



NOVEMBER 5, 2012  
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval of minutes from October 8, 2012 **(page 4)**

Approval/Amendments to Agenda

I. Consent Agenda:

- A. Approve – FEMA AFG Grant – Excess Funds PO (\$23,000) **(page 34)**
- B. Authorize/Adopt – Repurchase of Cemetery Lot N-117, Plots 3,4,7 and 8 in Oakdale Cemetery (\$2,400) **and** Adopt Budget Ordinance Amendment **(page 35)**

II. Comments from the Public:

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

- A. None –

IV. Public Hearing – Other:

- A. None –

V. Scheduled Public Appearances:

- A. Jayesh Patel – Utility Bill – credit over 12 months
- B. Derik Davis – Condition of Boardwalk

VI. Correspondence and Special Reports:

- A. Memo – Load Management Reports **(page 39)**

VII. Reports from Boards, Commissions and Committees:

- A. Human Relations Council **(page 41)**
- B. Financial Reports **(emailed as available)**

VIII. Appointments:

- A. None



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- IX. Old Business:
- A. Adopt – Budget Ordinance Amendment for Oxidation Ditch Repairs at the Wastewater Treatment Plant **(page 43)**
- X. New Business:
- A. Award/Approve – Tentatively Award Contract for Pavement Rehabilitation at Warren Field to Triangle Grading and Paving (\$352,700) **and** Approve Work Authorization (\$48,105) **and** Approve Corresponding Budget Ordinance Amendment and Purchase Orders **(page 45)**
- B. Adopt – Budget Ordinance Amendment - Keys Landing Subdivision (\$20,000) **(page 50)**
- C. Adopt/Award – Ordinance to Condemn as Unsafe the structure located at 107 East 8<sup>th</sup> Street **and** Award the demolition contract to T.J.'s Marine (\$4,950) **(page 53)**
- D. Adopt/Award – Ordinance to Condemn as Unsafe the structure located at 312 East Water Street **and** Award the demolition contract to St. Clair Trucking (\$8,400) **(page 67)**
- E. Adopt/Authorize – Resolution Small Business Entrepreneurial Assistance (SBEA) Grant and Authorize City Manager and Mayor to sign all CDBG documents **(page 86) \*Resolution to be distributed at Council meeting**
- F. Approve – Amended By-laws under Article II, Page 3-Section 4(a),(b) & (c); Article IV, Page 4-Section 2 & Section 3 and Article V, Page 5 - Section 4, of the Washington/Beaufort County Human Relations Council **(page 87)**
- 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 Privilege – City of Washington vs. Anne & Harry Meredith, et al (08-CVS-105); (a)(5) Potential Acquisition of Property – property located on 1656 Springs Road owned by Ricky and Brenda Brann, for the potential use of



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parks and recreation **and** property located at 150 West Main Street owned by Turnage Theater, LLC for the potential use of the arts.

- XIV. Adjourn – Until Monday, November 19, 2012 at 5:30 pm, at the Civic Center.

**CITY COUNCIL MINUTES  
WASHINGTON, NORTH CAROLINA**

**OCTOBER 8, 2012**

The Washington City Council met in a regular session on Monday, October 8, 2012 at 5:30pm in 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, Administrative Services Director/C.F.O.; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; Gloria Moore, Library Director; John Rodman, Interim Community and Cultural Services Director; Susan Hodges, Human Resources Director; Keith Hardt, Electric Director; Lynn Lewis, Tourism Director; David Carraway, IT; and Mike Voss, Washington Daily News.

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

**APPROVAL OF MINUTES FROM SEPTEMBER 10 & SEPTEMBER 24, 2012**

By motion of Councilman Mercer, seconded by Councilman Moultrie, Council approved the minutes of September 10 & 24, 2012 as presented.

**APPROVAL/AMENDMENTS TO AGENDA**

Mayor Jennings requested the addition of New Business Item F: Award the administrative services contract to the lowest responsible bidder for the administration of the Small Business Entrepreneurial Assistance Grant (SBEA).

Councilman Mercer requested the addition of Other Business from Mayor/Council Item C: Discussion regarding updates to the EDC By-laws.

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

**PRESENTATION: NORTH CAROLINA COMMISSIONER OF LABOR:  
CHERIE BERRY–SHARPS AWARD WASHINGTON UTILITIES**

Commissioner of Labor, Cherie Berry presented the City of Washington's Electric Department the North Carolina Department of Labor's First ever SHARP (Safety and Health Achievement Recognition Program) Accreditation.

Adam Waters and the Water Resources Division have achieved 10 years without a lost time accident.

City Manager Josh Kay also recognized the efforts of the City's Risk Manager, Bill Lurvey as well as Ken Raber with Electricities.

\*Recess for photos with Commissioner Berry.



**CONSENT AGENDA**

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

- A. Accept/Adopt – Annual Grant from Mid-East Commission Area Agency on Aging **and** Adopt Budget Ordinance (**copy attached**)
- B. Approve – Municipal Records Retention and Disposition Schedule (**copy attached**)
- C. Adopt – Capital Project Amendment for Stormwater Improvements in Iron Creek (\$50,000)

**AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE FOR THE RECOVERY ZONE BOND STORM WATER PROJECTS CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the following accounts in the Storm Water Capital Project be increased or decreased by the following amounts to provide funds for Iron Creek drainage improvements:

58-90-5710-4500	Construction	\$ 50,000
58-90-5710-9900	Contingency	<u>(50,000)</u>
	Total	\$ 0

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Adopted this the 8<sup>th</sup> day of October, 2012.

**Attest:**

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

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

D. Adopt – Budget Ordinance Amendment for Project Next Step (\$240)  
**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE**  
**OF THE CITY OF WASHINGTON, N.C.**  
**FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the following accounts and amounts be increased in the General Fund revenue budget for the Project Next Step contribution:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
10-10-3431-8400	Contributions- Police	\$ 240

Section 2. That the following accounts and amounts be increased or decreased in the departments indicated of the General Fund appropriations budget:

<u>Department</u>	<u>Account</u>	<u>Description</u>	<u>Amount</u>
Police Department	10-10-4310-5602	Matl's Public Education	\$ 240

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 8<sup>th</sup> day of October, 2012.

**Attest:**

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

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

**PUBLIC HEARING ON ZONING: NONE**

**PUBLIC HEARING: ADOPT – ANNEXATION AGREEMENT TO EXTEND THE CITY OF WASHINGTON CORPORATE LIMITS FOR NON-CONTIGUOUS PROPERTY OWNED BY EASTERN PRIDE INC.**

Mayor Jennings opened the public hearing. John Rodman, Interim Director of Community & Cultural Resources explained that at the June 11, 2012 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 Eastern Pride. The Council decided to delay the adoption of the annexation ordinance to extend the City of Washington corporate limits for the non-contiguous annexation of the Eastern Pride Inc. property until the approval of an annexation agreement with the Town of Washington Park. The Town of Washington Park approved the annexation agreement last week.

City Manager, Josh Kay explained that the property is not in Washington Park or in the City of Washington, but is located in an unincorporated area of Beaufort County.

There being no comments from the public, Mayor Jennings closed the public hearing.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council approved the adoption of the ordinance establishing an annexation agreement between the City of Washington and the Town of Washington Park for the Eastern Pride Inc. property located at 620 River Road containing 1.76 acres.

**AN ORDINANCE ESTABLISHING AN ANNEXATION AGREEMENT BETWEEN THE CITY OF WASHINGTON, NORTH CAROLINA, AND THE TOWN OF WASHINGTON PARK, NORTH CAROLINA**

WHEREAS, Chapter 160A, Cities and Towns; Article 4A, Extension of Corporate Limits; Part 6, Annexation Agreements, of the North Carolina General Statutes authorize municipalities to enter into binding agreements concerning future annexation in order to enhance orderly planning by such municipalities as well as by residents and property owners in areas adjacent to such municipalities.

WHEREAS, North Carolina General Statute § 160A-58.23 authorizes two or more municipalities to enter into agreements in order to designate one or more areas which are not subject to annexation by one or more of the participating municipalities, thereby allowing one such municipality to potentially propose annexation within the area the other municipality has agreed not to annex.

WHEREAS, the City of Washington (City) and Town of Washington Park (Town) desire to enter into this Annexation Agreement (Agreement) in order to designate a certain area as not subject to annexation by the Town, enhance orderly planning by the municipalities as well as by residents and property owners in and around such certain area, and thereby allow the City to potentially propose annexation within such certain area.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Washington, North Carolina, and the Town Board of Commissioners for the Town of Washington Park, North Carolina, pursuant to said relevant statutory authority, and for and in consideration of the mutual covenants and agreements herein and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereto do hereby covenant and agree as follows.

Section 1. DURATION. This Agreement shall terminate five (5) years after its effective date.

Section 2. AREA SUBJECT TO AGREEMENT. The area subject to this Agreement is that certain tract or parcel of land having an address of 620 River Road in Long Acre Township, Beaufort County, North Carolina, more particularly described as follows: See Exhibit A.

Section 3. AGREEMENT NOT TO ANNEX. The Town agrees that it has no intention to annex, and will not annex, the above described area for the duration of this Agreement.

Section 4. EFFECTIVE DATE OF AGREEMENT. The effective date of this Agreement is October 8, 2012, or the date the last participating municipality adopts an ordinance approving this Agreement, whichever date is later.

Section 5. WAIVER OF NOTICE. Pursuant to North Carolina General Statute §160A- 58.24(a)(5), the Town hereby waives any written notice, including the related notice time period, from the City should the City propose to annex the above described area or a portion thereof during the term of this Agreement.

Section 6. OTHER NECESSARY OR PROPER MATTERS.

- a. By virtue of the respective, duly authorized signatures below, the parties hereto warrant that, after having published a notice for a public hearing as required by North Carolina General Statute § 160A-58.24(c) as well as North Carolina General Statute § 160A-31(c), each participating municipality hereto held a public hearing on this Agreement and, following said hearing, adopted this Ordinance approving this Agreement.
- b. Modification. This Agreement may only be modified by a subsequent agreement entered into by the parties hereto after a duly noticed public hearing or hearings as required by North Carolina General Statute § 160A- 58.24 and the adoption of ordinances approving such subsequent agreement.
- c. The City received a Petition Requesting a Non-Contiguous Annexation (“Petition”) of the area described herein dated April 5, 2012, and, on May 14, 2012, adopted a Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31. The City Clerk presented the City Council with a Certificate of Sufficiency dated June 4, 2012 concerning said Petition and, on June 11, 2012, the City Council adopted a Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-3 1 that scheduled a public hearing on said Petition during the City Council meeting set for July 23, 2012. As more specifically provided for hereinabove, the Town hereby waives any notice, including the related notice time period, prior to the City’s consideration and potential adoption of an annexation ordinance concerning the above described area.
- d. A map depicting the location of the area described herein in relation to the respective, existing corporate limits of the City and the Town is attached hereto as Exhibit B.
- e. By entering this Agreement, the City will be authorized to annex the area described herein under North Carolina General Statute § 160A-58.1(b2).

