be centered around tours and sailings from the city’s docks. Sunday, Wednesday and Thursday afternoon/evenings, there would be scheduled sunset/star gazing trips. Monday, Tuesday would allow citizens from the city or all over Eastern North Carolina or points beyond to freely tour the schooner with lessons on her history, her school ship aspect and what tall ships were doing along the Washington waterfront many years ago. They would also receive short narratives about the history of the Pamlico River, the waterfront and its importance in Washington’s history. Excerpts from topics such as, “From the late 1700s, the town's nearness to water made it a vital trade center. At any given time, as many as 20 vessels were docked in the harbor. Washington was a source of tar, pitch, turpentine, rosin, shingles, furs, tobacco and beeswax, among other things.” These free tours would highlight some of these historical aspects for the City of Washington.

Clearly, there would be financial benefits for both the *Jeanie B* and the City of Washington. *Jeanie B* would sail and receive the revenues of the passengers sailing with

her. The city would receive visibility, increased tourism and families simply coming to Washington to see the *Jeanie B*, stroll along the waterfront as well as Main Street and visit shops and restaurants in the city.

Also, the *Jeanie B*, would in cooperation with the City of Washington, pledge 20% of all revenues generated from the departure of passengers from the city docks – meaning that any trip departing from the waterfront of Washington with paying passengers, the city would receive 20% of all those revenues. It would be an annual payment to the City of Washington. This topic, as with other logistical points about the partnership, will be discussed further and included in an addendum at the end of this document.

The revenue generated from the city docks for *Jeanie B* would be a distant second to the overall benefits of a tall masted schooner along the waterfront of Washington – a city that had schooners in the past and that would become just as visible and recognized as compared to many years ago. The *Jeanie B* would complement the waterfront just as the City of Washington can complement the *Jeanie B*.

The *Jeanie B* requests from the City of Washington in this proposed partnership a 1) waiver of slip rental on an annual basis, 2) approval of commercial activity on docks at City of Washington. In return, the *Jeanie B* would extend to the City of Washington the outlined revenues above (and to be explained further in addendum).

This proposed partnership between Washington and Schooner *Jeanie B* is natural and easy to see the potential. We would hope the City of Washington incorporates Schooner *Jeanie B* into the vision, direction and overall niche of the city. As one strolls down the waterfront of Washington, one comes upon a children's playground; a playground that's graced by a make-believe or play structure – of a tall masted schooner. If the city either inadvertently or on purpose placed that playground to inspire children's imaginations during play, why couldn't the Schooner *Jeanie B* inspire adults' imaginations that have funds to spend in the city as they shop, dream and immerse themselves in the new ambience of the waterfront and the City of Washington.

To celebrate the arrival and new relationship between the City of Washington and the Schooner *Jeanie B*, it would be proposed that March 21, 22, 23 and 24 be used to 'kick off' the celebration and arrival of Schooner *Jeanie B*. March 21 would see the arrival of *Jeanie B* with a lecture that evening in the Estuarium. The lecture would be given by Dr. Lee Sutton, free of charge, similar to the lecture that was given last summer in honor of

Jeanie B coming to Washington. That date is the Vernal Equinox and the *Jeanie B* teaches astronomy, celestial navigation and that date would be in celebration of what the *Jeanie B* teaches throughout the weekends and summers as she sails with Camps Sea Gull/Seafarer and the Boy Scouts of America. Thursday/Friday March 22,23 would see the *Jeanie B* open for the aforementioned free tours of the vessel and then Saturday March 24 several 2-3 hour trips from the City Docks to promote and educate those in Washington, Greenville, Raleigh about *Jeanie B*. It would be hoped that press releases, media coverage (Reflector, News and Observer, etc) and television could accompany the arrival. The perfect timing would be around the Vernal Equinox with its inclusion into the teaching aspect of the ship.

The waterfront and city is a place that already sees many people coming to enjoy the beauty of the natural world that is the Pamlico River. Add a tall masted schooner to that waterfront and have it live and call Washington home and you create a partnership that is not only win / win for ship/city but you also create experiences and dreams for many people coming to see, sail and simply visit the City of Washington.

Captain Lee Sutton

Schooner Jeanie B

Addendum to Proposal

Logistics and Ideas to consider

- 1) Revenue and dollars. Schooner Jeanie B will extend, as a minimum, a guaranteed amount of \$2,700 *or* 20% of total revenues generated from any/all sailings from the waterfront of the City of Washington (excluding summers, Boy Scouts weekend trips) – whichever is greater. It would be expected that the totals could be much more in time with knowledge and recognition of groups in Greenville, Raleigh and beyond as they would come sail Schooner Jeanie B. The \$2,700 represents half of the value of the annual slip at \$5,400. The gross revenues of Schooner Jeanie B simply from the sailings from the docks of Washington may, in time, generate more and thus the 20% offered would surpass the amount of \$2,700; but to offset the dollars lost to the City of Washington due the occupancy of Jeanie B, the schooner, in good faith of this partnership would offer this guaranteed amount to ensure a mutualistic growth for both Jeanie B and City of Washington.
- 2) Yearly projection of time in or away from Washington. From January 1 of any given year until approximately June 15, the Schooner Jeanie B would occupy space on the waterfront of the City of Washington. From June 15 to August 15, the Jeanie B would be sailing with Camps Sea Gull/Seafarer and/or Boy Scouts of America. From August 15 until December 31, Jeanie B would be back in Washington. Weekends during Jan 1 – June 15 and Aug 15 – Dec 31, the Jeanie B may (most weekends in fact) be sailing with Boy Scouts of America. When and if the Jeanie B were to return to Washington during the summer months (as she did summer 2011), she would not need her normal slip in Washington as she could dock at K dock or even anchor in harbor and dinghy passengers, campers, scouts ashore. The slip provided in this partnership would only be needed for approximately 10 months/year – thus allowing the City of Washington to garner some dock fees from Jeanie B's slip to summer/transient boaters.

- 3) Pump out and sanitation. The Schooner Jeanie B has a relatively small holding tank – approximately 30 gallons – and can in fact pump out while away from the dock with a USCG approved device, ElectroScan. This device allows for legal pumpouts (away from any dockside facility) in inland waters and during the summer months, the Jeanie B can also utilize the 3 mile offshore rule when sailing in ocean. The facilities at the docks of Washington would more than be able to handle the minor pump outs that Jeanie B would need during the 10 months she sails from the City of Washington.
- 4) Fuel. The Jeanie B is a traditional sailing schooner and uses very little diesel for day or weekend trips. The Jeanie B most often will fill on her 2 months away from the City of Washington docks. If fuel were needed, we can utilize our own portable system of fueling. Again, the fuel requirements of Schooner Jeanie B are low and mainly will be filled during her 2 months of sailing away from the City of Washington.
- 5) Weather. The Schooner Jeanie B utilizes two options – haul out and moving to safe harbor from the named storm. For example, last year during Irene, Schooner Jeanie B moved south to Charleston, SC to clearly avoid any of the storm. She also has haul out at Bock Marine just a few hours south along Core Creek of the Neuse River.

The questions and solutions to these logistical ideas can be summed up in one simple idea. The Jeanie B wants to leave as little a footprint with regards to the issues outlined above as possible. We with Schooner Jeanie B hope to make this transition and partnership as smooth as possible. Revenue, time in Washington, pump outs, fuel and weather plan – those ideas are valid and easily discussed. The Jeanie B wants to make it easy for those on the docks and with the City so as to ensure a healthy, vigorous and vibrant relationship between the City of Washington and the Schooner Jeanie B. We want to make a big footprint with regards to visibility, tourism as a true symbol of the City of Washington. She sails with education and teaching as her mission during the summers and during the fall and spring, she will sail from docks of the City of Washington with families and groups coming to Washington to enjoy not only the city and what it has to offer, but also a 72' tall masted schooner with the same appeal and romance that children find a mere 100yards down the waterfront in a small park with a replica of a tall masted schooner.

MEMORANDUM

DATE: March 12, 2012
TO: Mayor and City Council
FROM: Philip W. Mobley, Director Parks and Recreation 
SUBJ: Little Washington Sailing Club Dockage

The Little Washington Sailing Club is once again requesting to continue their relationship with the City of Washington for docking at the Waterfront Docks. They are not requesting any changes in the agreement.

During the 2011 Little Washington Sailing Club season, communications between the Parks and Recreation Department at its Waterfront Docks Division and the Club had improved from the previous year. From all accounts, activities along the waterfront and on their dock were smoother and with far less misunderstandings than the year before.

The Club kept the Waterfront Docks informed of activities and special requests far in advance which helped with scheduling and general knowledge of the activities of the Club. Information request by the Waterfront Docks was quickly and thoroughly provided.

During Hurricane Irene, a portion of the Club's platform and several dinghies were damaged. The Club responded quickly to requests for attention to the platform, once it was placed back on Dock J. Communications were very good during this time between Teresa Hamilton and Kevin Clancy, Program Director.

The new docking agreement will be for the period of April 1, 2012 – March 31, 2013.

Attached: Letter of intent from the Little Washington Sailing Club

MEMORANDUM

DATE: March 12, 2012
TO: Mayor and City Council
FROM: Philip W. Mobley, Director Parks and Recreation *plw*
SUBJ: Belle of Washington Dockage

The Belle of Washington is once again requesting to continue their relationship with the City of Washington for docking at the Waterfront Docks. They are not requesting any changes in the agreement.

Last year was a tough year for the Belle of Washington and its owner AG Swanner. In the Spring of 2011, there was an explosion aboard The Belle of Washington, which resulted in a late starting season for departures from the Washington Waterfront. In Late Summer The Belle of Washington was grounded on top of a pier after Hurricane Irene came through, resulting in damage and another interruption in business.

Communications about activities aboard the Belle was not as detailed as we have enjoyed in the past, but the Parks and Recreation Department are encouraged that this year will be better. We have already met with Tammy Swanner, Manager, and suggested "work arounds" for Festival Park functions and parking.

The new docking agreement will be for the period of April 27, 2012 – March 26, 2013.

Attached: Letter of intent from the Belle of Washington

Belle of Washington
P.O. Box 1752
Washington, N.C. 27889
974-0919

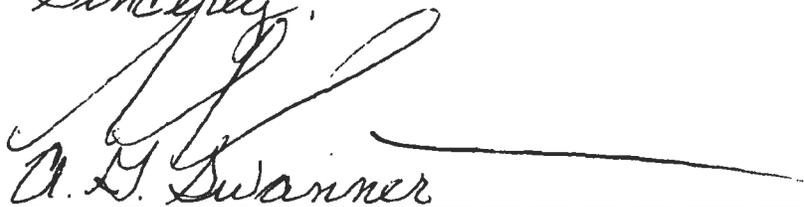
Jan. 20, 2012

City of Washington
Parks & Recreation
Washington, N.C. 27889

To Whom It May Concern;

I A. M. Swanner wish to retain
L dock 1+2 located on East Water
St. for the purpose of docking the
Belle of Washington for the year 2012.

Sincerely,


A. M. Swanner



City of Washington

P. O. Box 1988, Washington, NC 27889-1988

MEMORANDUM

DATE: March 1, 2012
TO: Mayor Jennings & Members of City Council
FROM: John Rodman, Planning & Development
RE: Extra-Territorial Jurisdiction Reduction

Extraterritorial jurisdiction (ETJ) is the legal ability of a government to exercise authority beyond its normal boundaries.

What is an ETJ?

Extraterritorial Jurisdiction (ETJ) is a zoning "overlay" that allows a town to zone areas outside its limits in order to plan for future growth. In North Carolina, the state gives municipalities broad powers to control planning and growth for up to three miles beyond their borders (up to one mile for smaller towns). NC General Statute 160A-360(b) provides that the area chosen must be based on "existing or projected urban development and areas of critical concern to the city, as evidenced by officially-adopted plans for its development." Smaller towns are less likely to have ETJs than larger cities, but most North Carolina towns have taken advantage of the statutory authority to exercise extraterritorial zoning.

Staff has been asked to investigate the procedure for possible reduction of the Extraterritorial Jurisdiction (ETJ) in the Washington area as requested. The areas for the proposed reduction in ETJ limits are indicated on the map. Staff recommendation is that the ETJ relinquishment be limited to these areas. The adjustment will more accurately reflect the potential future growth patterns and utility service areas of the City of Washington.