ADOPTED this the 8th day of October, 2012, by the City of Washington.

Attest:

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor

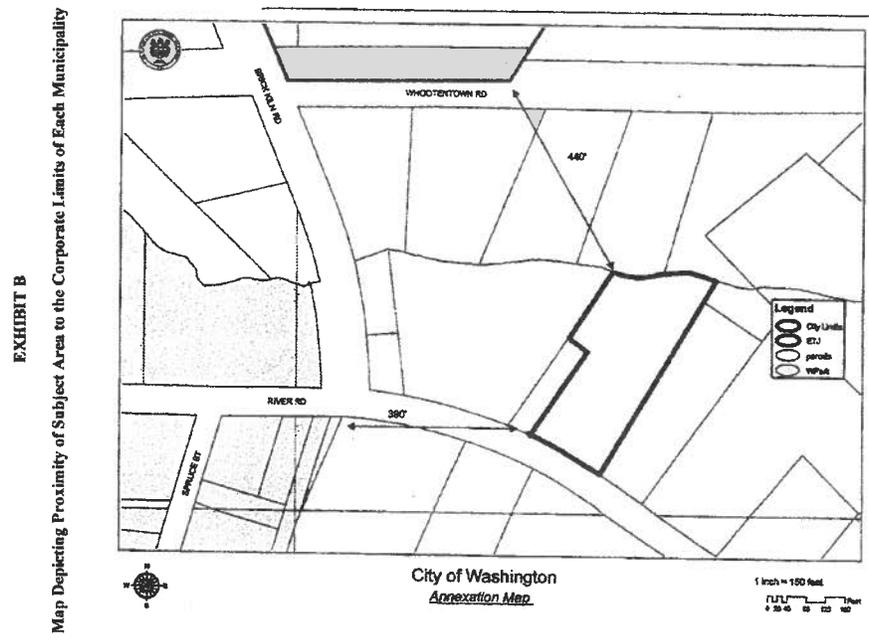
EXHIBIT A

Area Subject to Agreement Lying and being in Long Acre Township, Beaufort County, North Carolina, more particularly described as follows:

BEGINNING at an iron pipe located on the Northerly edge of River Road, said iron being located South 73° 6' 30" East 384.78 feet from an existing PK nail at the centerline intersection of River Road and SR 1303; thence from said fixed point of beginning North 42° 46' 47" East 211 feet to an iron pipe; thence North 45° 58' 37" West 50 feet to an iron pipe; thence North 42° 41' 46" East 183.80 feet to a point located in the centerline of the run of Maple Branch; thence following the centerline of Maple Branch the following courses and distances: South 74° 46' 16" East 20.31 feet; thence South 80° 54' 47" East 25.05 feet; thence South 73° 46' 16" East 57.64 feet; thence South 75° 46' 51" East 61.90; thence South 71° 52' 34" East 40.73 feet; thence South 38° 57' 32" West 475.04 feet to an iron located on the Northerly edge of the right of way of River Road; thence North 48° 39' West 22.88 feet to a point; thence North 52° 15' 31" West 87.91 feet; thence North 57° 10' 7" West 53.55 feet to the point of beginning, containing 1.76 acres as shown on survey by Jarvis Associates, PA, dated January 27, 1997, entitled, "Property of River City Real Estate & Development, LLC", a copy of which is recorded in Book 1067, Page 445, Beaufort County Registry. Reference is also made to deed in Book 1777, Page 403, Beaufort County Registry. Reference is also made to deed in Book 1067, Page 444, Beaufort County Registry. Reference is further made to deed in Book 1252, Page 648, Beaufort County Registry. Reference is further made to deed in Book 1266, Page 362, Beaufort County Registry.

EXHIBIT B

Map Depicting Proximity of Subject Area to the Corporate Limits of Each Municipality



**PUBLIC HEARING: ACCEPT/ADOPT – PLANNING BOARD RECOMMENDATION AND ADOPT ORDINANCE TO AMEND THE CITY OF WASHINGTON CODE OF ORDINANCES TO UPDATE THE CODE (TEXT AMENDMENTS)**

Mayor Jennings opened the public hearing. John Rodman, Interim Director of Community & Cultural Resources explained that due to the organizational restructuring, some of the text needs to be amended to reflect the most recent changes. The Planning Board suggested that the text be amended to reflect the changes and to update the City Code.

There being no comments from the public, Mayor Jennings closed the public hearing.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council accepted the recommendation of the Planning Board and approved the Ordinance to Amend Chapter 6, Article I, Article IV; Chapter 18, Article VIII; Chapter 20, Article II; and Chapter 40, Article X in order to update the Washington City Code.

**An Ordinance to Amend Chapter 6 Buildings and Building Regulations, Article I, Article IV; Chapter 18 Motor Vehicles and Traffic, Article VIII; Chapter 20 Offenses and Miscellaneous Provisions, Article II; Chapter 40 Zoning, Article X of the Washington City Code**  
WHEREAS, NCGS 160A-385 authorizes local governments to amend ordinances regulating land use within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS 160A-364; and

WHEREAS, the amendment set out below is intended to promote the public health, safety, and welfare by amending the City Code to define and regulate prescribed conditions for permitted uses.

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

Section 1. The following be amended by adding:

**Chapter 6 Buildings and Building Regulations**

**Article I. In General**

**Sec. 6-3. ~~Chief of Fire-Rescue-EMS Inspections.~~ Chief Building Official.**

Such officer or employee as the City Manager may appoint shall be the ~~Chief of Fire-Rescue-EMS Inspections~~ **Chief Building Official** of the city, and he shall possess all the powers conferred and perform all the duties prescribed by G.S. 160A-412 and other statutes applicable thereto. He shall possess such further power and perform such further duties as may be prescribed by this chapter. He shall receive the fees allowed by statute. The ~~Chief or his deputy~~ **Chief Building Official or his designee**, shall have the right to enter, at all reasonable times, any building, structure or premises within the city for the purpose of inspecting or in the performance of his duties. He shall make or cause to be made such inspection of all chimneys, flues, steam and fire openings within the city. He may, when occasion requires, appoint a deputy to perform any part of his duties.

**Article IV. Swimming Pools****Sec. 6-88. Permit required for construction.**

A permit shall be applied for and issued by the Building Inspector before construction shall begin on any swimming pool. The application for the permit shall be accompanied by a complete and detailed set of plans and specifications of the swimming pool. Before any permit shall be issued such plans and specifications shall be approved by the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** and the county Health Department, and before any swimming pool shall be used, a final inspection and approval shall be required from both the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** and the county Health Department.

**Sec. 6-89. Construction and use requirements.**

(1) All swimming pools to be constructed or which are already constructed shall be enclosed by a fence which shall be at least four (4) feet in height and which shall be of a type not readily climbed by children. The gates shall be of a self-closing and latching type with the latch on the inside of the gate, not readily available for children to open; provided, however, that if the entire premises of the residence is enclosed, then this provision may be waived by the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** upon inspection and approval of the residence enclosure.

**Sec. 6-90. Inspection.**

The ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** shall have the right at any reasonable hour to inspect any swimming pool for the purposes of determining that all provisions of this article are fulfilled and complied with.

**Chapter 18 Motor Vehicles and Traffic****Article VIII. Abandoned, Nuisance and Junked Motor Vehicles****Sec. 18-242. Administration.**

The Police Department and the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** of the city shall be responsible for the administration and enforcement of this article. The Police Department shall be responsible for administering the removal and disposition of vehicles determined to be abandoned on the public streets and highways within the city, and on property owned by the city. The ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** shall be responsible for administering the removal and disposition of abandoned, nuisance or junked motor vehicles located on private property. The city may contract with private tow truck operators or towing businesses to remove, store, and dispose of abandoned vehicles, nuisance vehicles and junked motor vehicles in compliance with this article and applicable state laws. Nothing in this article shall be construed to limit the legal authority or powers of officers of the Police Department and ~~Fire Inspections~~ Department in enforcing other laws or in otherwise carrying out their duties.

**Sec. 18-243. Definitions.**

*Authorizing official* means any police officer or the ~~Chief of Fire-Rescue-EMS-Inspections~~, **Chief Building Official**, respectively, designated to authorize the removal of vehicles under the provisions of this article.

**Sec. 18-245. Nuisance vehicle unlawful; removal authorized.**

(b) Upon investigation, the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle and order the vehicle removed.

**Sec. 18-246. Junked motor vehicle regulated; removal authorized.**

(d) Subject to the provisions of subsection (e) of this section, upon investigation, the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** may order the removal of a junked motor vehicle, as defined in this article, after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following, among other relevant factors, may be considered:

(e) The following shall be permitted concealment or enclosure of junked motor vehicles:

(1) One (1) junked motor vehicle, in its entirety, can be located in the rear yard, as defined by the city's zoning chapter, if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering. The ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official** has the authority to determine whether any junked motor vehicle is adequately concealed as required by this provision. The covering must remain in good repair and must not be allowed to deteriorate. The covering or enclosure must be compatible with the objectives stated in the preamble of the model ordinance from which this article derives.

**Sec. 18-247. - Removal procedure.**

(b) *Appeal.* With respect to abandoned vehicles on private property, nuisance vehicles and junked motor vehicles to which notice is required to be given, if the registered owner or person entitled to possession does not remove the vehicle but chooses to appeal the determination that the vehicle is abandoned, a nuisance vehicle or in the case of a junked motor vehicle that the aesthetic benefits of removing the vehicle outweigh the burdens, such appeal shall be made to the ~~City Council~~ **Washington Board of Adjustment** in writing, heard at the next regularly scheduled meeting of the ~~City Council~~ **Board of Adjustment**, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.

**Sec. 18-253. Conditions on removal of vehicles from private property.**

As a general policy, the city will not remove a vehicle from private property if the owner, occupant or lessee of such property could have the vehicle removed under applicable state law procedures. In no case will a vehicle be removed by the city from private property without a written request of the owner, occupant or lessee, except in those cases where a vehicle is a nuisance vehicle or is a junked motor vehicle which has been ordered removed by the ~~Chief of Fire-Rescue-EMS-Inspections~~ **Chief Building Official**. The city may require any person requesting the removal of an abandoned, nuisance or junked motor vehicle from private property to indemnify the city against any loss, expense or liability incurred because of the removal, storage or sale thereof.

**Chapter 20 Offenses and Miscellaneous Provisions****Article II. Nuisances****Sec. 20-39. Procedure.**

(a) After a determination by the Code Enforcement Officer that a nuisance does exist, the following procedures shall apply:

(3) The owner or person in possession may, before the expiration of the ten-day period, appeal the Code Enforcement Officer's findings to the ~~City Council~~ **Washington Board of Adjustment** by delivering a written notice of appeal to the ~~City Clerk~~ **Planning Department**, which appeal shall stay the abatement process until a final determination is made by the Board of Adjustment.

**Chapter 40 Zoning****Article X. Flood Damage Prevention****Sec. 40-261. Provisions for flood management.**

(b) *Basis for establishing the special flood hazard areas.* The special flood hazard areas are those identified by the Federal Emergency Management Agency (FEMA) or produced under the Cooperating Technical State (CTS) agreement between the state and FEMA in its Flood Hazard Boundary Map (FHBM) or Flood Insurance Study (FIS) and its accompanying flood maps such as the Flood Insurance Rate Map (FIRM) and/or the Flood Boundary Floodway Map (FBFM), for the city dated ~~February 4, 1987~~ **May 15, 2003**, which with accompanying supporting data, and any revision thereto, including letters of map amendment or revision, are adopted by reference and declared to be a part of this article. The special flood hazard areas also include those defined through standard engineering analysis for private developments or by governmental agencies, but which have not yet been incorporated in the FIRM. This includes, but is not limited to, detailed flood data:

**Sec. 40-262. Administration.**

(a) *Designation of Floodplain Administrator.* The ~~Chief of Fire Rescue EMS-Inspections,~~ **Chief Building Official**, or his designee, herein referred to as the Floodplain Administrator, is hereby appointed to administer and implement the provisions of this article.

**Sec. 40-263. Provisions for flood hazard reduction.**

(b) *Specific standards.* In all special flood hazard areas where base flood elevation (BFE) data has been provided, as set forth in Section 40-261(b), or Section 40-262(c)(11) and (12), the following provisions are required:

(1) *Residential construction.* New construction or substantial improvement of any residential structure, including manufactured homes, shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation **plus one (1) foot or the design flood elevation, whichever is higher.**

(2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial, or other nonresidential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation **plus one (1) foot or the design flood elevation, whichever is higher.** Structures located in A, AO, AE and A1-30 zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure below the required flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 40-262(b)(3).

(3) *Manufactured homes.* Requirements for mobile homes are as follows:

a. New or replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation **plus one (1) foot or the design flood elevation, whichever is higher.**

Section 2. This Ordinance shall become effective upon its adoption.

Section 3. All Ordinances or parts in conflict herein are repealed.

Adopted this the 8<sup>th</sup> day of October, 2012.

Attest:

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor

### **DAVID PLUMMER & ROBERT JOLLY– RETAIL STRATEGIES**

Retail Strategies is an exclusive joint venture partnership between:

- Decision Data Resources (DDR)- best of class demographics research firm and leading provider of next generation web-based GIS solutions and project specific consulting services to economic and workforce development related organizations
- Retail Specialists, Inc. (RSI)- is a commercial real estate company with offices in Birmingham and New Orleans that focuses entirely on retail project leasing and retailer recruitment, retail tenant representation, retail brokerage, retail property management, retail development, and redevelopment.

Retail Strategies offers unparalleled:

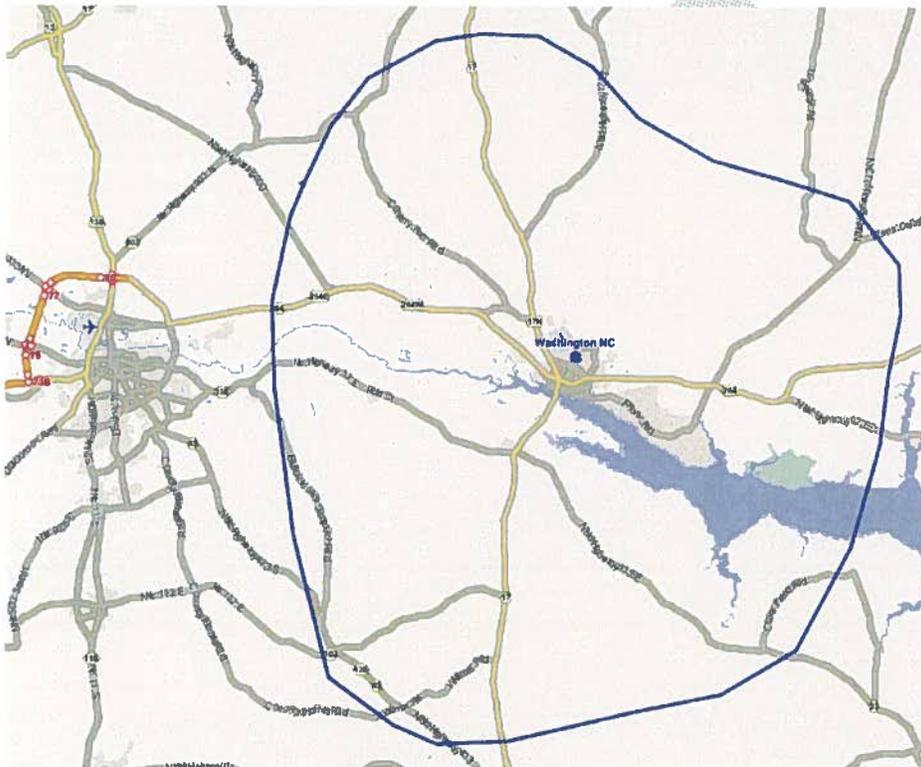
- market analysis
- strategic planning
- and retail recruitment and development services to municipalities and economic development authorities throughout the Southeast

#### **Project Overview**

- It is becoming a commonly held principle within municipalities across the United States that Retail is the “new industry” relative to increasing a community's economic tax base
- Maximizing retail potential enhances a community's vitality, creates a stable employment platform, and improves the quality of life.
- Cities throughout the country are proactively seeking to recruit new retailers in an effort to accomplish these and other economic and quality-of-life-enhancing objectives. This is especially true in the City of Washington.
- The initial focus of this effort is on research, planning and recruitment of a full service restaurant and a national grocer to compliment the existing mix of retailers in the market.
- The secondary focus of this effort is on the creation of a strategic retail recruitment plan for a national clothing retailer to fill the need for a men's, women's, and children's clothing retailer in the market.
- Retail Strategies has partnered with The City of Washington to determine, through in-depth research and analysis, opportunities for new retailers to locate within the community. Retail Strategies will utilize the research discoveries to create and manage, for the City of Washington, a Retail Recruitment Strategic Plan that will identify key retail categories and specific retailers that will be targeted to fill the spending gaps identified in the research.
- Through its partnership with Retail Strategies, The City of Washington will have the added benefit of the Retail Specialists, Inc. retail leasing and brokerage platform to assist in the execution of the Retail Recruitment Strategic Plan on behalf of Washington and its local property owners.
- Retail Strategies has completed a very comprehensive analysis of the Washington market. Included in the study is a custom trade area that expands the boundaries of Washington to include outlying communities that are believed to shop in Washington for their primary goods and services.
- While many demographic factors have been identified and studied by the research team, the most useful studies relative to retail recruitment are the Gap and Peer Analysis'.
- Both studies present encouraging conclusions that will be immediately useful in creating and executing the Retail Recruitment Strategic Plan.

**Summary of Retail Analysis Services**

- Demographic Research – Historical, Current and Projected
- Consumer Expenditure and Retail Potential Analysis
- Consumer Behavior and Attitude Research
- Mosaic Lifestyles
- Retail Gap Analysis
- Retail Peer Analysis
- Retail Competitor Analysis
- Market Maximization Summary and Strategic Retail Recruitment Plan
- Identification of Retail Prospects and Cataloging of local commercial properties.
- Execution of Strategic Retail Recruitment Plan by Retail Specialists, Inc.



(The trade area lines will be re-drawn.)

**Washington North Carolina Custom Trade Area Demographics**

	<b>Population Change</b>	<b>Percent Change</b>
<b>1980 Census</b>	<b>32,061</b>	
<b>1990 Census</b>	<b>36,150</b>	<b>12.8%</b>
<b>2000 Census</b>	<b>40,990</b>	<b>13.4%</b>
<b>2010 Census</b>	<b>46,109</b>	<b>12.5%</b>
<b>2011 AGS</b>	<b>47,038</b>	<b>2.0%</b>
<b>2016 AGS Projection</b>	<b>50,807</b>	<b>8.0%</b>
	<b>Households Change</b>	<b>Percent Change</b>

<b>1980 Census</b>	<b>11,361</b>	
<b>1990 Census</b>	<b>13,728</b>	<b>20.8%</b>
<b>2000 Census</b>	<b>16,313</b>	<b>18.8%</b>
<b>2010 Census</b>	<b>18,582</b>	<b>13.9%</b>
<b>2011 AGS</b>	<b>18,858</b>	<b>1.5%</b>
<b>2016 AGS Projection</b>	<b>20,007</b>	<b>6.1%</b>
<b>Income (2011)</b>		
<b>Median Household Income</b>		<b>\$43,387</b>
<b>Average Household Income</b>		<b>\$57,232</b>
<b>Average Family Income</b>		<b>\$67,432</b>

**Washington Trade Area Gaps**

Appliances & Electronics Stores	\$16,555,041
Art Dealers	\$227,569
Auto Parts & Accessories	\$10,210,325
Book Stores	\$6,077,437
Camera & Photography Stores	\$1,269,296
Children's and Infant's Clothing Stores	\$2,155,092
Clothing Accessory Stores	\$434,710
Computer Stores	\$7,486,375
Cosmetics & Beauty Stores	\$1,049,868
Department Stores	\$27,088,815
Drinking Places	\$1,722,714
Family Clothing Stores	\$8,236,291
Floor Covering Stores	\$2,418,383
Full Service Restaurants	\$15,639,610
Furniture Stores	\$9,082,671
General Merchandise Stores	\$2,307,453
Gift & Souvenir Stores	\$1,798,891
Grocery Stores	\$37,020,730
Hardware Stores	\$3,828,869
Hobby, Toy, and Game Stores	\$1,082,380
Home Centers	\$9,285,094
Jewelry Stores	\$4,988,828
Limited Service Restaurants	\$18,290,735
Liquor Stores	\$3,093,906
Luggage Stores	\$3,843,046
Meat Markets	\$1,123,509
Men's Clothing Stores	\$1,272,745

Motorcycle and Boat Dealers	\$1,826,329
Office and Stationary Stores	\$5,022,991
Optical Goods Stores	\$2,373,878
Pet & Pet Supply Stores	\$1,178,733
Pharmacy and Drug Stores	\$13,342,558
Shoe Stores	\$2,680,205
Sporting Goods Stores	\$3,002,365
Tire Dealers	\$4,543,590
Women's Clothing Stores	\$4,156,170

**WASHINGTON GAP SUMMARY**

Following is a summary of the primary spending gaps and an explanation of each:

<u>CATEGORY</u>	<u>TRADE AREA</u>	<u>GAP</u>	<u># OF RETAILERS TARGETED IN PLAN</u>	<u>POTENTIAL SF</u>
1. Grocery Stores	CUSTOM	\$37 Million	2	65,000 sf
2. Restaurants (All Categories)	CUSTOM	\$34 Million	5	30,000 sf
3. Department Stores	CUSTOM	\$27 Million	1	50,000 sf
4. Clothing and Accessories	CUSTOM	\$16 Million	5	25,000 sf
5. Appliances and Electronics	CUSTOM	\$16 Million	1	10,000 sf
6. Pharmacy	CUSTOM	\$13 Million	1	10,000 sf
7. Hardware/ Home Centers	CUSTOM	\$13 Million	1	20,000 sf
8. Auto Parts and Tires	CUSTOM	\$10 Million	2	15,000 sf
9. Furniture	CUSTOM	\$9 Million	2	20,000 sf
10. Book Stores	CUSTOM	\$6 Million	1	15,000 sf
11. Office Supplies	CUSTOM	\$5 Million	1	10,000 sf
12. Jewelry	CUSTOM	\$5 Million	1	4,000 sf
13. Sporting Goods and Hobby	CUSTOM	\$3 Million	1	10,000 sf
14. Shoe Stores	CUSTOM	\$3 Million	1	5,000 sf
<b>TOTAL</b>		<b>\$187 Million</b>	<b>25</b>	<b>289,000 sf</b>

**City of Washington Peers (Southeastern States)**

City	State	2011 Population	2011 Household Average Income	2011 Total Expenditure Apparel	2011 Total Expenditure Food and Beverages	2011 Total Expenditure Household Furnishing and Equipment
West Point	MS	10,995	\$45,072	\$8,376,813.16	\$27,659,845.23	\$7,370,919.32
Fairfield	AL	10,956	\$44,535	\$7,941,003.93	\$26,101,678.09	\$6,982,452.22
Palatka	FL	10,525	\$38,209	\$7,038,223.75	\$23,379,991.79	\$6,011,660.04
Fairburn	GA	10,412	\$58,816	\$8,777,561.22	\$28,576,234.79	\$8,091,175.56
Brownsville	TN	10,011	\$41,677	\$7,511,676.38	\$25,064,161.60	\$6,487,354.66
Westview	FL	9,618	\$42,273	\$5,797,376.76	\$19,181,963.86	\$5,043,910.66
Woodfield	SC	9,527	\$49,863	\$7,528,993.19	\$24,893,285.02	\$6,702,500.80
<b>Washington</b>	<b>NC</b>	<b>9,517</b>	<b>\$48,279</b>	<b>\$8,330,639.36</b>	<b>\$27,297,295.36</b>	<b>\$7,352,628.04</b>
Fort Valley	GA	9,490	\$53,621	\$6,813,208.48	\$22,040,991.92	\$5,955,395.92
Brookhaven	MS	9,400	\$53,874	\$7,815,732.83	\$25,311,821.14	\$6,966,216.75
West Perrine	FL	9,390	\$42,179	\$5,583,085.88	\$18,406,686.84	\$4,799,420.72
Cairo	GA	9,378	\$40,501	\$6,374,294.64	\$21,044,834.41	\$5,479,376.15
Forestdale	AL	9,225	\$57,021	\$7,937,307.04	\$25,907,247.88	\$7,233,788.34
Bennettsville	SC	9,171	\$35,866	\$4,920,451.68	\$16,517,304.00	\$4,230,588.01

**City Of Washington Peers**

- Identified 13 Peer Communities
- Peer Communities came from 7 States
- Analyzed Retail and Restaurant Companies from all Peers
- Total Peer Community Companies Identified: 1,700+
- Identified Retailers and Retail Concepts that best fit the Washington Market

**Six Month Retail Recruitment Plan**

- I. COMPLETE THE NECESSARY TARGETED RESEARCH NECESSARY FOR FULL-SERVICE RESTAURANTS AND GROCERS, THEN INITIATE DISCUSSIONS WITH MANY NATIONAL BRANDS.
  - a. Complete research to identify key spending gaps and create a prospect list of targeted retailers to fill the gaps (complete)
  - b. Create marketing presentation and flyer (complete)
  - c. Meet with local property owners as needed to complete a development plan.
  - d. Provide regular updates to Josh Kay

II. INITIATE DISCUSSIONS WITH NATIONAL CLOTHING RETAILERS

- a. Meet with TJ Maxx, Ross, and Steinmart to discuss interest and present research discoveries.
- b. Meet with local property owners as needed to complete a development plan.
- c. Provide regular updates to Josh Kay

**Phase I Retail Recruitment Plan**

III. MEET WITH ALL KEY PROPERTY OWNERS TO PRESENT RESEARCH DISCOVERIES AND DISCUSS OPPORTUNITIES FOR DEVELOPMENT/ REDEVELOPMENT.

IV. CREATE AND EXECUTE MARKETING PLAN FOR KEY GAP AND RESTAURANT INITIATIVE.

- a. Create marketing presentation on Washington and local development opportunities
- b. Create a prospect list of targeted retailers and restaurants to fill the gaps (in process)
- c. Identify development opportunities from meetings with local property owners and create site plans and proformas to present to retailers and restaurants.
- d. Mass marketing to retail and restaurant tenants and regional brokerage community (in process)
- e. Regular updates to Josh Kay

- **Discussion of Restaurant, Grocer and Clothing Recruitment Prospects as well as the Washington local property catalog.**

**COMMENTS FROM THE PUBLIC**

**Scott Campbell, Bob Henkel and Trent Tetterton** discussed the Turnage Theater and urged Council to purchase the property or do whatever needs to be done to save the Turnage in order to keep the theater in the public domain. The Turnage brings a reputation for the arts to Washington.

**CORRESPONDENCE AND SPECIAL REPORTS: NONE**

**REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES:**  
**HUMAN RELATIONS COUNCIL**

Update-Multicultural Festival 2012 Vice chair Cherry informed Board members that by consensus, the committee agreed to hold the Multicultural Festival in the spring. Committee members felt they would not have enough time to properly prepare for the festival (primary reason raising funds). Dates will be discussed during the next committee meeting.

Updates-Kimberly Grimes, Crime Prevention & Outreach Manager voiced the Police & Fire department sponsored a meet & greet at Clifton Meadows on July 27, 2012. “National Night Out” was held on 8-14-12 and was well attended. Listed below are events planned for the month of September:

- Meet & Greet at New Horizon Apartments (2-3 pm on Saturday, 9-15-12)
- Pill Drop Day (10-2 pm on Saturday, 9-29-12 and will be located at Wal\*Mart)

Discussion of By-laws: Board member Hughes expressed his concerns over several items in the by-laws. A sub-committee was formed to revisit the by-laws and an amendment will be presented to the Human Relations Council on Tuesday, October 9, 2012 for consideration.

Discussion: Suggestion from new Board members concerning events or projects they would like to see implemented. No suggestions were presented at this time.

FYI items addressed at this time inclusive of August report submitted to City Council on September 10, 2012 and all reminders.

### WASHINGTON HARBOR DISTRICT ALLIANCE

#### **Old City Hall- Main Street Solutions Fund Grant**

The Old City Hall project has been stalled by the NC Historic Tax Credits application approval process. Property owners Kathryn Pisciotta and Laura Darre have discovered that it is very difficult to get clear definition on what rehabilitation is allowed under the Secretary of the Interior's Standards for Rehabilitation, which must be followed to receive the tax credits. Considerable time has been spent clarifying the possibilities with SHPO. The owner's out of frustration and the need to move forward have abandoned more elaborate plans to restore the building and are now concentrating on a plan that seems to assure approval. Mechanical blueprints are at the engineering office now, the necessary approvals should be forthcoming and construction can then begin.

A note about this situation: if I understand it correctly something should be done to stress to SHPO that this process is seriously retarding the chance that small historic towns like Washington can develop economically. Washington will have a hard time progressing if the approval process is so difficult and expensive that the project is put at risk, (because a developer must rely on expensive engineers instead of SHPO's assistance) making the project no longer feasible. Realizing that Washington doesn't have an architect in town, never mind an architect that specializes in the historic tax credits and that developers need to rely on all monetary resources at their disposal to make a project feasible.

#### **Event Season Winding Down**

WHDA has successfully produced 14 of the 16 events we hold downtown yearly. The Maritime Market was expanded to include the BoCo Music Festival. The 4<sup>th</sup> of July was bigger and better than ever bringing a record number of people downtown. The Downtown Motown concert held in September was counted as a success because it met our goals of producing an event that the black community could support. The Pickin' on the Pamlico attracted many from outside the area and raised 5,000 for WHDA. Music in the Streets has one production left in the regular calendar and is working with the Noon Rotary to present an evening of music on the Friday of Smoke on the Water. The first organization meeting for Hometown Holidays celebration will be held Oct. 3<sup>rd</sup>.

#### **New Logo Approved by Board**

The board was presented the concept for the new Washington "wave" logo and requested a similar but distinctive logo be created for WHDA. After several rounds of adjustments the WHDA Board sent this logo to Josh Kay for approval and approval was given.



**Turnage Theater**

Given the impending foreclosure proceedings and sale of the Turnage Theater, Trent Tetterton held a meeting the last week in September to discuss possible ownership scenarios. At the meeting options were discussed. The option that this group of 24 concerned citizens most wants to encourage was that the City of Washington would look into acquiring the property and then identifying an entity that would operate the theater. Josh Kay, Randall Woodruff, Trent Tetterton and Joey Toler agreed to meet and discuss/investigate the particulars to present to Council.

**Maritime Team and Planning Department Present Plans for New Dockmaster Station to the Public**

On September 11<sup>th</sup>, 2012 a meeting was held to update the public on the progress of the design of the dock master station and the boater/ public restrooms. The presentation was very similar to John Rodman's presentation to Council earlier this summer. This meeting was planned to obtain public feedback. There was about 30 people attending and all feedback was positive. The Planning Department stills waits for the State to release funds for the project.

**Merchants**

Friends Campaign to launch in October.

In order to improve communications - along the order of the Coffee with Council - a new merchant newsletter will be distributed this month.

**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**

Councilman Mercer expressed concerns with several line items in the financial reports. City Manager, Josh Kay stated he will follow up with the Finance Officer regarding Councilman Mercer's concerns.

**APPOINTMENTS: NONE**

**ADOPT – ANNEXATION ORDINANCE TO EXTEND THE CITY OF WASHINGTON CORPORATE LIMITS FOR NON-CONTIGUOUS PROPERTY OWNED BY EASTERN PRIDE INC.**

At the June 11, 2012 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 Eastern Pride. The property is located at 620 River Road and containing 1.76 acres. The public hearing was held July 23, 2012.