In researching this, it was determined that there is a procedure that is driven by the North Carolina General Statutes, and that the following schedule is being suggested for Council consideration:

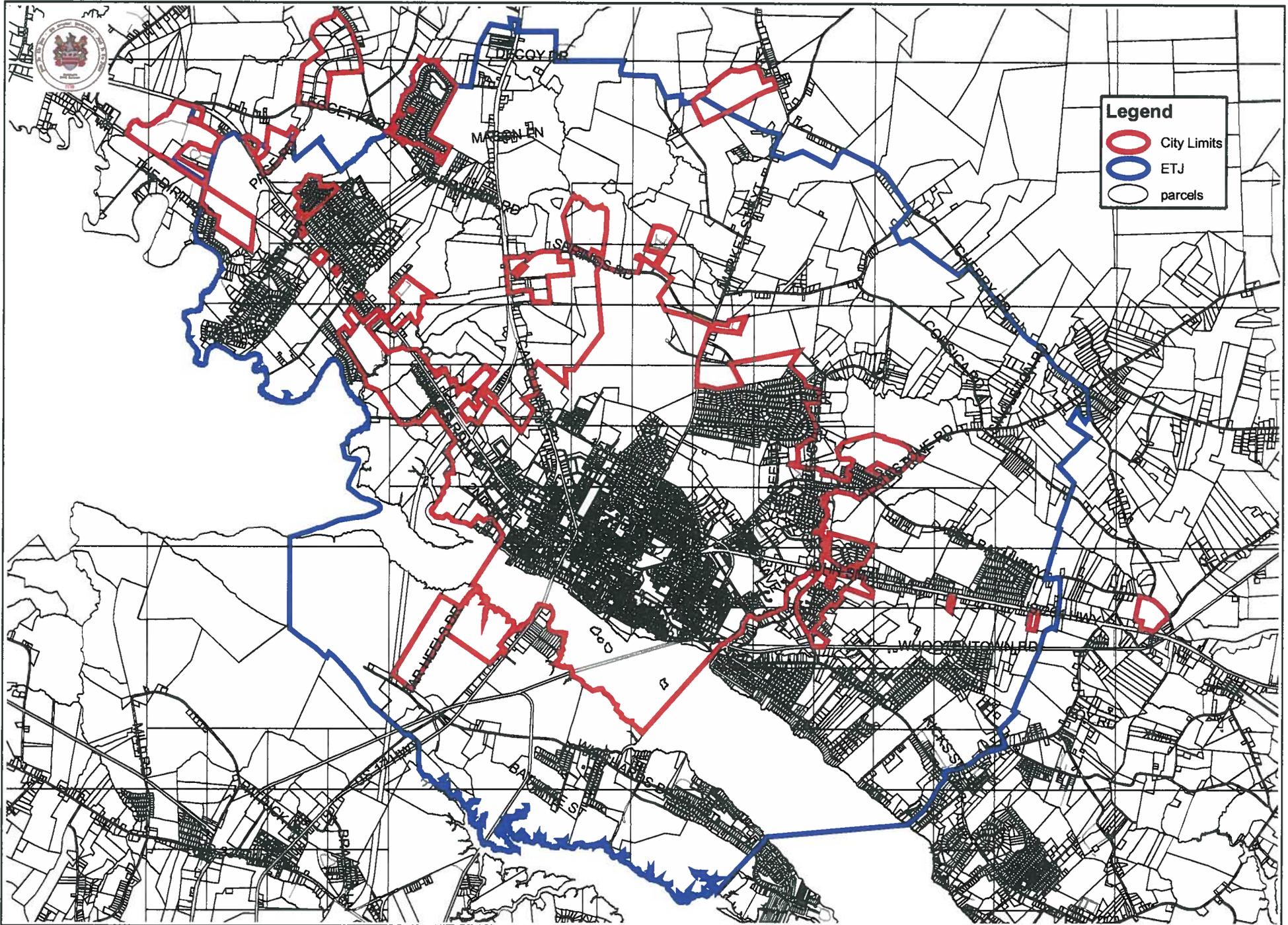
- 1) Present report to City Council
- 2) Planning Board Public Hearing

3) City Council Public Hearing/Adopt Resolution

4) Establish effective Date for Offer to Relinquish

The North Carolina General Statute essentially provides for a sixty-day period during which the City would maintain zoning jurisdiction over the area or until the regulation of the area is adopted by the County, not to exceed 60 days.

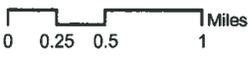
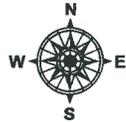
A motion is needed to allow staff to proceed with the investigation of a possible reduction in the City's ETJ and approve the schedule as submitted.

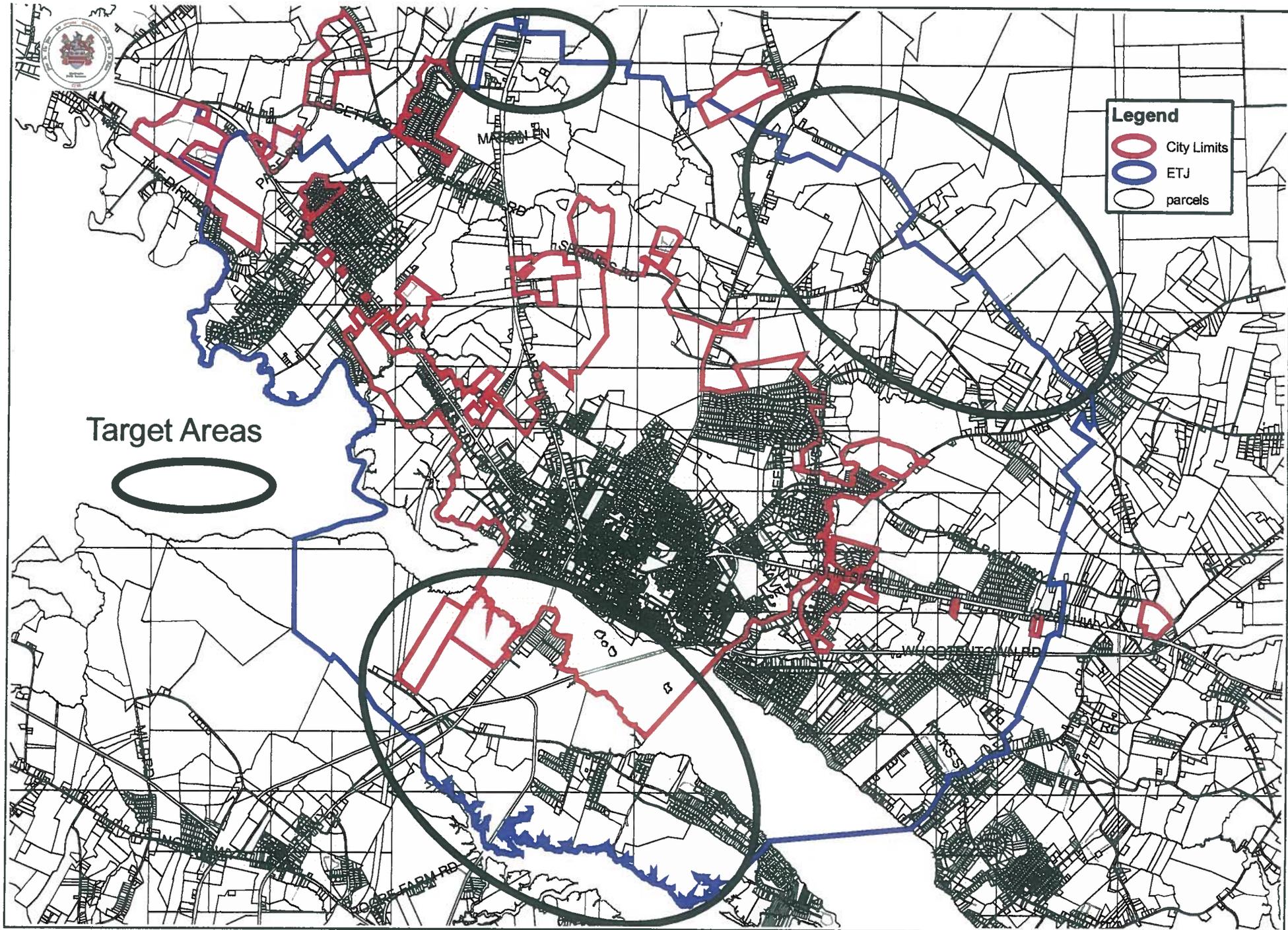


City of Washington

City Limits 2012
 March 2012
 Page 07 of 123
ETJ Jurisdiction

1 inch = 5,200 feet





Target Areas

Legend

-  City Limits
-  ETJ
-  parcels



City of Washington
 March 12, 2012
 City Limits & ETJ Jurisdiction
 Page 68 of 123

1 inch = 5,200 feet

0 0.25 0.5 1 Miles



HUMAN RELATIONS COUNCIL

102 East 2nd Street

Washington, NC 27889

Phone: 252-975-1280

Fax: 252-974-6461

Human Relations Council (HRC) Report for the month of February Monday March 12, 2012 City Council Meeting

MISSION STATEMENT

- To promote social and economic equality in the community, working with Local Government and other resources
- To appreciate the cultural and ethnic diversity of the citizens of Washington and Beaufort County
- To encourage citizens to live and work together in harmony and mutual respect

Scheduled Public Appearances:

Lieutenant Chrismon introduced the new Criminal Justice Program Administrator, Kimberly Grimes. Ms. Grimes stated she is presently working on "National Night Out" and that the Assistant District Attorney has approved two candidates for the Project Next Step program. The detectives are working on establishing more clients for the initial call in. Ms. Grimes noted the presentation she prepared for Project New Hope and Bishop Jones. Also, she met with DREAM to establish extra counseling that a child may be in need of.

Discussion – Support of the Multicultural Festival for FY 2012-2013 and appoint committee members – Vice chairwoman Cherry expressed a desire to continue supporting the Multicultural Festival but this would be contingent upon budget funding allocated by City Council for FY 2012-13.

By motion of Vice chairwoman Cherry, seconded by Board member Howard, the Board agreed to support the Multicultural Festival working in conjunction with the Beaufort County Arts Council for FY 2012-13. Motion carried: 7-2 with Board member Harvey and Murrell opposing.

Appoint – Committee members to the Multicultural Festival working in conjunction with the Beaufort County Arts Council – Will be on the March 13, 2012 Agenda.

Update – Ed Peed Commemoration and approve date for hosting this event (2nd or 3rd Saturday in February) – Due to many obligations on the 2nd Saturday in February, Board members approved hosting this event yearly on the 3rd Saturday in February.

Also, the event was sponsored by board contributions and volunteers/board members preparing the meal.

Discussion – Board member Harvey distributed a handout of a workshop sponsored by the District Attorney's Office concerning (but not limited to):

- Child Internet Safety
- Methamphetamine
- Identity Theft
- Frauds and Scams
- Health Insurance – Top 10 Things You Need to Know
- Address Confidentiality Program

By consensus, the Board agreed to host this in conjunction with the "Taste of Washington/Fair Housing Event".

FYI

All reminders and announcements were discussed at this time – inclusive of January report submitted to City Council, appointment of Melita Davis to fill the unexpired term of Nattalie Castro. Itemized list of anticipated expenses for FY 2012-13 provided to Mr. Kay.

**Washington Harbor District Alliance Report
Monday, March 12, 2012 City of Washington Council Meeting**

Some of the current projects WHDA is facilitating:

Old City Hall- Main Street Solutions Fund Grant

WHDA is proud to announce that the City of Washington and WHDA have been notified their Old City Hall proposal has been awarded \$200,000 from the Main Street Solutions Fund. Grant funds will be used to renovate the Old City Hall to house a restaurant that will create 8 full time employees. The project will use private monies, no City match is required.

It is important to note that this successful application all stems from the crucial partnership that WHDA shares with the City and in particular with the Planning Department.

See attached letter.

Washington Maritime Group

The Maritime Group will come before you tonight to request a new partnership with Captain Lee Sutton, PhD and his vessel the 72' foot Schooner Jeannie B. Please see separate report.

Golden Leaf Community Initiative Grant

The Washington Chamber of Commerce, with the assistance from WHDA and City Planning has withdrawn their application for the \$200,000 to fund "Beaufort County's Next Bright Idea".

Letter to Pat McCabe Golden Leaf Facilitator:

Pat,

The organizations that collaborated on this project recently met and decided that at this point we are not interested in a revolving loan fund for this project. Going into the proposal, we knew that there was a thin line with the projects guidelines and how it lined up with Golden LEAF but still felt like it was worth pursuing. At this point, we are going to look for other funding for the project. We all very much support the projects that have been submitted and there are some great chances to impact the citizens of Beaufort County. Although the future will hopefully involve a revolving loan fund for projects like this, at this time and under this short timeframe we are not able to make it happen.