**PREVIOUS LEGISLATIVE ACTION**

Investigated Petition November 14, 2011

Set Public Hearing June 11, 2012

Held Public Hearing July 23, 2012

By motion of Councilman Pitt, seconded by Councilman Brooks, Council adopted the annexation ordinance to extend the City of Washington corporate limits for the non-contiguous

annexation of the Eastern Pride Inc. property located at 620 River Road and containing 1.76 acres with the approval of an annexation agreement with the Town of Washington Park.

**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, July 23, 2012, after due notice by the Washington Daily News on July 13, 2012 & July 20, 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 December 31, 2012.

Being all of that certain lot or parcel of land lying and being located in Long Acre Township, Beaufort County North Carolina and being more particularly described as follows:

BEGINNING at an iron pipe located on the Northerly edge of River Road, said iron being located South 73 6' 30" East 384.78 feet from an existing PK nail at the centerline intersection of River Road and SR 1130; thence from said fixed point of beginning North 42 46' 47" East 211 feet to an iron pipe; thence North 45 58' 37" West 50 feet to an iron pipe; thence North 42 41' 46" East 183.80 feet to a point located in the centerline of the run of Maple Branch; thence following the centerline of Maple Branch the following courses and distances: South 74 46' 16" East 20.31 feet; thence South 80 54' 47" East 25.05 feet; thence South 73 46' 16" East 57.64 feet; thence South 75 46' 51" East 61.90 feet; thence 71 52' 34" East 40.73 feet; thence South 38 57' 32" West 475.04 feet to an iron located on the Northerly edge of the right of way of River Road; thence North 48 39' West 22.88 feet to a point; thence North 52 15' 31" West 87.91 feet; thence North 57 10' 7" West 53.55 feet to the point of beginning containing 1.76 acres as shown on survey by Jarvis Associates, PA, dated January 27, 1997 entitled, "Property of River City Real Estate & Development, LLC", a copy of which is recorded in Book 1067, Page 445, Beaufort County Registry. Reference is also made to deed in Book 1067, Page 444, Beaufort County Registry. Reference is further made to deed in Book 1252, Page 648, Beaufort County Registry. Reference is further made to deed in Book 1266, Page 362, Beaufort County Registry. Together with and subject to covenants, easements, and restrictions of record. Said property contains 1.76 acres more or less.

Section 2. Upon and after December 31, 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.

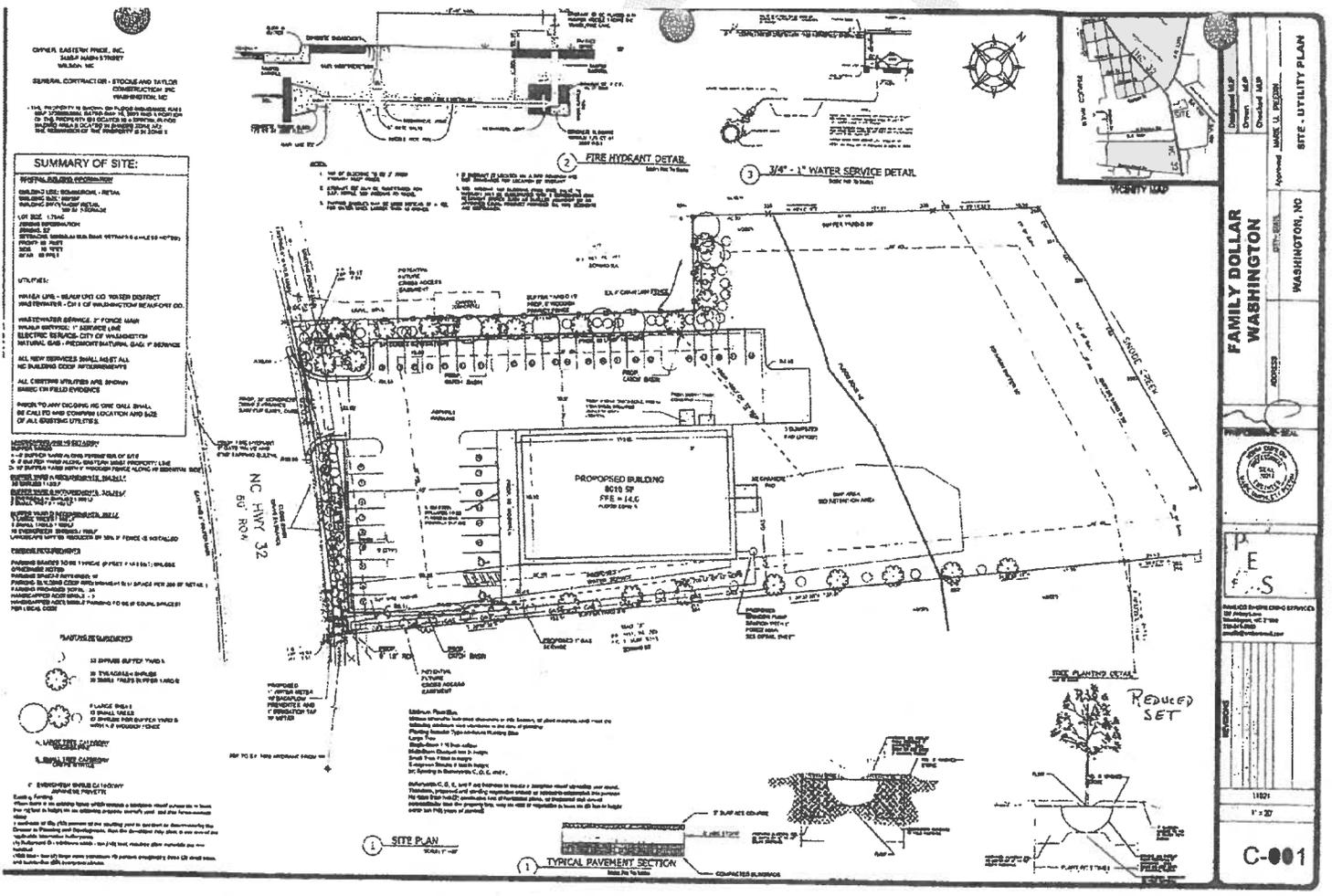
Section 3. The Mayor of the City of Washington shall cause to be recorded in the office of the Register of Deeds of Beaufort County, and in the office of the Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, described in Section 1 above, together with a duly 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 8<sup>th</sup> day of October, 2012.

Attest:

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor



**AWARD/AUTHORIZE/ADOPT/APPROVE – CIVIC CENTER DECK BID AWARD AND AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT AND ADOPT THE BUDGET ORDINANCE AMENDMENT AND APPROVE CORRESPONDING PURCHASE ORDERS (\$129,500)**

City Manager Josh Kay explained that four bids were received for the restoration of the Civic Center Deck. Horton Contractors of Washington, NC was the lowest responsible bidder at \$129,500. The bid tab is attached. \$125,000 was budgeted for this project as an installment purchase. The budget amendment appropriates an additional \$4,600 and the related debt service. Work will begin on October 15th and is scheduled to be completed in 90 days.

Mayor Pro tem Roberson inquired if the construction process would inhibit the PTRF annual oyster roast fundraiser. Mr. Kay stated the contractor and staff will do everything possible to eliminate or reduce the impact on this and any other events. Lynn Lewis, TDA Director explained that all renters had been contacted and advised of the pending construction and alternative solutions were offered should the need arise.

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council awarded the \$129,500 Civic Center deck restoration bid to Horton Contractors, Inc., authorized the City Manager to execute the contract, adopted the Budget Ordinance Amendment, and approved corresponding purchase orders.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the following accounts and amounts be increased in the General Fund revenue budget for the Civic Center deck restoration project:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
10-00-3920-9101	Proceeds from Lease Purchase	\$4,600

Section 2. That the following accounts and amounts be increased or decreased in the departments indicated of the General Fund appropriations budget:

<u>Department</u>	<u>Account</u>	<u>Description</u>	<u>Amount</u>
Civic Center	10-40-6125-7401	Installment Purchase	\$ 4,600
Civic Center	10-40-6125-1500	Maint./Repair Building	(261)
Debt Service	10-50-4020-8000	Proposed Inst. Note Pymt.	<u>261</u>
	Total		\$ 4,600

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 8<sup>th</sup> day of October, 2012.

Attest:

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor

\*RECESS

**ADOPT/APPROVE – ADOPT CAPITAL PROJECT AMENDMENT FOR STORMWATER IMPROVEMENT PROJECT AND APPROVE CORRESPONDING PURCHASE ORDER (\$28,364)**

City Manager, Josh Kay reviewed the summary of the project submitted by Allen Lewis, Public Works Director. The stormwater improvement project is now substantially complete less some punch list items that have been accounted for in this request to re-allocate funds within the project. At the August 13, 2012 Council meeting, I presented to you the need to transfer \$2,799 from contingency to construction line item in this project fund. This was based on projected under-runs in some portions of the contract and additional items as explained as a result of inquiry from this meeting. Total expenditures to the contractor, T.A. Loving Company will be \$3,953,790. As of the August 13, 2012 Council meeting, there where purchase orders totaling \$3,926,426 approved. This means we need a final purchase order in the amount of \$28,364, which corresponds with the budget ordinance amendment. The justification for this additional expense is noted in the attached September 28, 2012 letter from Durk Tyson with Rivers and Associates. The reason for the difference in the budget ordinance amount of \$28,364 and the number noted in the attached letter of \$29,420 is due to credits in the line item for sales tax refunds. This will be the final budget amendment as it relates to the original stormwater project. After this transfer is made, there will be \$146,253 in contingency, a portion of which (\$50,000) is planned to be used for Iron Creek as directed.

A motion was made by Councilman Pitt and seconded by Mayor Pro tem Roberson to adopt a capital project amendment to re-allocate funds for the stormwater improvement project in the amount of \$28,364 and approve the corresponding purchase order. Councilman Mercer noted that the last time Council met, staff indicated that all purchase orders and change orders had been issued. Allen Lewis, Public Works Director explained that the parking lot beside the basketball courts off of John Small Avenue was a major problem and needed repairing, although, the entire lot was not to be replaced as a portion of the project. We didn't want part of the parking lot repaired and the remainder of it left broken up. Subsequently the entire lot was torn out and replaced outside of the original bid. A change order was issued for this job without approval of Council. Motion carried 4 to 1 with Councilman Mercer opposing.

Mayor Jennings suggested it was time to discuss the continued need or discontinuance for purchase orders over \$20,000 coming to Council for approval.

**AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE FOR THE RECOVERY ZONE BOND STORM WATER PROJECTS  
CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the following accounts in the Storm Water Capital Project be increased or decreased by the following amounts to provide additional funds for the contractor to complete the project:

58-90-5710-4500	Construction	\$ 28,364
58-90-5710-9900	Contingency	(28,364)
	Total	\$ 0

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective upon its adoption.

Adopted this the 8<sup>th</sup> day of October, 2012.