Thanks for the opportunity,

Catherine M. Glover

Executive Director

Washington-Beaufort County Chamber of Commerce

Music in the Streets 10th Year Celebration

Pecheles Toyota/Ford realizes the importance of this tenth year celebration of music and arts in Washington. Pecheles Toyota/Ford has offered to become the titled sponsor for Music in the Streets. The MITS committee is very gracious to Pecheles as their involvement as it will give them added resources to help make our 10th year a great one.

Board Continues to Meet:

The WHDA Board meets every third Wednesday of the Month at 8:30AM at the Inner Banks Artisans Center. The meetings are open to the public and any interested person is invited to attend.



North Carolina Department of Commerce

Beverly Eaves Perdue, Governor

J. Keith Crisco, Secretary

February 23, 2012

The Honorable Archie Jennings
City of Washington
PO Box 1988
Washington, North Carolina 27889

Dear Mayor Jennings:

It is my pleasure to notify you officially that the City of Washington has been awarded up to \$200,000 from the 2011 Main Street Solutions Fund to strengthen your local economy. We are pleased to provide direct support to small businesses in your downtown business district.

The NC Department of Commerce, Community Development - Urban Development Division, which administers the Main Street Solutions Fund program, will contact you about implementing your grant. Please note that under Main Street Solutions Fund guidelines, all parties involved in the grant must complete applicable paperwork before the project begins. An information sheet is attached for your convenience.

We look forward to working with you. Mr. Benjamin (Ben) Murphrey, Main Street Solutions Fund Grant Administrator, will be in touch with your local grants manager to begin your project. Should you have questions, please contact Mr. Murphrey directly at 919-571-4900.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Keith Crisco".

J. Keith Crisco

cc: Henry C. McKoy
Elizabeth H. Parham
Bianca T. Gentile
Ross Hamory
Laura Darre
Kathryn Pisciotta



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Cynthia S. Bennett, City Clerk *CS*
Date: March 1, 2012
Subject: Appointments to Washington Housing Authority & Parks and Recreation Advisory Board
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

As Mayor, I hereby appoint _____ to the Washington Housing Authority to fill the un-expired term of John Morgan, term to expire June 30, 2012.

As Mayor, I hereby appoint _____ to the Washington Housing Authority to fill the un-expired term of Rosalind Bailey, term to expire June 30, 2014.

I move that the City Council appoint _____ to the Parks and Recreation Advisory Board to fill the un-expired term of Kendra Windley, term to expire June 30, 2012.

I move that the City Council appoint _____ to the Parks and Recreation Advisory Board to fill the un-expired term of Tim Ware, term to expire June 30, 2013.

BACKGROUND AND FINDINGS:

Mr. Marc Recko, Executive Director, Washington Housing Authority submitted a letter to the Clerk's office regarding the resignations of John Morgan and Rosalind Bailey. Pursuant to state law, the Mayor makes appointments to the Housing Authority.

Ms. Kendra Windley and Mr. Tim Ware resigned from the Parks and Recreation Board.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

___ Currently Budgeted (Account _____) ___ Requires additional appropriation ___ No Fiscal Impact

SUPPORTING DOCUMENTS

Applications

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: March 12, 2012 (if applicable)
City Manager Review: _____ Concur RD Page 73 of 123 Recommend Denial RD No Recommendation 3/12/12 Date

Primary Board Parks/Recreation Other Boards _____

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS,
AND/OR AUTHORITY OF THE CITY OF WASHINGTON**

NAME Deborah Carter
(Please Print)

ADDRESS 134 Water Street, Wash. N. C.

PHONE NO. (BUSINESS) _____ (HOME) 833-0115

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 2 YEARS

YEARS OF EDUCATION 14 years

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO
IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A BOARD/COMMISSION? no IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)

(OPTIONAL): Use back of sheet if additional space is needed

I am a member of the Washington Garden Club and serve on the Civic Beautification board. I walk in Festival Park and want to help keep it beautiful.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Deborah Carter
Signature

1-1-2012
Date

NOTE: Application will remain on file for six (6) months Expiration Date: _____

Primary Board Recreation Advisory Other Boards _____

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS,
AND/OR AUTHORITY OF THE CITY OF WASHINGTON**

NAME Casey Cox
(Please Print)

ADDRESS 221 Alderson Rd.

PHONE NO. (BUSINESS) 252-947-0279 (HOME) _____

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 31 YEARS

YEARS OF EDUCATION 15

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO
IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A
BOARD/COMMISSION? No IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)

(OPTIONAL): Use back of sheet if additional space is needed

I'm 47 years old and have lived more than the first half my life within the city limits of

Washington. I participated in city recreation programs and I want to help enhance them.

I was extensively involved with Coast Guard morale, recreation, and fitness committees.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Signature Casey Cox

Date 1/31/12

NOTE: Application will remain on file for six (6) months Expiration Date: _____

Primary Board Washington Housing Authority Other Boards _____

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS,
AND/OR AUTHORITY OF THE CITY OF WASHINGTON**

NAME Donald B. Sadler
(Please Print)

ADDRESS 145 Atkins Drive; PO Box 2011 Washington, NC 27889

PHONE NO. (BUSINESS) 252-940-4019 (HOME) 975-3208

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 45 YEARS

YEARS OF EDUCATION 14 years

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO
IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A BOARD/COMMISSION? NO IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)

(OPTIONAL): Use back of sheet if additional space is needed

I am a product of public housing. I have a unique interest in the families and the facilities.

I was raised to believe that a mutual respect must exist between the two. My wife & I devoted our lives to

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community. Compassionate advocacy for the poor.

Donald B. Sadler
Signature

2/14/2012
Date

NOTE: Application will remain on file for six (6) months Expiration Date: _____

Primary Board Washington Housing Authority Other Boards _____

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS,
AND/OR AUTHORITY OF THE CITY OF WASHINGTON**

NAME Gil Davis
(Please Print)

ADDRESS 735 West Second Street

PHONE NO. (BUSINESS) _____ (HOME) 252.974.2114

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 17 YEARS

YEARS OF EDUCATION Masters Degree - 18 yrs

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO
IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A
BOARD/COMMISSION? No IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)
(OPTIONAL): Use back of sheet if additional space is needed
Knowledge of Housing Authority programs and the benefits it can provide to the citizens of Washington. Serving on City Council and other boards

qualifies me for this position. Chairman JCPC for 16 years.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Gil Davis
Signature

1-31-2012
Date

NOTE: Application will remain on file for six (6) months Expiration Date: _____

CITY OF WASHINGTON
STATE OF NORTH CAROLINA
MAYOR'S CERTIFICATE OF APPOINTMENT OF
COMMISSIONER OF THE
HOUSING AUTHORITY
IN AND FOR THE CITY OF WASHINGTON

Pursuant to state law, I hereby appoint _____ as a member of the Washington Housing Authority. As provided by law, this appointment is subject to Council approval.

_____ term will expire June 30, 2014

Witness my hand as the Mayor of the City of Washington this 12th day of March, 2012.

N. Archie Jennings, III
Mayor

CITY OF WASHINGTON
STATE OF NORTH CAROLINA
MAYOR'S CERTIFICATE OF APPOINTMENT OF
COMMISSIONER OF THE
HOUSING AUTHORITY
IN AND FOR THE CITY OF WASHINGTON

Pursuant to state law, I hereby appoint _____ as a member of the Washington Housing Authority. As provided by law, this appointment is subject to Council approval.

_____ term will expire June 30, 2012.

Witness my hand as the Mayor of the City of Washington this 12th day of March, 2012.

N. Archie Jennings, III
Mayor



City of Washington REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Philip Mobley, Director Parks and Recreation *pwm*
Date: March 12, 2012
Subject: Authorize City Manager to Contract with Mid-East Commission to compile NCDOT Bicycle Master Plan for the City and Approve Corresponding purchase order (\$35,000)
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

I move City Council Authorize the City Manager to sign a contract with Mid-East Commission and Approve the purchase order in the amount of \$35,000 for compiling the NCDOT Bicycle Master Plan.

BACKGROUND AND FINDINGS:

On May 26, 2011 The City was awarded the NCDOT Bicycle Planning Grant in the amount of \$28,000. The City accepted the NCDOT Bicycle Planning Grant on August 8, 2011. The City's match is \$7,000 for a grant total of \$35,000.

The Washington Recreation Advisory committee, at their January 17, 2012 meeting unanimously recommended to contract with Mid-East Commission to write the NCDOT Bicycle Master Plan for the City of Washington. This project has a completion date of July 1, 2013.

PREVIOUS LEGISLATIVE ACTION

| | | |
|----------------|-----------------------------|----------|
| May 26, 2011 | City awarded NCDOT Grant | \$28,000 |
| August 8, 2011 | City Accepted NCDOT grant | \$28,000 |
| | City Adopt Budget Ordinance | |
| | Including Match of \$7,000 | \$35,000 |

FISCAL IMPACT

Currently Budgeted (Account 52-60-4930-0400) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

- NCDOT Executive Summary
- Mid-East Commission Contract
- List of individuals asked to serve on the Master Plan Committee

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: *CB* Concur _____ Recommend Denial _____ No Recommendation 3/2/12 Date

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: Town of Washington

County: Beaufort

TIP: M-0371

Project: Development of a comprehensive bicycle plan

Scope: The Project shall consist of the development and production of a Comprehensive Bicycle or Pedestrian Plan in accordance with Departmental Policies and Procedures.

The Department's funding participation in the Project shall include:

Planning and Production of a Comprehensive Bicycle Plan for 2011:

Eligible Activities:

| | | |
|-------------|-------------|--------------------|
| PE | 37309.1.1 | Design |
| | | Environmental |
| ROW | _____ | ROW Acquisition |
| | | Utility Relocation |
| CON | _____ | Construction |
| OTHER | _____ | |
| FEDERAL-AID | SPR-2003(4) | |

| Fund Source | Federal Funds Amount | Reimbursement Rate | Non-Federal Match \$ | Non-Federal Match Rate |
|-----------------------------|----------------------|--------------------|----------------------|------------------------|
| Bike/Pedestrian | \$28,000 | 80 % | \$7,000 | 20 % |
| Total Estimated Cost | | | \$35,000 | |

Responsibility: The Town of Washington shall be responsible for all aspects of the project.

MID-EAST COMMISSION

City of Washington Comprehensive Bicycle Plan Services Contract March 12, 2012 – July 1, 2013

THIS AGREEMENT, made this 12th day of March 2012, by and between the Mid-East Commission, hereinafter called the “Commission,” and the City of Washington, North Carolina, hereinafter called the “Council.”

WITNESSETH

WHEREAS, the Commission operates to provide Planning and Technical Assistance to Local Governments in Region Q, and

WHEREAS, the Council, has requested the assistance of the Commission.

NOW, THEREFORE, the Commission and the Council mutually agree as follows:

1. Employment and Scope of Work

The Council hereby agrees to engage the Commission and the Commission agrees to perform in a satisfactory and proper manner the work as described in the detailed “Scope of Services” set forth in Exhibit A, attached hereto, and by this reference made a part hereof.

2. Length of Contract

The work of the Commission shall commence on or after the 12th day of March 2012, and shall be undertaken and completed in such sequence as to assure expeditious completion in light of the purposes of this Contract; but, in any event, the work required herein shall not extend beyond the Scope of Services set forth in Exhibit A, and this contract and all conditions of this contract shall expire on the 1st day of July 2013.

3. Assignability

The Commission shall not assign any interest in this Contract, and shall not transfer any interest in the same whether by assignment or substitution, without the prior written consent of the Council, unless specifically contained in the Scope of Work.

4. Compensation and Method of Payment

The Council will pay the Commission for the services provided hereunder, based upon an hourly rate for actual hours of work provided to the Council by the Commission staff. Associated travel costs authorized by the Council will be an extra charge. Such travel will include periodic (monthly) trips around the Town for evaluation purposes.

The total of services shall not exceed \$35,000.00. The Commission will issue an invoice to the Council on a Monthly Basis. The Council will issue a check to the Commission upon receipt of the agreed upon services as set forth in Exhibit A.

5. Termination of Contract for Cause

The Council shall have the right to terminate this Contract by giving written notice to the Commission of such termination forty-five (45) days before such effective date.

The Commission may also terminate this contract for any reasons associated to its workload, time constraints, and the like. If the Commission feels that it cannot complete the work for any of the aforementioned reasons, it shall have the right to terminate this contract by giving written notice to the Council of such termination forty-five (45) days before such effective date.

6. Changes

The Council may from time to time request changes in the Scope of Work or services to be performed by the Commission hereunder. Such changes, including any increases or decreases in the Commission compensation, which are mutually agreed upon by and between the Council and the Commission, shall be incorporated as written amendments to the Contract.

7. Records

The Commission shall maintain financial records pertaining to this Contract for three years after final settlement of the Contract or until cleared by audit.

8. Access to Records

The Commission shall have access to all pertinent records of the City of Washington to assist the Commission staff in providing planning and technical services and as a part of this contract to assure that proper recordkeeping is maintained.

9. Interest of Contractor

The Commission covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this contract. The Commission further covenants that in the performance of this contract no person having any such interest shall knowingly be employed.

10. Findings Confidential

Any reports, information, data, etc., given to or prepared or assembled by the Commission under this contract which requests to be kept confidential shall not be made available to any individual or organization other than the Council.

11. Complete Agreement

This Contract contains the complete agreement of the Parties and may not be modified in any respect except by written amendment hereto.

12. Applicable Laws

The Parties agree that this document is to be governed, construed, and enforced in accordance with all of the laws of the State of North Carolina.

13. Property Rights

All documents, studies, reports, data, designs, drawings and other similar items produced by the Commission in the performance of this agreement shall be the sole property of the Council, the City of Washington, and the North Carolina Department of Transportation.

By: _____
Tim Ware, Executive Director
Mid-East Commission

By: _____
The Honorable Archie Jennings, Mayor
City of Washington

Date: _____

Date: _____

Attest: _____

Attest: _____

This instrument has been pre-audited
in the manner required by the Local
Government Budget and Fiscal Control Act.

Signed _____
Finance Officer

EXHIBIT A

SCOPE OF SERVICES

Task 1: Base Data Collection

Mid-East Commission Planners will work with the City to gather all available relevant documents relating to bicycle concerns, such as: plans, ordinances and other relevant written documents as well as base GIS and/or CAD layers such as current land use and zoning, street layer, and if available, rights of way. This process is anticipated to begin in March 2012 and will be completed in April 2012.

Task 2: Organization Meeting with City Staff

Mid-East will meet with the City's designated project manager, any associated recreation department staff, and City Public Works staff for introduction to the project and to discuss roles in the process. This meeting will take place in March 2012. This meeting will result in:

- Finalization of scope and time lines
- Discussion of City roles and responsibilities
- Identification of stakeholder groups and target meeting dates

Task 3: Field Work

Mid-East will conduct an initial field survey of the City to gain familiarity with the street system, typical street conditions, areas of development, perceived "hot spots" for bicycle traffic, potential off-road connectivity, etc. City staff will be encouraged to facilitate this survey in order to point out and provide commentary on conditions from a community standpoint. Mid-East will document areas of interest identified through the field survey and conduct additional reconnaissance as needed. This process is anticipated to be completed in March 2012.

Task 4: Existing Conditions Map and Inventory

Mid-East will compile data already available to our office and supplement it with City, NCDOT, and other sources of data, as well as develop the initial field survey, to lead to the development of an existing conditions map. Data on this map will include: all streets, street widths, location of all existing bicycle facilities, trails, and other pertinent items, existing zoning, right-of-way ownership, posted speed limit, ADT and traffic counts (including heavy vehicles), crash data, trip generators and destination points, regional context, utility easement mapping (if available), etc. Mid-East will present this draft map to the City staff for review. Mid-East will also produce a final Existing Conditions Map which will incorporate input from City and the Bicycle Advisory Committee. This process is anticipated to begin in March 2012 and be completed in April 2012.

Project Inventory shall include:

- Origins and destination points, trip generators
- Population and Demographics
- Existing facilities – location, condition, accessibility, adherence to standards, clearance, barriers, gaps, hazards, connectivity, capacity, function, degree of use
- Signage and markings, amenities

- Intersection conditions
- Interface with other forms of transit
- Current statutes, ordinances, policies, plans, programs, related staffing, agencies, committees, advocacy groups, partnerships and funding

Task 5: Advisory Committee Meeting I

Mid-East will facilitate the Advisory Committee meeting. This meeting will be conducted either in March or April of 2012. The agenda will include:

- Review and comment on the initial field survey findings
- Review of the existing conditions map(s) and inventory
- Identification and analysis of high-risk areas and populations
- Identification of Steering Committee member issues related to bicycle planning
- Identification of any additional stakeholder groups (law enforcement, health, transportation, parks and recreation, planning, etc.) who should be interviewed to ensure that their needs are addressed in the planning process.

Task 6: Stakeholder Interviews

Mid-East Planning Staff will conduct stakeholder interviews with key individuals or organizations identified by the Advisory Committee or City staff. These interviews will be conducted in May and June of 2012.

Task 7: Open House I

Mid-East Planning Staff will plan and conduct a public meeting to inform the public of the project as well as gather feedback from the public on bicycle and mobility issues and concerns. This interactive meeting will give participants the opportunity to indicate their residential location, their priorities for projects, etc. The Mid-East will work along with the City to advertise for the meeting as well as secure a location for the meeting. Planning for this meeting will begin in March 2012 with the meeting to be conducted in May 2012.

As part of this public input step, Mid-East will create an online survey through Survey Monkey to gather additional public input. The Mid-East will be responsible for advertising the survey while the City will be responsible for posting a link to the survey on the City website.

Task 8: Advisory Committee Meeting II

Mid-East will conduct a second Advisory Committee meeting to review the public meeting results with the Committee. The meeting will be structured to provide direction for preparation of a draft plan. This meeting is anticipated to take place in June 2012.

Task 9: Preparation of Draft Bicycle Master Plan

Mid-East will draft the plan, based upon input from the Advisory Committee and other citizen comments. Writing of this draft is anticipated to begin in July 2012 and be completed in September of 2012. The Plan will follow NCDOT's expanded municipal bicycle plan template, addressing the following items:

- Vision, Goals and Scope (immediate concerns and long term aspirations)

- An explanation of the benefits of a bicycling
- General Description of Existing Facilities, Current Conditions, Trends, Policies, Projects, and Programs
- Existing Conditions Map depicting the entire project area (the City and its ETJ) in terms of current bicycle facilities, streets, trails, origin/destination points, areas of focus, water bodies, topography, zoning, and other pertinent information.
- Identification of Target Populations, Unique Opportunities and Relevant Issues
- Overall Project Recommendations and Implementation Strategy, including coordination with existing related plans, regulations, and ordinances, as well as State and Federal guidelines
- Recommended Policies, Ordinance Modifications and Programs, including enforcement, community awareness, incentive and safety
- Recommended Implementation Strategies including potential partnering agencies and organizations
- Specific Project Identification and Priority List
- Comprehensive System Map clearly showing each proposed project according to location and type, proposed public transit routes and facilities, and other pertinent information.
- Facility Standards and Guidelines for bike lanes and other street improvements, off-road multi-use paths, signage, signalization, etc.
- Cost Estimates for Proposed Facilities
- Funding strategies and recommendations for implementation and maintenance (including but not limited to grant information, local budget recommendations and maintenance programs, staffing, committee formation, ongoing evaluation)
- Specific references to additional existing documents that may aid implementation of the Plan.
- A guide to the State, regional, and local adoption and approval process for the Plan

Task 10: Open House II

Mid-East Planning Staff will present a project plan for public review at a second Open House meeting. Staff will convey how previous public input has shaped the plan, and elicit public reaction to the overall plan and project priorities. Like the first Open House, this meeting will be interactive and oriented to achieve maximum citizen input on the plan and project recommendations. Mid-East will facilitate and provide all materials for the meeting, with the Mid-East working along with the City to advertise the meeting and securing the meeting location. Planning for this meeting will begin in July 2012 with the meeting to take place in August 2012.

Task 11: Advisory Committee Meeting III

Mid-East will conduct a third Advisory Committee meeting to review the second public meeting results and the draft plan with the Committee. The meeting will be structured to provide direction for revising the draft plan. This meeting would be anticipated to take place in September 2012.

Task 12: Review of Draft Bicycle Plan

After incorporating the review decisions of the Advisory Board, Mid-East will submit the plan draft to NCDOT Division 2, the Mid-East RPO, and to the NCDOT Division of Bicycle and

Pedestrian Transportation for review and comment. If significant revisions to the Plan are recommended, a fourth Advisory Committee meeting may be required to determine final revisions. Mid-East will periodically apprise the reviewing agencies of the project as it progresses. Mid-East will make the plan draft available for public review and comment, on the web through the City website, throughout the development of the project. This process will begin in October 2012 and conclude in December 2012.

Task 13: Plan Revision and Final Assembly

Mid-East will make revisions to the Plan based upon Division of Bicycle and Pedestrian Transportation and other agency comment. Mid-East will then resubmit the draft to the Division of Bicycle and Pedestrian Transportation for final review, and to the City Recreation Advisory Committee and Planning Board. Mid-East will attend the review meeting of both the Recreation Advisory Committee and Planning Board, answer questions, and make necessary revisions to the Plan per recommendations. This process will begin in December 2012 and conclude in February 2013.

Task 14: Plan Adoption

Mid-East will attend a meeting of the City Council public hearing in order to present the Plan, answer questions, and otherwise assist the City staff with the Plan. Mid-East will revise the Plan per recommendations by the City Council. Additionally, Mid-East will submit the Plan to the Mid-East RPO for endorsement. The City will be responsible for advertising the public hearing. Mid-East will make its presentation in March 2013 and make necessary corrections for the April 2013 City Council meeting.

Task 15: Final Delivery

Upon adoption of the Plan by the City Council in April or May of 2013, with any revisions approved by the Division of Bicycle and Pedestrian Transportation, Mid-East will furnish the City with the following:

- 15 printed copies of the final bound document with reduced (11"x17") maps and Executive Summary
- One complete Plan in PDF format
- All original electronic files used to generate the PDF file in editable Microsoft Office programs with full access rights
- One print ready original
- All ArcGIS files used to create the maps in ArcGIS 9.2 format.

Mid-East will also furnish NCDOT with five printed copies, one digital copy of the final Plan, and all ArcGIS files used to create the maps. All meeting handouts and minutes will be provided to NCDOT following each meeting.