**Attest:**

s/Cynthia S. Bennett, CMC  
City Clerk

s/N. Archie Jennings, III  
Mayor

**AUTHORIZE – STAFF TO APPLY FOR EDA GRANT FOR VARIOUS WATER AND SEWER PROJECTS**

City Manager, Josh Kay explained that staff has recently become aware of funding opportunities for various water and sewer projects through the US Economic Department of Administration. These projects include \$600,000 for a generator at the wastewater treatment plant, \$800,000 for the parallel water line from the water treatment plant, \$125,000 for a generator with automatic switch gear at the Cherry Run sewer lift station and \$475,000 for eliminating gaseous chlorine disinfection at the water treatment plant. The funding available is for fifty percent (50%) of the total cost of the projects meaning that the remaining funds will need to come from the water and sewer funds. All of the projects, with the exception of the generator for the Cherry Run sewer lift station, are in the CIP that was presented to Council for 2013-2017. The total maximum amount of the grant for any given entity is \$1,000,000.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council authorized staff to apply for EDA funding for various water and sewer projects totaling approximately \$2,000,000.

Council discussed the logistics of who will write the grants for these projects. Request for proposals were sent out several months ago for grant writing and professional engineering reports for other projects. Staff is requesting to use the approved bid which was awarded to Rivers and Associates.

**AUTHORIZE – CITY MANAGER TO SIGN REIMBURSEMENT AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**

City Manager, Josh Kay explained the draft Reimbursement Agreement with the North Carolina Department of Transportation (NCDOT) for the construction of a new terminal building. The NCDOT has agreed to award the City \$500,000 in funds toward the construction of this building. Also attached is a draft breakdown of the remaining funding sources for the project estimated at just over \$1 million. The NPE 2012 and NPE 2013 funds shown are what we commonly refer to as “Vision 100” monies that we are awarded annually. The reason for this agreement and cost breakdown being in draft form is due to

waiting on firm quotes from vendors to provide the temporary modular terminal building at the airport until this new building can be completed. Draft costs are below.

**COSTS**

**FUNDING**

**Furnishings**

Building (Design)		\$150,000.00	NPE 2012	\$150,000.00	Remaining portion of Insurance Pay-Out	\$51,300.00
Building (Construction)	3500 sq. ft. * \$200 per sq. ft.	\$700,000.00	State Aid to Airports	\$500,000.00		<del>\$51,300.00</del>
Building (Admin/Inspection)		\$100,000.00	NPE 2013	\$150,000.00		
Temporary Modular Terminal Building	\$1500 * 18 Months	\$27,000.00	Partial Insurance Pay-Out	\$274,700.00		
Contingency	10%	\$97,700.00				
		<b>\$1,074,700.00</b>				
				<b>\$1,074,700.00</b>		

**NOTES:**

- Addition of Contingency Funds
- Reduction of Furnishing Allowance due to eligibility constraints
- Additional funding allocated for Professional Fees
- Insurance Pay-Out will be deemed as "In-Kind", serve as local match
- NCDOT Maintenance to be performed on existing apron & vehicular parking lot at 100% \*Estimated \$75k\*

Mr. Kay explained that the only out of pocket expenses will be the City’s annual match for the Vision 100 grants which is already budgeted in the amount of approximately \$17,000 each year. These funds would already be budgeted annually for these grants.

Councilman Mercer inquired “Why don’t we allow the insurance company to replace the building as it was in total, at no cost to the City?” Then we wouldn’t have to use any of our Vision 100 grant funding. Mr. Kay noted we would still have other expenses. What we are trying to do is expand the size (3500 sq. ft.) to include some community uses as well as emergency management facilities. We have not received the exact dollar amount on the insurance reimbursement. Mayor Jennings noted that if we were to build back just as the building was (2400 sq.ft.), with the option to add on at a later date, then we would be missing the opportunity for funding for the construction. If we expand the building in the future then the future expansion will come out of the City’s pocket. Discussion continued regarding replacing the building at the same size or an alternate size.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council authorized the Manager to sign the Reimbursement Agreement with the North Carolina Department of Transportation for the construction of a new terminal building at Warren Field Airport.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the use of funds to be restricted for the use of rental for the temporary modular unit for storage and preliminary design.

REIMBURSEMENT AGREEMENT

This Agreement is made this 8<sup>th</sup> day of October, 2012, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("Department"), an agency of the State of North Carolina, and the City of Washington ("Sponsor").

WHEREAS Chapter 63 of the North Carolina General Statutes authorizes Department to promote the further development and improvement of air routes, airport facilities, seaplane bases, heliports, protect their approaches and stimulate the development of aviation, commerce and air facilities in the State of North Carolina; and

WHEREAS, Sponsor has undertaken a project which Department finds will promote further development and improvement of airport facilities in the State of North Carolina, to wit:

Construction of a new terminal building ("Project"); and

WHEREAS, Sponsor has requested additional funds in order to proceed with the construction of the Project; and

WHEREAS, Department has agreed to award the Sponsor \$500,000 of "State Aid to Airports" funds to be used by Sponsor for the Project; and

WHEREAS, as part of the award above, Department has agreed to reimburse the City for their use of a "temporary modular terminal building" for up to 18 months at an amount not to exceed \$27,000.00.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Sponsor will commit their FAA 2012 and 2013 NPE funds toward the design and construction administration of the Project.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT THIS THE DAY AND YEAR FIRST WRITTEN ABOVE.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

CITY OF WASHINGTON

BY

DIRECTOR OF AVIATION

BY

TITLE

*Josh Kay*  
 City Manager

**AUTHORIZE – CITY MANAGER TO SIGN A TERMINAL BUILDING ANNEX LEASE AGREEMENT WITH TRADEWIND SKY SPORTS, LLC**

Josh Kay, City Manager explained the draft lease agreement is for Tradewind Sky Sports to operate a jump school from the terminal building annex at the airport. This agreement is for jump school operations only. Staff has thoroughly reviewed the original agreement submitted by Tradewind Sky Sports and has revised it as attached and submitted it to Tradewind Sky Sports for their review and approval. This agreement, or something similar, needs to be in place prior to October 15 when City of Washington staff takes over the day-to-day operations of the remainder of airport operations. Mr. Kay reviewed the specifics of the agreement with Council.

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council authorized the Manager to sign the attached Terminal Building Annex Lease Agreement with Tradewind Sky Sports, LLC to run a Fixed Base Operation — Jump School at Warren Field Airport and authorized the City Manager and/or City Attorney to make minor, non-substantive changes to the agreement if necessary. Motion carried 4:1 with Councilman Mercer opposing.

(copy attached)

**ADOPT – RESOLUTION – DISPOSITION OF VACANT LOT LOCATED AT 507 WEST SECOND STREET**

Mr. Kay explained that on July 23, 2012, Council awarded the demolition contract for the structure located at 507 West 2<sup>nd</sup> Street to the lowest responsible bidder, Roanoke Electric Corporation, in the amount of fourteen thousand seven hundred dollars (\$14,700). Subsequently, the vacant property was declared surplus. An offer to purchase was received on October 1, 2012 in the amount of \$100 from the an adjacent property owner, Cindy Jackson. In order to move forward with the process, Council has to adopt the resolution to start the upset bid process. The lot is a substandard lot of record. Council still has the right to reject any and all offers for any reason. The final bid will still have to be approved by Council. Mayor Pro tem Roberson stated that Council needs to determine some guidelines for disposition of these properties.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council adopted the Resolution authorizing the advertisement of an offer to purchase certain property located at 507 West Second Street. Motion carried 4:1 with Councilman Mercer opposing.

Mayor Pro tem Roberson suggested reviewing surplus properties owned by the City as a discussion item at the November 19<sup>th</sup> planning session.

**RESOLUTION AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN REAL PROPERTY**

**WHEREAS**, the City Council of the City of Washington ("City") desires to dispose of certain surplus real property of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council as follows.

1. The following described real property, having an address of 507 West Second Street, is hereby declared to be surplus to the needs of the City.

That certain tract or parcel of land lying and being in the City of Washington, Beaufort County, North Carolina, more particularly described as follows:

IT BEING that Lot One (1) containing 0.09 acres as shown on survey map entitled "Survey for Timothy M. Evans" prepared by Waters Surveying dated December 3, 2009 and being that same property deeded to the City of Washington by deed dated January 27, 2010 recorded in Book 1710, Page 461, Beaufort County Registry, to which survey map and deed reference is herein made for a more complete and adequate description.

2. The City has received an offer to purchase the property described above for the sum of one hundred dollars (\$100.00). The person who made said offer must deposit with the City Clerk a sum equal to five percent (5%) of his or her offer (five dollars - \$5.00) by cash or check. Said offer is available for public inspection in the office of the City Clerk.
3. The City proposes to accept said offer unless a qualifying upset bid shall be made.
4. The City Clerk shall cause a notice of such offer to be published in accordance with North Carolina General Statute § 160A-269.
5. Any person desiring to submit a qualifying upset bid to said offer shall submit a written upset bid to the City Clerk within ten (10) days of the date the notice provided for herein is published. In order to qualify as an upset bid, any such upset bid must raise said offer by not less than ten percent (10%) of the first one thousand dollars (\$1,000.00) and five percent (5%) of the remainder of said offer. Any person making a qualifying upset bid must deposit with the City Clerk a sum equal to five percent (5%) of the qualifying upset bid by cash or check. The highest such qualifying upset bid received by the City Clerk during said ten (10) day period shall become a new offer. If there is more than one qualifying upset bid in the highest amount, the first such qualifying upset bid received shall become the new offer.
6. The City Clerk is directed to advertise any new offer at the increased amount and to continue this process until a ten (10) day period has passed without receipt of a subsequent qualifying upset bid (new offer).
7. Notwithstanding anything herein to the contrary, the City, in its discretion and without recourse from any individual making an offer or any subsequent qualifying upset bid (new offer), reserves the right to reject any and all offers as well as upset bids and to cancel this upset bid process at any time.

Adopted this 8th day of October, 2012.

**Attest:**

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

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

**AWARD THE ADMINISTRATIVE SERVICES CONTRACT TO THE LOWEST  
RESPONSIBLE BIDDER FOR THE ADMINISTRATION OF THE SMALL BUSINESS  
ENTREPRENEURIAL ASSISTANCE GRANT (SBEA)**

Mr. Kay explained that Council accepted the grant award and adopted the project budget ordinance on August 13, 2012. The Division of Community Investment and Assistance has approved the 2011 Community Development Block Grant (CDBG) for Small Business and Entrepreneurial Assistance (SBEA) funds in the amount of \$200,000. The primary purpose of the SBEA program is to provide funding to local governments to jumpstart the growth of existing small businesses by expanding their businesses and creating new jobs. Five (5) local businesses will participate in the program and provide the local match.



**DISCUSSION – NCLM UPDATES**

Councilman Pitt updated Council with the latest updates from the General Government Legislative Action Committee. Councilman Pitt reviewed the use of mopeds and scooters. This item was brought before the Legislative Council last year as Senate Bill 195 and was turned down. The bill explained that these types of transportation should be registered with NCDOT and carry liability insurance. The bill was turned down with NCDOT stating these types of transportation should not be licensed nor insured.