Bicycle Plan - HOURLY COST ESTIMATE

| | | Staff member: X Bryant Buck | | x Justin Oakes | | x Ben Rogers | | | | TOTAL | |
|------|---|-----------------------------|---------------------|----------------|---------------------|---------------|--------------------|-------------|-------------|--------------|---------------------|
| | <i>direct</i> | 38.08 | | 25.39 | | 25.39 | | | | 88.86 | |
| | <i>indirect</i> | 27.72 | | 18.48 | | 18.48 | | | | 64.68 | |
| | <i>fringe</i> | 9.19 | | 6.13 | | 6.13 | | | | 21.45 | |
| STEP | TASK IDENTIFICATION | RATE | | | | | | | | | |
| | | \$ 75 | \$ - | \$ 50 | \$ - | \$ 50 | \$ - | \$ - | \$ - | | |
| 1 | Base Data Collection | 0.00 | \$ - | 8.00 | \$ 400.00 | 5.00 | \$ 250.00 | 0.00 | \$ - | 13.0 | \$ 650.00 |
| 2 | Meet with City staff | 8.00 | \$ 600.00 | 8.00 | \$ 400.00 | 0.00 | \$ - | 0.00 | \$ - | 0.0 | \$ 1,000.00 |
| 3 | Field Work | 25.00 | \$ 1,875.00 | 50.00 | \$ 2,500.00 | 50.00 | \$ 2,500.00 | 0.00 | \$ - | 125.0 | \$ 6,875.00 |
| 4 | Existing Conditions Map/Inventory | 0.00 | \$ - | 15.00 | \$ 750.00 | 15.00 | \$ 750.00 | 0.00 | \$ - | 30.0 | \$ 1,500.00 |
| 5 | Conduct Adviosry Committee Meeting 1 | 8.00 | \$ 600.00 | 8.00 | \$ 400.00 | 8.00 | \$ 400.00 | 0.00 | \$ - | 24.0 | \$ 1,400.00 |
| 6 | Stakeholder Interviews | 8.00 | \$ 600.00 | 8.00 | \$ 400.00 | 8.00 | \$ 400.00 | 0.00 | \$ - | 24.0 | \$ 1,400.00 |
| 7 | Facilitate Open House I; Public Survey | 15.00 | \$ 1,125.00 | 15.00 | \$ 750.00 | 15.00 | \$ 750.00 | 0.00 | \$ - | 45.0 | \$ 2,625.00 |
| 8 | Review of Public Input & Interview results/ Advisory Committee Meeting 2 | 10.00 | \$ 750.00 | 15.00 | \$ 750.00 | 10.00 | \$ 500.00 | 0.00 | \$ - | 35.0 | \$ 2,000.00 |
| 9 | Draft Preliminary Plan | 35.00 | \$ 2,625.00 | 70.00 | \$ 3,500.00 | 10.00 | \$ 500.00 | 0.00 | \$ - | 115.0 | \$ 6,625.00 |
| 10 | Facilitate Open House II | 15.00 | \$ 1,125.00 | 15.00 | \$ 750.00 | 15.00 | \$ 750.00 | 0.00 | \$ - | 45.0 | \$ 2,625.00 |
| 11 | Conduct Advisory Committee Meeting 3 | 3.00 | \$ 225.00 | 3.00 | \$ 150.00 | 3.00 | \$ 150.00 | 0.00 | \$ - | 9.0 | \$ 525.00 |
| 12 | Submit and Revise Draft Plan | 5.00 | \$ 375.00 | 10.00 | \$ 500.00 | 2.00 | \$ 100.00 | 0.00 | \$ - | 17.0 | \$ 975.00 |
| 13 | Plan Revision and Final Assembly | 5.00 | \$ 375.00 | 5.00 | \$ 250.00 | 0.00 | \$ - | 0.00 | \$ - | 10.0 | \$ 625.00 |
| 14 | Plan Adoption | 5.00 | \$ 375.00 | 5.00 | \$ 250.00 | 0.00 | \$ - | 0.00 | \$ - | 10.0 | \$ 625.00 |
| 15 | Final Delivery | 5.00 | \$ 375.00 | 5.00 | \$ 250.00 | 0.00 | \$ - | 0.00 | \$ - | 10.0 | \$ 625.00 |
| | SUBTOTAL | 147.00 | \$ 11,025.00 | 240.00 | \$ 12,000.00 | 141.00 | \$ 7,050.00 | 0.00 | \$ - | 528.0 | \$ 30,075.00 |



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Keith Hardt, P.E., Electric Director
Date: 2 March 2012
Subject: Approve Request from Beaufort County
Applicant Presentation: Beaufort County
Staff Presentation: Keith Hardt, P.E., Electric Director

RECOMMENDATION:

I move that the City Council approve the attached requests from Beaufort County and Beaufort County Water Districts I and VI in reference to proposed easements.

BACKGROUND AND FINDINGS:

Please see the attached letter of 29 February 2012 from McDavid Associates, Inc. for Beaufort County and Beaufort County Water Districts I and VI.

PREVIOUS LEGISLATIVE ACTION

None.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Attachment.

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review:  Concur _____ Recommend Denial _____ No Recommendation 3/7/12 Date



McDAVID ASSOCIATES, INC.

Engineers • Planners • Land Surveyors

CORPORATE OFFICE
(252) 753-2139 • Fax (252) 753-7220
E-mail: mai@mcdavid-inc.com
3714 N. Main Street • P.O. Drawer 49
Farmville, NC 27828

GOLDSBORO OFFICE
(919) 736-7630 • Fax (919) 735-7351
E-mail: maigold@mcdavid-inc.com
109 E. Walnut Street • P.O. Box 1776
Goldsboro, NC 27533

February 29, 2012

Keith Hardt, Director of Electrical Utilities
Allen Lewis, Director of Public Works
City of Washington
102 E. Second Street
Washington, NC 27889

Subject: BCWD I/VI Request for Rights to
Installed Water Facilities on
Washington Easements/Properties

Dear Gentlemen:

Beaufort County Water District I - Washington Township (BCWD I) and Beaufort County Water District VI-Chocowinity/Richland Township (BCWD VI) are legal units of government located on the western side of Beaufort County. The governing body for both Districts is the Beaufort County Board of Commissioners. The Districts were created primarily to provide water to the rural areas of Beaufort County in their respective geographic areas. The two Districts are separated by the Pamlico/Tar River.

BCWD VI has water supply/treatment facilities with excess capacity capability. BCWD I, II, III, IV and V purchase their water supply from the City of Washington. BCWD I and VI have applications pending for significant federal funding to construct a water transmission system that will allow the pumping of water supply from BCWD VI to BCWD I. The ranking of the respective applications basically guarantees the Districts of funding if they can continue to qualify in compliance with PWS procedure.

In order to further qualify for funding, BCWD I and BCWD VI must reach Ready to Proceed (RTP) status before May 31, 2012. To achieve RTP status, the water districts must have completed routing, acquisition of rights of ways necessary to install the water line, preparation of final plans and other criteria. Routing and preparation of final plans and specifications are in progress.

Routing of the proposed water line is along the route of an existing Washington owned electrical transmission line between Chocowinity and the Washington Waste Water Treatment Plant. In general, BCWD I and BCWD VI are asking for Washington's approval of the route and granting of easements across Washington owned land and /or assignment of existing Washington easements if assignable that provides legal permission to BCWD I and BCWD VI as necessary to construct the water line. In addition, BCWD I and BCWD VI need to purchase land for a booster pump station.

Specifically, BCWD I and BCWD VI request the following:

1. Approval for ingress, egress, construct, and maintain a water line along the existing Washington electrical transmission easement from pole 49 to and across the Pamlico/Tar River to pole 79 as

shown on City of Washington Plan and Profile As-Builts. I have attached a map on which tax map information is depicted along with a spread sheet extract that identifies current property owners and references to easements granted to Washington for the electrical transmission line.

2. Approval for a 20' permanent easement (40' temporary construction easement) along the eastern property line of the Washington waste water treatment plant property located on 2nd Street for ingress, egress, construct and maintain a water line from the north side of the river to 2nd Street.
3. Approval for the construction of a water line within the Washington maintained street rights of ways.
4. Indication of willingness to sell to BCWD I and BCWD VI a city owned parcel of land (approximately 150' x 150') in the vicinity of the existing Washington waste water treatment plant if surplus land is available for the purpose of the construction of a booster pump station, said land to be later identified after investigation/determination if surplus land is available.
5. Permission to tie-in to existing 16" water line located at the south end of Page Road at the intersection of US 264 (southern access to the Industrial Park), said water line currently being operated on BCWD I hydraulic grade line.

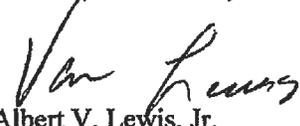
Please present this request to City Council at their next regularly scheduled council meeting.

I will be available to meet with you or others to refine this request or modify as necessary to obtain City Council approval. We face a constraining time line and need a timely response from the City in order for us to obtain RTP status.

Thank you for your consideration of this matter.

Sincerely,

McDavid Associates, Inc.


Albert V. Lewis, Jr.
Farmville Office

AVL

cc: Randell Woodruff
County Manager
Beaufort County Water District I - Washington Township
Beaufort County Water District VI-Chocowinity/Richland Township

cc: Jim Chrisman
Assistant County Manager / Finance Officer
Beaufort County Water District I - Washington Township
Beaufort County Water District-Chocowinity/Richland Township

cc: Billy Mayo
Attorney



City of Washington
REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: John Rodman, Planning & Development
Date: March 1, 2012
Subject: Ordinance: Adopt an ordinance to condemn as unsafe the structure located at 331 West 7th Street and direct the structure to be vacated and closed.

Applicant Presentation: N/A
Staff Presentation: John Rodman, Planning and Development
Allen Pittman, Senior Building Official

RECOMMENDATION:

I move that the City Council adopt the ordinance condemning the structure located at 331 West 7th Street as unsafe and direct the structure to be vacated and closed as issued by the Senior Building Official.

BACKGROUND AND FINDINGS:

The governing body of the City may adopt and enforce ordinances relating to residential structures that fail to meet minimum standards of maintenance, sanitation, and safety. The minimum standards address conditions that are dangerous and injurious to public health, safety and welfare and identify circumstances under which a public necessity exists for the repair, closing or demolition of such structures.

If after a notice and hearing the Code Official determines that the property has not been properly maintained and failed to meet minimum standards an order is issued to require the owner to demolish and remove the building or structure.

The owner of the subject property has failed to respond to the request by the Senior Building Inspector to bring the structure into compliance. Therefore, it is recommended that an Ordinance be adopted to condemn the structure as unsafe and direct that the structure located at 331 West 7th Street be vacated and closed.

PREVIOUS LEGISLATIVE ACTION

| | | | |
|--------------------|----------|----------------------------|------------------|
| Complaint: | 12/12/11 | Order to Demolish: | 1/6/12 (30 days) |
| Notice of Hearing: | | 30 days expired: | 2/6/12 |
| Hearing: | 1/4/12 | Notice of Council hearing: | 3/1/12 |

AN ORDINANCE FINDING THAT THE BUILDING AND PROPERTY DESCRIBED
HEREIN IN THE CITY OF WASHINGTON IS UNSAFE AND DIRECTING THAT IT
BE VACATED AND CLOSED.

WHEREAS, the City Council of the City of Washington finds that the structure and property described herein is deemed unsafe under the provisions of the City Ordinance and pursuant to G.S. 160A-441, that all of the provisions have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, this structure on said premises should be vacated and closed as directed by the Senior Building Official for the reasons that the same is unsafe; and

WHEREAS, Ms. Dorothy A. Dorsey, the owner of this structure have been given a reasonable opportunity to bring the structure to the standards of the Code in accordance with G.S. 160A-443 pursuant to an order issued by the Senior Building Official on January 6, 2012 , the owner has failed to comply with this order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington, that:

Section 1. The Senior Building Official is hereby authorized and directed to proceed to vacate and close the above described structure located at 331 West 7th Street in accordance with the Code and G.S. 160A-443(4).

Section 2. The cost of securing the structure shall constitute a lien against the real property upon which the cost was incurred as provided in North Carolina General Statutes 160A-443(6).

Section 3. This Ordinance shall be recorded in the Office of the Register of Deeds of Beaufort County, N.C.

This Ordinance shall become effective on this date of adoption March 12, 2012.

N. Archie Jennings, Mayor

Attest:

Cynthia S. Bennett, City Clerk

Site: 1 LOT 9 331 W 7TH ST



Property Details:

| | | | |
|------------|----------------------|-----------|-------------------|
| PIN | 01005609 | GPIN | 5676-80-5804 |
| GPINLONG | 5676-80-5804 | NAME1 | DORSEY DANIEL HRS |
| NAME2 | | ADDR1 | 110 FORT DRIVE |
| ADDR2 | | CITY | WASHINGTON |
| STATE | NC | ZIP | 27889 |
| PROP_ROAD | 331 W 7TH ST | ACRES | 0 |
| ACCT_NBR | 887817 | MAP_SHEET | 567620 |
| NBR_BLDG | 1 | DATE | |
| DB_PG | 848/260 | LAND_VAL | 5040 |
| BLDG_VAL | 2657 | DEFR_VAL | 0 |
| TOT_VAL | 7697 | NBHD_CDE | AC1 |
| NBHD_DESC | ZONE 1 AVERAG | SUB_CDE | |
| SUB_DESC | | STAMPS | 0 |
| SALE_PRICE | 0 | ZONE | R6 |
| LAND_USE | | DISTRICT | 01 |
| PROP_DESC | 1 LOT 9 331 W 7TH ST | MBL | 567620327 |
| EXMPT_PROP | | EXMPT_AMT | 0 |
| ROAD_TYPE | P | | |
| CENSUS_BLK | | | |
| PREVASSESS | 0 | | |

DISCLAIMER: These maps and information either in digital or hardcopy format are provided solely as a public service and they do not meet surveying accuracy standards. This map data is prepared from the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of any maps generated on this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on any maps. The county of Beaufort assumes no legal responsibility for the information contained on these maps.



PROPERTY ADDRESS: 331 West 7th Street

TAX PARCEL NUMBER: 5676-80-5804

CURRENT OWNER: Daniel Dorsey Hrs. (Dorothy Dorsey)

MAIL ADDRESS: 1465 Washington Ave, Apt 5F Bronx, NY 10456

BLDG VALUE: \$2,657 **LAND VALUE:** \$5,040

TOTAL VALUE: \$7,697

STATUS: Vacant

BOARDED: Partial **SECURE:** No

UTILITIES: Off 2010

WORK NEEDED: Major repair needed.