**DISCUSSION – MOTORIZED WHEELCHAIRS**

Councilman Pitt noted that motorized wheelchairs are a dangerous way to travel the City of Washington and our motorists need to be alert and aware of the motorized wheelchairs.

**DISCUSSION - EDC BY-LAWS**

Councilman Mercer explained that the EDC By-laws committee met, but he was unable to attend due to a prior engagement. It is his understanding that the Committee will meet once the new EDC Director is in place. Councilman Mercer hopes to have an updated version of the by-laws by the City Council meeting on November 5<sup>th</sup>.

**CLOSED SESSION – UNDER § NCGS 143-318.11(A)(3) ATTORNEY CLIENT PRIVILEGE – CITY OF WASHINGTON VS. ANNE & HARRY MEREDITH, ET AL (08-CVS-105); (A)(5) POTENTIAL ACQUISITION OF PROPERTY – PROPERTY LOCATED ON 1656 SPRINGS ROAD OWNED BY RICKY AND BRENDA BRANN, FOR THE POTENTIAL USE OF PARKS AND RECREATION AND PROPERTY LOCATED AT 150 WEST MAIN STREET OWNED BY TURNAGE THEATER, LLC FOR THE POTENTIAL USE OF THE ARTS; (A)(6) PERSONNEL; AND(A)(1) DISCLOSURE OF CONFIDENTIAL INFORMATION UNDER § NCGS 143-318.10 (E), THE PUBLIC RECORDS ACT**

By motion of Councilman Pitt, seconded by Councilman Mercer, Council entered into closed session at 8:30pm under NCGS § 143-318.11(a)(3) Attorney Client Privilege – City of Washington vs. Anne and Harry Meredith, et al (08-CVS-105); (a)(5) Potential Acquisition of Property – property located on 1656 Springs Road owned by Ricky and Brenda Brann for the potential use of parks and recreation and property located at 150 West Main Street owned by Turnage Theater, LLC for the potential use of the arts; (a)(6) Personnel; and (a)(1) Disclosure of Confidential Information under NCGS § 143-318.10(e), the Public Records Act

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council came out of Closed Session at 9:50pm.

**ADJOURN**

By motion of Councilman Pitt, seconded by Councilman Brooks, Council adjourned the meeting until November 5, 2012 at 5:30pm.

(subject to approval of 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:** Robbie Rose, Fire Chief *R*  
**Date:** October 25, 2012  
**Subject:** FEMA AFG Grant – Excess Funds PO  
**Applicant Presentation:** Robbie Rose, Fire Chief  
**Staff Presentation:**

**RECOMMENDATION:**

I move that the City Council approve a purchase order in excess of \$20,000 to expend the remaining 2011 AFG grant funds of approximately \$23,000.

**BACKGROUND AND FINDINGS:**

With the anticipated delivery of the new Rescue Truck in November there will be approximately \$23,000 in remaining funds from the original \$350,000 awarded by the grant. Our objective for the remaining funds is to purchase extrication equipment to place on the new truck. We are seeking approval for this purchase order to allow us to move forward with the expenditure of the remaining funds after final payment is made for the truck in November. The performance period for this grant will end in January 2013 and it is our goal to have all transactions completed in December and close out grant soon thereafter.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

Currently Budgeted (Account \_\_\_\_\_)  Requires additional appropriation

No Fiscal Impact

**SUPPORTING DOCUMENTS**

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** *RO* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation *10/21/12* Date



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Allen Lewis, Public Works Director *ALL*  
**Date:** 10-26-12  
**Subject:** Authorize the Repurchase of Cemetery Lot N-117, Plots 3, 4, 7 and 8 in Oakdale Cemetery for \$2,400.00 and Adopt Budget Ordinance Amendment.

**Applicant Presentation:** N/A  
**Staff Presentation:** Allen Lewis

**RECOMMENDATION:**

I move that Council authorize the repurchase of Lot N-117, Plots 3, 4, 7 and 8 in Oakdale Cemetery from Ms. Elizabeth Sweatland in the amount of \$2,400.00 and adopt the attached budget ordinance amendment to cover the cost.

**BACKGROUND AND FINDINGS:**

The purpose of this Council Action is to receive authorization to repurchase four (4) plots in Oakdale Cemetery. The City has received a written request from Ms. Elizabeth Sweatland for the repurchase of these plots which were purchased in 2006. She states that she no longer has the need for the plots.

Section 8-5(c) of the City Code states, "No cemetery lot may be sold or transferred by its owner to any other party. If the owner finds that he has no use for a lot, the city will buy it back at the same price originally paid for same; provided no interments have been made thereon." Staff has checked our records and has verified that there are currently no internments on this plot.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

\_\_\_ Currently Budgeted (Account \_\_\_) X Requires additional appropriation \_\_\_ No Fiscal Impact

**SUPPORTING DOCUMENTS**

Attached request from Ms. Elizabeth Sweatland, copy of plots "deed" and budget ordinance amendment.

City Attorney Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 City Manager Review: AL Concur November 5, 2012 Recommendation Denial \_\_\_\_\_ No Recommendation 10/21/12 Date

Oakdale Cemetery  
City of Washington  
Washington, NC 27889

Elizabeth Sweatland  
219 East Main Street  
Washington, NC 27889  
(252) 975-0340

Dear City of Washington,

I no longer have a need for LOT(S) #N-117-A, PLOT(S) 3,4,7,8 in Oakdale Cemetery and would like to re-sell these plots back to the City of Washington.

If you need any further information I can be reached at the phone number or address that are listed above.

Thank you for considering this request and I look forward to hearing from you in the near future.

Sincerely,



Elizabeth Sweatland

*This Certifies* that the CITY OF WASHINGTON,

2685

NORTH CAROLINA, for and in consideration of:

FEE.....\$ 2400.00

has sold and-conveyed to Elizabeth Sweatland  
219 E. Main St. Washington NC 27889  
the right of interment for LOT(S) N-117 A in  
PLOT(S) 3,4,7,8 in Oakdale  
Cemetery according to the plan or map of said cemetery.

PROVIDED that this conveyance shall be subject to all the rules and regulations now existing or hereafter adopted by the said City with reference to said Cemetery.

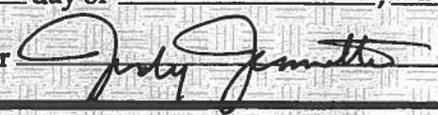
IN WITNESS WHEREOF, The Mayor and City Clerk of said City have set their hands and affixed the corporate seal of said City hereto this the

12th day of December, 2006

City Clerk



Mayor



**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE  
OF THE CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the Estimated Revenues in the Cemetery Fund be increased in the amount of \$2,400 in the account Transfer from General Fund, account number 39-90-3980-1000.

Section 2. That account number 39-90-4740-4901, Repurchase Cemetery Lots, portion of the Cemetery Fund appropriations budget be increased in the amount of \$2,400 to provide funds for the repurchase of cemetery lot N-117, plots 3, 4, 7 and 8.

Section 3. That account number 10-00-4400-3900, Transfer to Cemetery Fund, Miscellaneous portion of the General Fund appropriations budget be increased in the amount of \$2,400.

Section 4. That the Estimated Revenues in the General Fund be increased in the amount of \$2,400 in the account Fund Balance Appropriated, account number 10-00-3991-9910.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall become effective upon its adoption.

Adopted this the 5<sup>th</sup> day of November, 2012.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

## Load Management Device Installation Report

Project Start Date : October 2010

	September 2012	Project to Date
Total Load Management Device Installations	75	1,593
<hr/>		
Total Accounts Added with Load Management	62	1,234
<hr/>		
Appliance Control Installations		
Air Conditioner / Heat Pump	29	1,268
Auxiliary Heat Strip	5	617
Electric Furnace	3	230
Water Heater	48	986
<hr/>		
Total Encumbrances to Date		
Load Management Devices		\$65,600
Contractor Installations		\$175,000
		<hr/> \$240,600
<hr/>		
Total Expenses to Date		
Load Management Device Purchases		\$65,600
Contractor Installation Expenses	\$5,555	\$168,955
		<hr/> \$234,555
		<hr/> \$147
		\$76
<hr/>		
Load Management Devices Remaining in Stock	907	

## Load Management Device Installation Report

Project Start Date : October 2010

	October 2012	Project to Date
Total Load Management Device Installations	74	1,667
Total Accounts Added with Load Management	53	1,287
<b>Appliance Control Installations</b>		
Air Conditioner / Heat Pump	55	1,323
Auxiliary Heat Strip	33	650
Electric Furnace	5	235
Water Heater	46	1,032
<b>Total Encumbrances to Date</b>		
Load Management Devices		\$65,600
Contractor Installations		\$175,000
Total Project Encumbrances		\$240,600
<b>Total Expenses to Date</b>		
Load Management Device Purchases		\$65,600
Contractor Installation Expenses	\$7,330	\$176,285
Total Project Expenses		\$241,885
Average Cost per Load Management Device Installed		\$145
Average Installed Cost per Controlled Appliance		\$75
Load Management Devices Remaining in Stock	833	



## HUMAN RELATIONS COUNCIL

*102 East 2nd Street*

*Washington, NC 27889*

*Phone: 252.975.1250*

### **Human Relations Council (HRC) Report for the month of October Monday November 5, 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

**Update – Multicultural Festival 2012** – Board member Howard voiced the sub-committee did not meet but that the festival has been scheduled for the spring of 2013.

**Approve – Amended By-laws dated 10-9-12** – By motion of Board member Hughes, seconded by Board member Howard, by consensus, Board members approved the by-laws as amended.

**Discussion – Prayer** – By consensus, Board members approved changing the language to “Nondenominational Invocation”.

**FYI – items addressed at this time** – inclusive of September report submitted to City Council, financial report, public notification and the PAL Dinner Dance flyer.

**UPDATES – WASHINGTON POLICE & FIRE SERVICES** – Lt. Chrismon distributed a “Community Watch Program & Fire Prevention Program” - making a change in your neighborhood. Also, he noted the Halloween event sponsored by the Washington Police & Fire Department has been scheduled for Saturday, October 20, 2012 at Havens Gardens from 3:30 – 7:30 pm.

**COMMENTS FROM BOARD MEMBERS AND THE PUBLIC – REGARDING “HOW TO MOTIVATE INTEREST” IN THE BOARD MEETINGS** – Board members suggested extending invitations to the following organizations:

- Beaufort County Community College (BCCC)
- Beaufort County Board of Education
- Vidant Beaufort Hospital
- Beaufort County Health Department
- Beaufort County Department of Social Services
- Washington Housing Authority, Inc.