DISTRICT: Residential

DATE OF OBSERVATION: 3/22/2011

COMMENTS: March 12, 2012
Page 98 of 123



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Keith Hardt, P.E., Electric Director *PH*
Date: 2 March 2012
Subject: Approve Contract for Tree Trimming Services for FY 2012-13
Applicant Presentation: None
Staff Presentation: Keith Hardt, P.E., Electric Director

RECOMMENDATION:

I move that City Council award a contract for tree trimming services for fiscal year 2012-13 to Asplundh Tree Expert Company in the amount of \$174,554.

BACKGROUND AND FINDINGS:

Formal bids for tree trimming services were received and opened on 21 February 2012. Two (2) bids were received and met the bidding requirements of the North Carolina General Statutes. Asplundh Tree Expert Company is currently providing this service to the City of Washington. The rates offered for labor and equipment are equal to our current negotiated rate.

The contract amount will be included in the upcoming fiscal year 2012-13 electric fund budget request.

PREVIOUS LEGISLATIVE ACTION

None.

FISCAL IMPACT

_____ Currently Budgeted (Account _____) _____ Requires additional appropriation
 _____ No Fiscal Impact

SUPPORTING DOCUMENTS

Bid tabulation.

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: March 12, 2012 (if applicable)
City Manager Review: *PH* Concur _____ *PH* Recommend Denial _____ No Recommendation *3/12* Date

City of Washington, North Carolina
 Bid Tabulation - Tree Trimming Services

Bid Date : 21 February 2012

| Bidder | Bid Security | Part A : Labor | | | | | | Part B : Equipment | | Comments |
|-------------------------------|--------------|-----------------|---------|---------------|-----------------|---------|---------------|--------------------|---------|-----------------|
| | | Normal Rate | | | Overtime Rate | | | Hourly Rate | | |
| | | Working Foreman | Climber | Groundsperson | Working Foreman | Climber | Groundsperson | Aerial Device | Chipper | |
| Asplundh Tree Expert Company | Bid Bond | \$27.79 | \$21.10 | \$18.60 | \$38.91 | \$29.54 | \$26.04 | \$12.08 | \$4.35 | Recommend for A |
| The Davey Tree Expert Company | Bid Bond | \$30.08 | \$25.85 | \$20.68 | \$40.61 | \$34.90 | \$27.92 | \$15.24 | \$4.35 | |

This is to certify that at 2:07 p.m. EST, on 24 February 2012, the bids tabulated herein were publicly opened, read, checked, and the above totals are correct. All recognized bids were accompanied by an acceptable bid-security. No irregularities are noted.

I recommend that the contract for Tree Trimming services for fiscal year 2012-13 be awarded to Asplundh Tree Expert Company in the amount of \$174,554.

Respectfully submitted 23 February 2012



Keith Hardt, P.E.
 23 February 2012



City of Washington REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Philip Mobley, Director Parks and Recreation *pwm*
Date: March 12, 2012
Subject: Adopt recommended Fees/Charges for use of the grounds and/or facilities of the Festival Park and discuss Rules for Festival Park
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

I move City Council adopt the recommended fees/charges for use of the Festival Park within the guidelines of the City's Special Events Policy and discuss the rules for Festival Park.

BACKGROUND AND FINDINGS:

Over the past year of constructing Festival Park, focus groups, event planners and the Washington Recreation Advisory Committee, along with City Staff have been working on guidelines for use of the Festival Park area. These guidelines will include scheduling events and incorporating the final stages of construction to include installing the Bermuda grass July – August 2012.

On February 7, 2012 and February 17, 2012 a focus group consisting of major event partners and sponsors met to discuss the fees and charges for use of the Festival Park. Those recommendations were accepted at the February 20, 2012 Recreation Advisory Committee meeting and recommended to be presented to City council for adoption.

REVIIOUS LEGISLATIVE ACTION

None

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

Recreation Advisory Committee Recommended Fees/Charges
Proposed Rules for Festival Park usage

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: *[Signature]* Concur _____ Recommend Denial _____ No Recommendation 3/12/12 Date

Festival Park Fees Proposed

| | 4 Hours | Same Date, Over 4 Hours | Partner Sponsored Event 3 Day Max |
|--|-----------------|----------------------------|--------------------------------------|
| Picnic Shelter | \$80.00 | \$120.00 | \$80.00 |
| electricity | \$10.00 | \$10.00 | \$10.00 |
| Stage | \$100.00 | \$150.00 | \$100.00 |
| electricity | \$25.00 | \$25.00 | \$25.00 |
| Park | \$50.00 | \$75.00 | \$0.00 |
| (2) Duplex 120 volt 20 amp pump station panel box | \$10.00 | \$10.00 | \$10.00 |
| 240 volt (50 amp or 100 amp+ pump station panel box. may require afterhours hook up/disconnect (\$150 each) | \$25.00 | \$25.00 | \$25.00 |
| Festival Park Refundable Deposit w/ access to service road | \$500.00 | \$500.00 | \$0.00 |
| Total | \$800.00 | \$915.00 | \$250.00 |

Partner Sponsored Event - Event sponsored by a Washington based non-profit that brings a measureable economic and/or community impact to the City of Washington

Established Partners:

- BC Arts Council
- East Carolina Wildfowl Guild
- NC Estuarium
- Washington Beaufort County Chamber of Commerce
- Washington Harbor District Alliance
- Washington Noon Rotary
- Washington Tourism Development Authority

Proposed Rules for Festival Park

1. No hand cart to be used on steps. All hand carts or pull carts of any kind must use the handicap ramp.
2. No chains, zip ties, tape, or straps of any kind can be attached or come in contact the metal structures or should come in contact with metal structures.
3. Nothing will be permitted that will scratch, mark or deface metal structure, bricks, concrete slab, walkway, or caps.
4. Banners may only be displayed along the rail at the top of the shelter or along the sides of the shelter. Nothing should be displayed from the handrails.
5. All banners must be displayed with string.
6. No amusement rides will be permitted in this area. Amusement rides also include blow ups.
7. No fires or open flames to be used under structure. No oils or liquids. This will stain the floor.
8. It is the responsibility of the Event Planner that is renting/reserving the structure to enforce these rules. Any damage to the structure is the financial responsibility of the Event Planner renting/reserving the structure.
9. No driving in the park, except along the grasscrete areas.
10. Dance floors may be placed on the grass, but should only be put down the day of the event and MUST be removed at the conclusion of the event.
11. All tent locations must be approved by the Events and Facilities Manager. Tents may be erected no more than 2 days prior to your event (upon availability) and must be removed the day after your event. For Friday evening or Saturday events, tents must be removed by the following Monday.
12. All dumpsters and porta johns must be set up on hard surfaces.
13. All food events must be catered by an approved vendor list. Requests may be made for additional vendors.



City of Washington REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Philip Mobley, Director, Parks and Recreation
Date: March 1, 2012
Subject: Authorize the City Manager to sign Release, Hold harmless and Indemnification Agreement with Bridge Harbor, LLC (landowner) and East Coast Pyrotechnics Agreement (Firework's Company)

Applicant Presentation: None
Staff Presentation: Philip Mobley

RECOMMENDATION:

I move that City Council authorize the City Manager to sign the Release, Hold Harmless and Indemnification agreement with Bridge Harbor, LLC. I move that City Council authorize the City Manager to sign the East Coast Pyrotechnics, INC Agreement. I also recommend Council authorize the City Manager to execute these Releases in future years.

BACKGROUND AND FINDINGS:

On July 4, 2012 the City of Washington will be celebrating the evening on the waterfront with a fireworks show for the public.

Mr. Parker Overton, of Bridge Harbor, LLC, is allowing this property to be used this year for the City's fireworks show for the public.

One agreement is to release, hold harmless and indemnify the Bridge Harbor, LLC (landowner). The second agreement is for East Coast Pyrotechnics (firework's company).

All City departments in connection with this event have signed off on the location. This is the old location used in past years.

PREVIOUS LEGISLATIVE ACTION

On May 2, 2011 City Council Authorized the City Manager's signature from the Release, Hold Harmless and Indemnification agreement with Bridge Harbor, LLC for the July 4, 2011 fireworks display.

On July 26, 2010 City Council Authorized the City Manager's signature from the Release, Hold Harmless and Indemnification agreement with Bridge Harbor, LLC for the July 4, 2010 fireworks display.

On March 9, 2009 City Council Authorized the City Manager to sign the Release, Hold Harmless and Indemnification agreement with Bridge Harbor, LLC for the July 4, 2009 fireworks display.

On March 17, 2008 City Council Authorized the City Manager to sign the Release, Hold Harmless and Indemnification agreement with Bridge Harbor, LLC for the July 4, 2008 fireworks display.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

- Hold Harmless Agreement
- East Coast Pyrotechnics Agreement

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: PM Concur _____ Recommend Denial _____ No Recommendation 3/2/12 Date

**NORTH CAROLINA
BEAUFORT COUNTY**

RELEASE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

WHEREAS, the City of Washington (“City”) has contracted or will contract with East Coast Pyrotechnics, Inc. to provide a fireworks show for the public on July 4, 2012.

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

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, 2012 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 ____ day of _____, 2012.

CITY OF WASHINGTON

By: _____ (Seal)
Joshua L. Kay, City Manager

ATTEST:

Cynthia S. Bennett, City Clerk

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, do hereby certify that CYNTHIA S. BENNETT personally appeared before me this day and acknowledged that she is the City Clerk of the CITY OF WASHINGTON, a body politic and corporate, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and Notarial seal, this the ____ day of _____, 2012.

NOTARY PUBLIC

My Commission expires: _____.

EAST COAST PYROTECHNICS, INC.
AGREEMENT

THIS AGREEMENT entered in this ____ day of _____, 2012 by and between EAST COAST PYROTECHNICS, INC., of Catawba, South Carolina, and the Parks & Recreation Department of the City of Washington, North Carolina (CUSTOMER).

WITNESSETH: EAST COAST PYROTECHNICS, INC. for and in consideration of the terms hereinafter mentioned, agrees to furnish to the CUSTOMER one (1) Fireworks Display(s) as per agreement made and accepted and made a part hereof, including the services of our Operator to take charge of and fire display, said display to be given on the evening of July 4, 2012 CUSTOMER Initial ____, weather permitting. It being understood that, should inclement weather prevent the giving of this display on the date mentioned herein, the parties shall agree to a mutually convenient alternate date within six (6) months of the original display date. CUSTOMER shall remit to the first party an additional 15% of the total contract price for additional expenses in presenting the display on an alternate date. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of EAST COAST PYROTECHNICS, INC. In the event the CUSTOMER does not choose to reschedule another date or cannot agree to a mutually convenient date, EAST COAST PYROTECHNICS, INC. shall be entitled to 40% of the contract price for costs, damages and expenses. If the fireworks exhibition is cancelled by CUSTOMER prior to the display, CUSTOMER shall be responsible for and shall pay EAST COAST PYROTECHNICS, INC., on demand, all EAST COAST PYROTECHNICS, INC.'s documented out of pocket expenses incurred in preparation for the show including but not limited to, material purchases, preparation and design costs, deposits, licenses, and employee charges.

EAST COAST PYROTECHNICS, INC. agrees to furnish all necessary fireworks display materials and personnel for fireworks display in accordance with the program approved by the parties. Quantities and varieties of products in the program are approximate. After final design, exact specifications will be supplied upon request. EAST COAST PYROTECHNICS, INC. enters this Agreement contingent upon its ability to secure delivery of product for the display.

EAST COAST PYROTECHNICS, INC. further agrees following the fireworks display to leave the display and fallout areas free of all trash, including any partly combusted materials, and any and all other items, materials and equipment introduced to said display and fallout area as a result of said fireworks display and show.

It is further agreed and understood that the CUSTOMER is to pay EAST COAST PYROTECHNICS, INC. the sum of \$10,000.00 (50% deposit due April 1, 2012). A service fee of 1½% per month shall be added if account is not paid within 30 (thirty) days of the show date.

EAST COAST PYROTECHNICS, INC. will obtain Workers Compensation insurance as may be required by law and Commercial General Liability as well as Property Damage insurance. Said Commercial General Liability and Property Damage insurance shall afford coverage at a minimum of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate. Coverage shall be written on an occurrence basis. Said policy shall list the CUSTOMER as additional insured and provide that it is not subject to cancellation or reduction in coverage except after thirty (30) days following notice to the CUSTOMER. EAST COAST PYROTECHNICS, INC. shall deliver to the CUSTOMER certificates of insurance for all insurance policies required hereunder. EAST COAST PYROTECHNICS, INC. releases and relieves the CUSTOMER and waives EAST COAST PYROTECHNICS, INC.'s entire rights of recovery against the CUSTOMER for loss or damage arising out of or incident to any matter insured against under this Agreement. EAST COAST PYROTECHNICS, INC. shall give notice to its insurance carriers that this waiver of subrogation is contained in this Agreement and cause the carriers to accept this waiver of subrogation, to the extent permissible by law.

CUSTOMER will provide the following items.

- (a) Sufficient area for the display, including a minimum spectator set back of 350 feet at all points from the discharge area.
- (b) Protection of the display area by roping-off or similar facility.

- (c) Adequate police protection to prevent spectators from entering display area.
- (d) Search of the fallout area at first light following a nighttime display.

It is further agreed and mutually understood that nothing in this Agreement shall be construed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations, and neither party shall be responsible for any agreements not stipulated in this Agreement. CUSTOMER agrees to pay any and all collections costs, including reasonable attorney's fees and court costs incurred by EAST COAST PYROTECHNICS, INC. in the collection or attempted collections of any amount due under this Agreement and invoice.

The parties hereto due mutually and severally guarantee terms, conditions, and payments of this Agreement, these articles to be binding upon the parties, themselves, their heirs, executors, and administrators, successors and assigns.

In consideration of this Agreement, which consideration is acknowledged to be sufficient and legally binding, EAST COAST PYROTECHNICS, INC. does for itself, its agents, successors and assigns, hereby unconditionally agree to protect, release, hold harmless, and will indemnify, defend, acquit and forever discharge the CUSTOMER, its respective present and former employees and elected officials, in both their individual and official capacities, agents, representatives, attorneys, insureds, 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, losses, penalties, fines, attorney's fees and consequential, general, special, and punitive damages or liabilities, of every kind, known or unknown, on account of, arising from or in any way related to or growing out of this Agreement, including but not limited to the provision of said Fireworks Display. EAST COAST PYROTECHNICS, INC. further agrees to investigate, handle, respond to, provide defenses for, and defend the same at its sole expense and agrees to bear all other costs and expenses related thereto. EAST COAST PYROTECHNICS, INC. warrants that it will provide said services, including but not limited to the provision of said Fireworks Display, in accordance with all pertinent federal, state, and local laws, rules and regulations, including all applicable rules and regulations of any regulatory agency.

PRE-AUDIT CERTIFICATE

This Agreement has been pre-audited pursuant to North Carolina General Statute §159-28 in the manner required by the Local Government Budget and Fiscal Control Act.

CITY OF WASHINGTON

_____ (SEAL)
 Matt Rauschenbach,
 Chief Financial Officer

EAST COAST PYROTECHNICS, INC.

By _____

Date Signed: _____

Joel Matthews
 P.O. Box 209
 Catawba, SC 29704
 P803-789-5733
 F803-789-6440
 joel@eastcoastpyro.com

CUSTOMER

By: _____
 Its duly authorized agent, who represents he/she has authority to bind CUSTOMER.

Date Signed: _____
 (Please type or print)

Name: _____
 Address: _____
 Phone: _____
 Email: _____
 Billing email: _____



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Allen Lewis, Public Works Director *AL*
Date: 03-06-12
Subject: Adopt Budget Ordinance Amendment for Airport Fund (\$383,333) and Approve Purchase Order.

Applicant Presentation: N/A
Staff Presentation: Allen Lewis

RECOMMENDATION:

I move that Council adopt the attached budget ordinance amendment to re-allocate funds for estimated revenues in the Airport Fund and approve purchase order as noted below.

BACKGROUND AND FINDINGS:

As noted in the attached letter from Richard J, Walls, P.E., Director of Aviation with the NC Department of Transportation, we have been allocated \$345,000 in State funds for airfield drainage improvements. These funds require a match of \$38,333 (10%). The attached budget ordinance amendment appropriates the required match. These funds will be used to make repairs to the piped drainage system on airport property, primarily under and immediately adjacent to runways and taxiways. Like the runways and taxiways, the storm drain pipe under the pavement has remained largely untouched since installation back in the 1940s. Needless to say, they are in need of repairs and this grant should go a long ways to making these repairs possible. If feasible, we will also be making point repairs to these storm drain pipes where there are sinkholes in the grassy areas of airport property.

We are also are looking for the approval of a purchase order for preliminary engineering, design and bidding services for this work. Talbert and Bright, our airport engineers, have submitted a proposal for a work authorization in the amount of \$39,570 for this work. The work scope and fee have been reviewed and approved by the NC Division of Aviation.

PREVIOUS LEGISLATIVE ACTION

N/A

FISCAL IMPACT

Currently Budgeted (Account) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

See attached Budget Ordinance Amendment.

City Attorney Review: _____ Date By: March 12, 2012 (if applicable)
Finance Dept Review: _____ Date By: Page 109 of 123 (if applicable)
City Manager Review: *AL* Concur _____ Recommend Denial _____ No Recommendation 3/5/12 Date

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2011-2012**

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

Section 1. That the Estimated Revenues in the Airport Fund be increased in the following amounts:

| | | |
|-----------------|-----------------------------|---------------|
| 37-90-3453-0005 | Federal Grant -36244.51.8.1 | \$ 345,000 |
| 37-90-3397-1000 | Transfer from General Fund | <u>38,333</u> |
| | Total | \$ 383,333 |

Section 2. That account number 37-90-4530-4521, Federal Grant – 36244.51.8.1, portion of the Airport Fund be increased in the amount of \$383,333 to account for grant funded drainage improvements at the airport.

Section 3. That the following accounts in the General Fund be increased or decreased in the following accounts to account for the local grant match:

| | | |
|-----------------|---------------------------|---------------|
| 10-00-9990-9900 | Contingency | \$ (36,723) |
| 10-00-4400-3700 | Transfer to Airport Fund | <u>38,333</u> |
| | Subtotal Appropriations | \$ 1,610 |
| 10-00-3991-9910 | Fund Balance Appropriated | \$ 1,610 |

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective upon its adoption.

Adopted this the 12th day of March, 2012.

MAYOR

ATTEST:

CITY CLERK



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

December 13, 2011

The Honorable Archie Jennings, Mayor
City of Washington
PO Box 1988
Washington, NC 27889

Dear Mayor Jennings:

On behalf of Governor Beverly Eaves Perdue, Transportation Secretary Eugene A. Conti, Jr., and the NC Board of Transportation, please be advised that state funds have been allocated under the State Aid to Airports Program for Warren Field for State Fiscal Year (FY) 2011-12.

The specific work elements and funding approved is as shown below.

| <u>Project #</u> | <u>Description</u> | <u>State Funds</u> | <u>Local Funds</u> |
|------------------|---------------------------|--------------------|--------------------|
| 36244.51.8.1 | Airfield Drainage Repairs | \$345,000 | \$38,333 |

The NCDOT-Division of Aviation appreciates your commitment and contribution to our state aviation system. With aviation partners like you, North Carolina will continue to be *First in Flight....*

Sincerely,

Richard J. Walls, P.E.
Director of Aviation

RJW/ncs

Attachment

cc: Governor Beverly Eaves Perdue
Eugene A. Conti, Jr., Secretary, NCDOT
Paul Morris, FASLA, NCDOT Deputy Secretary for Transit
Richard Burr, United States Senate
Kay Hagan, United States Senate
G.K. Butterfield, United States Congress
Walter Jones, Jr., United States Congress
Hugh Overholt, BOT Representative
Leigh McNairy, BOT At-Large Member

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF AVIATION
1560 MAIL SERVICE CENTER
RALEIGH NC 27699-1560

TELEPHONE: 919-840-0112
FAX: 919-840-9287

LOCATION:
RDU AIRPORT
1050 MERIDIAN DRIVE
RDU NC 27623

March 12, 2012
WEBSITE: www.ncdot.org
Page 111 of 123

Attachment

GRANT REQUEST INSTRUCTIONS

The forms needed to request your grant are:

- AV500 Certification of Funds
- AV501 Request for Aid
- AV504 Budget
- AV508 DBE/MBE/WBE PreBid

These forms can be found under the Airports Grant Program at:

www.ncdot.gov/aviation/programs/.

Please contact your Airport Project Manager for assistance with your DBE/MBE/WBE goal information which is set by the state. Remember, the project number should be used on all correspondence.

Revised 6/2011



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Matt Rauschenbach, C.F.O.
Date: March 12, 2012
Subject: Award Financing Bid for Installment Purchases
Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council award a \$897,666 installment purchase financing bid to BB&T, adopt a resolution approving financing terms, and authorize the C.F.O. to execute the necessary documents to close this transaction.

BACKGROUND AND FINDINGS:

In this year's budget, Council authorized the City to borrow \$897,666 to fund the projects on the attached list. Five proposals were received from financial institutions (see bid tab) on February 27, 2012.

PREVIOUS LEGISLATIVE ACTION

2011-2012 adopted budget

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

- Financial institution bids
- Financing proposal
- Resolution Approving Financing Terms
- Installment purchase project list

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: GR Concur _____ Recommend Denial _____ No Recommendation
3/7/12 Date.

Installment Purchases 2011-2012

| | <u>Department</u> | <u>Description</u> | <u>Detail \$</u> | <u>Summary \$</u> |
|----------------------|-------------------------|----------------------------------|------------------|----------------------|
| GENERAL FUND | | | | |
| 10-10-4341-7401 | EMS | | | 146,900 |
| | | EMS Truck | 135,400 | |
| | | Power Stretcher | 11,500 | |
| 10-20-4510-7403 | Street Maintenance | Wheel Loader | 85,066 | 85,066 |
| 10-10-4310-7402 | Police | Two police vehicles | <u>35,700</u> | <u>35,700</u> |
| Total For | GENERAL FUND | | 267,666 | 267,666 |
| ELECTRIC FUND | | | | |
| 35-90-7250-7403 | Electric Meter Services | Vehicle #652 | 35,000 | 35,000 |
| 35-90-8370-7403 | Electric Substation | | | 255,000 |
| | | SCADA Steel Pole | 30,000 | |
| | | White Post Transformer | 100,000 | No Security Interest |
| | | Generator Catalyst Installations | 125,000 | |
| 35-90-8375-7403 | Load Management | Load management switches | 70,000 | 70,000 |
| 35-90-8390-7403 | Power Line Construction | | | 270,000 |
| | | Bucket Truck #605 | 200,000 | |
| | | Trencher #621 | <u>70,000</u> | |
| Total For | ELECTRIC FUND | | 630,000 | 630,000 |
| Grand Total | | | 897,666 | 897,666 |

| | First South | Wells Fargo | RBC | BB&T | ECB |
|-----------------|-------------|-------------|-----------|-----------|-----------|
| Interest rate | 2.24% | 1.70% | 2.14% | 1.63% | 2.75% |
| Interest | 51,175.32 | 38,672.85 | 48,852.12 | 37,059.79 | 65,092.46 |
| Monthly Payment | 16,082.06 | 15,870.15 | 16,042.68 | 15,842.81 | 16,317.94 |
| Prepayment | 0 | 0 | 0.5% min. | 1% | 0 |
| Closing Costs | 5,744 | 500 | 100 | - | 1,100 |
| Term | 59 months | 59 months | 59 months | 59 months | 59 months |
| Escrow Fees | 0 | 0 | 0 | 0 | 0 |



5130 Parkway Plaza Boulevard
Charlotte, North Carolina 28217
(704) 954-1700
Fax (704) 954-1799

February 27, 2012

Mr. Matt Rauschenbach, CFO
City of Washington
102 East 2nd Street
Washington, North Carolina 27889

Dear Mr. Rauschenbach:

Branch Banking and Trust Company (“BB&T”) is pleased to offer this proposal for the financing of vehicles, equipment and electrical system improvements, as requested by the City of Washington (the “City”).

- (1) **Project:** Financing of vehicles, equipment and electrical system improvements
- (2) **Amount to be financed:** \$897,666.00
- (3) **Interest Rates, Financing Terms and Corresponding Payments:**

| Term | Rate |
|-------------|-------------|
| 59 months | 1.63% |

Payments shall be level months payments in arrears, or as requested. See the attached amortization schedule(s) for information on payments.

The financing proceeds shall be deposited on behalf of the City in a project fund account with Branch Banking & Trust. Earnings on the project fund shall accrue to the benefit of the City for use on Project costs or interest payments.

The interest rate stated above is valid for a closing not later than 45 days after today. A convenient date and time shall be mutually agreed upon for closing. Closing is contingent upon completing documentation acceptable to BB&T and upon the condition of the equipment acceptable to BB&T. BB&T shall provide a list of required documentation for closing should we be the successful proposer. Additionally, we shall review your most recent financial statements before funding this transaction and the closing shall be in person with the City determined by BB&T and its counsel.

All applicable taxes, permits, costs of counsel for the City and any other costs shall be the City’s responsibility and separately payable by the City. The financing documents shall allow prepayment of the principal balance in whole on an anniversary date with a 1% prepayment premium.

The stated interest rate assumes that the City expects to borrow less than \$10,000,000 in calendar year 2012 and that the City shall comply with IRS Code Sections 141, 148, 149(e) and Section 265(b)(3). BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not a qualified tax-exempt financing.

(4) Financing Documents:

BB&T and its counsel shall prepare all documentation for the City. We shall provide a sample of those documents to you should BB&T be the successful proposer. This financing shall be secured by a first lien security interest in all personal property acquired with proceeds.

* * * * *

BB&T appreciates the opportunity to provide this financing proposal and requests to be notified within ten days of this proposal should BB&T be the successful proposer.

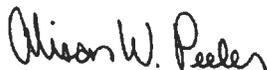
BB&T shall have the right to cancel this offer by notifying the City of its election to do so (whether or not this offer has previously been accepted by the City) if at any time prior to the closing there is a material adverse change in the City's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the City or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T. We reserve the right to negotiate and/or terminate our interest in this transaction should we be the successful proposer.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to BB&T. If your board adopts this resolution, then BB&T shall not require any further board action prior to closing the transaction.

Please call me at (336) 376-0254 or Louis Loyd at (704) 954-1700 with your questions and comments. We look forward to hearing from you.

Sincerely,

BRANCH BANKING AND TRUST COMPANY



Alison W. Peeler
Senior Vice President

Enclosure

Resolution Approving Financing Terms

WHEREAS: The City of Washington (the "City") has previously determined to undertake a project for the financing of vehicles, equipment and electrical systems improvements, (the "Project"), and the City Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated February 27, 2012. The amount financed shall not exceed \$897,666.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.63%, and the financing term shall not exceed fifty-nine (59) months from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2012.

By: _____
(Clerk)

By: _____
(Mayor)

SEAL

City of Washington, NC

Compound Period: Monthly

Nominal Annual Rate: 1.630%

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

| | Date | Payment | Interest | Principal | Balance |
|-------------|-----------|------------|-----------|------------|------------|
| Loan | 4/2/2012 | | | | 897,666.00 |
| 1 | 5/2/2012 | 15,842.81 | 1,219.33 | 14,623.48 | 883,042.52 |
| 2 | 6/2/2012 | 15,842.81 | 1,199.47 | 14,643.34 | 868,399.18 |
| 2012 Totals | | 31,685.62 | 2,418.80 | 29,266.82 | |
| 3 | 7/2/2012 | 15,842.81 | 1,179.58 | 14,663.23 | 853,735.95 |
| 4 | 8/2/2012 | 15,842.81 | 1,159.66 | 14,683.15 | 839,052.80 |
| 5 | 9/2/2012 | 15,842.81 | 1,139.71 | 14,703.10 | 824,349.70 |
| 6 | 10/2/2012 | 15,842.81 | 1,119.74 | 14,723.07 | 809,626.63 |
| 7 | 11/2/2012 | 15,842.81 | 1,099.74 | 14,743.07 | 794,883.56 |
| 8 | 12/2/2012 | 15,842.81 | 1,079.72 | 14,763.09 | 780,120.47 |
| 9 | 1/2/2013 | 15,842.81 | 1,059.66 | 14,783.15 | 765,337.32 |
| 10 | 2/2/2013 | 15,842.81 | 1,039.58 | 14,803.23 | 750,534.09 |
| 11 | 3/2/2013 | 15,842.81 | 1,019.48 | 14,823.33 | 735,710.76 |
| 12 | 4/2/2013 | 15,842.81 | 999.34 | 14,843.47 | 720,867.29 |
| 13 | 5/2/2013 | 15,842.81 | 979.18 | 14,863.63 | 706,003.66 |
| 14 | 6/2/2013 | 15,842.81 | 958.99 | 14,883.82 | 691,119.84 |
| 2013 Totals | | 190,113.72 | 12,834.38 | 177,279.34 | |
| 15 | 7/2/2013 | 15,842.81 | 938.77 | 14,904.04 | 676,215.80 |
| 16 | 8/2/2013 | 15,842.81 | 918.53 | 14,924.28 | 661,291.52 |
| 17 | 9/2/2013 | 15,842.81 | 898.25 | 14,944.56 | 646,346.96 |
| 18 | 10/2/2013 | 15,842.81 | 877.95 | 14,964.86 | 631,382.10 |
| 19 | 11/2/2013 | 15,842.81 | 857.63 | 14,985.18 | 616,396.92 |
| 20 | 12/2/2013 | 15,842.81 | 837.27 | 15,005.54 | 601,391.38 |
| 21 | 1/2/2014 | 15,842.81 | 816.89 | 15,025.92 | 586,365.46 |
| 22 | 2/2/2014 | 15,842.81 | 796.48 | 15,046.33 | 571,319.13 |
| 23 | 3/2/2014 | 15,842.81 | 776.04 | 15,066.77 | 556,252.36 |
| 24 | 4/2/2014 | 15,842.81 | 755.58 | 15,087.23 | 541,165.13 |
| 25 | 5/2/2014 | 15,842.81 | 735.08 | 15,107.73 | 526,057.40 |
| 26 | 6/2/2014 | 15,842.81 | 714.56 | 15,128.25 | 510,929.15 |
| 2014 Totals | | 190,113.72 | 9,923.03 | 180,190.69 | |
| 27 | 7/2/2014 | 15,842.81 | 694.01 | 15,148.80 | 495,780.35 |
| 28 | 8/2/2014 | 15,842.81 | 673.43 | 15,169.38 | 480,610.97 |
| 29 | 9/2/2014 | 15,842.81 | 652.83 | 15,189.98 | 465,420.99 |
| 30 | 10/2/2014 | 15,842.81 | 632.20 | 15,210.61 | 450,210.38 |
| 31 | 11/2/2014 | 15,842.81 | 611.54 | 15,231.27 | 434,979.11 |
| 32 | 12/2/2014 | 15,842.81 | 590.85 | 15,251.96 | 419,727.15 |
| 33 | 1/2/2015 | 15,842.81 | 570.13 | 15,272.68 | 404,454.47 |

| | | | | | |
|--------------|-----------|------------|-----------|------------|------------|
| 34 | 2/2/2015 | 15,842.81 | 549.38 | 15,293.43 | 389,161.04 |
| 35 | 3/2/2015 | 15,842.81 | 528.61 | 15,314.20 | 373,846.84 |
| 36 | 4/2/2015 | 15,842.81 | 507.81 | 15,335.00 | 358,511.84 |
| 37 | 5/2/2015 | 15,842.81 | 486.98 | 15,355.83 | 343,156.01 |
| 38 | 6/2/2015 | 15,842.81 | 466.12 | 15,376.69 | 327,779.32 |
| 2015 Totals | | 190,113.72 | 6,963.89 | 183,149.83 | |
| 39 | 7/2/2015 | 15,842.81 | 445.23 | 15,397.58 | 312,381.74 |
| 40 | 8/2/2015 | 15,842.81 | 424.32 | 15,418.49 | 296,963.25 |
| 41 | 9/2/2015 | 15,842.81 | 403.38 | 15,439.43 | 281,523.82 |
| 42 | 10/2/2015 | 15,842.81 | 382.40 | 15,460.41 | 266,063.41 |
| 43 | 11/2/2015 | 15,842.81 | 361.40 | 15,481.41 | 250,582.00 |
| 44 | 12/2/2015 | 15,842.81 | 340.37 | 15,502.44 | 235,079.56 |
| 45 | 1/2/2016 | 15,842.81 | 319.32 | 15,523.49 | 219,556.07 |
| 46 | 2/2/2016 | 15,842.81 | 298.23 | 15,544.58 | 204,011.49 |
| 47 | 3/2/2016 | 15,842.81 | 277.12 | 15,565.69 | 188,445.80 |
| 48 | 4/2/2016 | 15,842.81 | 255.97 | 15,586.84 | 172,858.96 |
| 49 | 5/2/2016 | 15,842.81 | 234.80 | 15,608.01 | 157,250.95 |
| 50 | 6/2/2016 | 15,842.81 | 213.60 | 15,629.21 | 141,621.74 |
| 2016 Totals | | 190,113.72 | 3,956.14 | 186,157.58 | |
| 51 | 7/2/2016 | 15,842.81 | 192.37 | 15,650.44 | 125,971.30 |
| 52 | 8/2/2016 | 15,842.81 | 171.11 | 15,671.70 | 110,299.60 |
| 53 | 9/2/2016 | 15,842.81 | 149.82 | 15,692.99 | 94,606.61 |
| 54 | 10/2/2016 | 15,842.81 | 128.51 | 15,714.30 | 78,892.31 |
| 55 | 11/2/2016 | 15,842.81 | 107.16 | 15,735.65 | 63,156.66 |
| 56 | 12/2/2016 | 15,842.81 | 85.79 | 15,757.02 | 47,399.64 |
| 57 | 1/2/2017 | 15,842.81 | 64.38 | 15,778.43 | 31,621.21 |
| 58 | 2/2/2017 | 15,842.81 | 42.95 | 15,799.86 | 15,821.35 |
| 59 | 3/2/2017 | 15,842.81 | 21.46 | 15,821.35 | 0.00 |
| 2017 Totals | | 142,585.29 | 963.55 | 141,621.74 | |
| Grand Totals | | 934,725.79 | 37,059.79 | 897,666.00 | |



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Matt Rauschenbach, C.F.O.
Date: March 12, 2012
Subject: Adopt Resolution Authorizing Worker's Compensation Claim Payments
Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council adopt a resolution authorizing payment of worker's compensation claims.

BACKGROUND AND FINDINGS:

Previous resolution adopted June 22, 2009 authorized the City Manager to approve claims that exceeded \$10,000. This resolution authorizes the City Manager to approve claims from \$10,000 to \$50,000 and the City Council to approve those in excess of \$50,000.

PREVIOUS LEGISLATIVE ACTION

Resolution adopted June 22, 2009.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Resolution

**RESOLUTION FOR
AUTHORIZATION OF COMPENSATION CLAIMS SOLUTIONS
TO PAY
WORKER'S COMPENSATION CLAIMS UP TO \$10,000**

WHEREAS, there is an intent of the City of Washington to authorize Compensation Claims Solutions to pay workers compensation claims up to \$10,000; and,

WHEREAS, the City Manager must authorize workers compensation claims that exceed \$10,000;

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

Section 1. The Governing Board hereby authorizes Compensation Claims Solutions to pay workers compensation claims up to \$10,000.

Section 2. The Governing Board authorizes the City Manager to approve workers compensation claims that fall between \$10,000 and \$50,000.

Section 3. The Governing Board will approve all workers compensation claims in excess of \$50,000.

Section 4. This Resolution shall become effective upon signature.

Adopted this the 12th day of March, 2012

N. Archie Jennings, III
Mayor

ATTEST:

Cynthia S. Bennett, CMC
City Clerk



City of Washington

REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jennings & Members of the City Council
From: Joshua Kay, City Manager
Date: March 12, 2012
Subject: Charlotte Street Bridge
Applicant Presentation:
Staff Presentation:

RECOMMENDATION:

I move that the City Council:

1. Authorize the City Manager to withdraw the demolition of the Charlotte Street bridge from the current contract with T.A. Loving Company; **OR**
2. Authorize the City Manager to restart the demolition of the Charlotte Street bridge as contracted with T.A. Loving Company.

BACKGROUND AND FINDINGS:

City Council has discussed this issue at previous City Council meetings, including a public hearing held on February 27, 2012.

PREVIOUS LEGISLATIVE ACTION

None

FISCAL IMPACT

Currently Budgeted Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

None

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: Concur _____ Recommend Denial _____
No Recommendation 3/2/12 Date