- Beaufort County – County Commissioners
- Beaufort County Development Center (BCDC)

Ms. Betty Moore a resident from the City of Washington explained there would be more participation from the public when they are made aware of this Board.



City of Washington  
**REQUEST FOR CITY COUNCIL ACTION**

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**To:** Mayor Jennings & Members of the City Council  
**From:** Allen Lewis, Public Works Director *Allen Lewis*  
**Date:** 10-30-12  
**Subject:** Adopt Budget Ordinance Amendment for Oxidation Ditch Repairs at the Wastewater Treatment Plant.  
**Applicant Presentation:** N/A  
**Staff Presentation:** Allen Lewis

**RECOMMENDATION:**

I move that Council adopt the attached budget ordinance amendment to allocate funds for oxidation ditch repairs at the wastewater treatment plant.

**BACKGROUND AND FINDINGS:**

At the July 23, 2012 Council meeting, staff informed Council of the significant failure with one of the mixers in the original oxidation ditch at the wastewater treatment plant (WWTP). After discussing proposal for the estimated \$50,000 in needed repairs, staff was directed to fix the problem versus patching the problem. The repairs have been completed at this point with actual expenditures/encumbrances to-date of \$39,735.91. These repairs included the complete removal of all grit from the oxidation ditch, the repair of holes in the large draft tubes, repairs to the corroded decking sub-structure over the draft tubes and various other smaller items that were not included in our original estimate. There are two purchase orders, yet to be approved, for the refurbishing of the damaged gear box (\$24,341) and the refurbishing of the damaged mixer blade (\$9,390), that will bring the total for this project to \$73,466.91. The attached budget ordinance amendment will cover this entire cost with your approval.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

Currently Budgeted (Account )  Requires additional appropriation  No Fiscal Impact

**SUPPORTING DOCUMENTS**

See attached Budget Ordinance Amendment.

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City Attorney Review: \_\_\_\_\_ Date By November 5, 2012 (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By Page 43 of 88 (if applicable)  
 City Manager Review: AO Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation 10/31/12 Date

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE  
OF THE CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That account number 32-90-3991-9910, Fund Balance Appropriated portion of the Sewer Fund revenue budget be increased in the amount of \$40,891 to provide funds for the repair of the oxidation ditch mixer.

Section 2. That account number 32-90-8220-1505, Maintenance/Repair Oxidation Ditch, Waste Water Treatment portion of the Sewer Fund appropriations budget be increased in the amount of \$73,467.

Section 3. That account number 32-90-9990-9900, Contingency, Contingency portion of the Sewer Fund appropriations budget be decreased in the amount of \$32,576.

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 5th day of November, 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  
**Date:** 10-26-12  
**Subject:** Tentatively Award Contract for Pavement Rehabilitation at Warren Field (\$352,700), Approve Work Authorization (\$48,105) and Approve Corresponding Budget Ordinance Amendment and Purchase Orders.

**Applicant Presentation:** N/A  
**Staff Presentation:** Allen Lewis

**RECOMMENDATION:**

I move that Council tentatively award the contract for pavement rehabilitation at Warren Field Airport to Triangle Grading and Paving, approve work authorization and approve the corresponding budget ordinance amendment and purchase order.

**BACKGROUND AND FINDINGS:**

As noted in the attached letter and bid tabulation sheet from John Massey, P.E., of Talbert and Bright, our airport engineers, we received a bid from Triangle Grading and Paving for this work. They were the only contractor to bid the project, even after a second advertised bid opening for this work. The bid has been reviewed by the NCDOT – Division of Aviation, and has met their approval. Repairs will be made to the primary runway, 5-23, as well as the secondary, 17-35 and taxiways “C” and “B”. 2009, 2010 and 2011 Vision 100 funds will be utilized for this work.

In addition, we are also are looking for the approval of a purchase order for construction phase services for this work. Talbert and Bright, our airport engineers, have submitted a proposal for a work authorization in the amount of \$48,105 for this work. As with the work above, Vision 100 funds will be utilized 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**

Attached letter with bid tab from John Massey, P.E., with Talbert and Bright and Budget Ordinance Amendment.

**City Attorney Review:** \_\_\_\_\_ Date November 5, 2012 By \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date Page 45 of 88 (if applicable)  
**City Manager Review:** (Signature) Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation 11/21/12 Date

# TALBERT & BRIGHT

October 18, 2012

Mr. Allen Lewis  
Public Works Director  
City of Washington  
PO Box 1988  
Washington, NC 27889

RE: Warren Field  
Airfield Pavement Rehabilitation  
TBI No. 4207-1202

Dear Mr. Lewis:

Bids were received and opened on Friday September 21, 2012 for the Airfield Pavement Rehabilitation project at Warren Field. This was the second advertised bid opening and one bid was received for this project from Triangle Grading and Paving. Attached please find the certified bid tabulation. We have reviewed the bids received and Triangle Grading and Paving is the lowest responsive and responsible bidder.

With their bid, Triangle Grading and Paving indicated that they will provide \$18,800 in DBE participation that will be provided by a DBE subcontractor Cruz Brothers to perform the concrete placement work. The DBE goal established by the NCDOT for this project is 4.0%

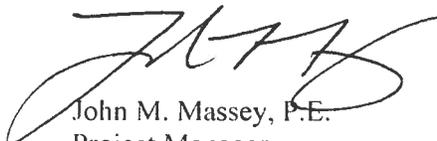
Triangle Grading and Paving did provide a bid bond in accordance with the specifications and other bid documents have been properly completed and signed including their DBE paperwork.

The City of Washington has available Vision 100 grant funds plus the 10% local match totaling \$401,076 that can be used for Construction and Construction Administration, RPR and QA Testing services.

Based on review of the bids, Talbert & Bright recommends award of the Base Bid, Bid Alternate #1 and a portion of Bid Alternate #2 to the low bidder, Triangle Grading and Paving in the amount of \$352,700. The portion of Bid Alternate #2 is detailed in the attached Quantities for Award. Based on an award of \$352,700 and DBE participation of \$18,800, the DBE participation for this project will be 5.3% which will exceed the goal set for the project.

If you have any questions about the enclosed information, please let me know.

Sincerely,



John M. Massey, P.E.  
Project Manager

Enclosures

ENGINEERING & PLANNING CONSULTANTS

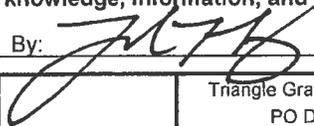
www.talbertbright.com

4810 SHELLEY DRIVE WILMINGTON, NC 28405 910.763.5350 FAX 910.762.6281

WILMINGTON, NORTH CAROLINA • CHARLOTTE, NORTH CAROLINA • RICHMOND, VIRGINIA

Warren Field  
 Pavement Rehabilitation  
 TBI No. 4207-1202  
 Bid Date: Friday, September 21, 2012 @ 11:00 am

This Tabulation was prepared by Talbert & Bright, Inc. and is correct to the best of our knowledge, information, and belief.

By:  Date: 9/28/12

Base Bid - Priority Areas 1, 2, & 3					Triangle Grading & Paving, Inc. PO Drawer 2570 Burlington, NC 27215 NC General License No: 17456	
Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Mobilization	LS	1	\$ 74,000.00	\$ 74,000.00
2	P-101	Pavement Removal	SY	600	\$ 152.00	\$ 91,200.00
3	P-101	Concrete Pavement Milling 1/2"(+) Deep	SY	500	\$ 31.00	\$ 15,500.00
4	CPR	Full Depth Pavement Repair	SF	3750	\$ 15.00	\$ 56,250.00
5	CPR	Partial Depth Repair of Spalled/Failed Concrete Pavement	SF	350	\$ 7.70	\$ 2,695.00
6	CPR	Partial Depth Repair of Delaminated/Raveling Concrete Pavement	SF	650	\$ 7.70	\$ 5,005.00
7	PMBP	Bituminous Surface Course - S4.75A Mix	Ton	25	\$ 250.00	\$ 6,250.00
8	HA	Herbicide Application	LS	1	\$ 3,000.00	\$ 3,000.00
9	CON	Portland Cement Concrete Pavement - Priority 2 Area	CY	100	\$ 171.00	\$ 17,100.00
<b>Total - Base Bid:</b>						<b>\$ 271,000.00</b>

**Bid Alternate #1 - Priority Area 4**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 900.00	\$ 900.00
2	CPR	Full Depth Pavement Repair	SF	300	\$ 15.00	\$ 4,500.00
<b>Total - Bid Alt #1:</b>						<b>\$ 5,400.00</b>

**Bid Alternate #2 - Priority Area 5**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 4,000.00	\$ 4,000.00
2	P-101	Concrete Pavement Milling 1/2"(+) Deep	SY	300	\$ 31.00	\$ 9,300.00
3	CPR	Full Depth Pavement Repair	SF	1950	\$ 18.00	\$ 35,100.00
4	CPR	Partial Depth Repair of Spalled/Failed Concrete Pavement	SF	100	\$ 10.50	\$ 1,050.00
5	CPR	Partial Depth Repair of Delaminated/Raveling Concrete Pavement	SF	4250	\$ 10.00	\$ 42,500.00
6	PMBP	Bituminous Surface Course - S-4.75A Mix	Ton	15	\$ 250.00	\$ 3,750.00
<b>Total - Bid Alt #2:</b>						<b>\$ 95,700.00</b>

**Bid Alternate #3 - Priority Area 6**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 32,000.00	\$ 32,000.00
2	P-101	Concrete Pavement Milling 1/2"(+) Deep	SY	2400	\$ 31.00	\$ 74,400.00
3	PMBP	Bituminous Surface Course - S-4.75A Mix	Ton	75	\$ 250.00	\$ 18,750.00
<b>Total - Bid Alt #3:</b>						<b>\$ 125,150.00</b>

**Bid Alternate #4 - Runway 17-35 Pavement Removal**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 7,700.00	\$ 7,700.00
2	P-101	Pavement Removal	SY	34,000	\$ 13.00	\$ 442,000.00
3	P-156	Silt Fence	LF	8,710	\$ 3.00	\$ 26,130.00
4	PSP	Shoulder Grading	SY	37,000	\$ 4.00	\$ 148,000.00
5	T-901	Seeding	Acre	8	\$ 1,850.00	\$ 14,800.00
6	T-908	Mulching	Acre	8	\$ 1,200.00	\$ 9,600.00
<b>Total - Bid Alt #4:</b>						<b>\$ 648,230.00</b>

\*\*1: Correction of miscalculation.

Base Bid - Priority Areas 1, 2, & 3				Triangle Grading & Paving, Inc. PO Drawer 2570 Burlington, NC 27215 NC General License No: 17456		
Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Mobilization	LS	1	\$ 74,000.00	\$ 74,000.00
2	P-101	Pavement Removal	SY	600	\$ 152.00	\$ 91,200.00
3	P-101	Concrete Pavement Milling 1/2"(+) Deep	SY	500	\$ 31.00	\$ 15,500.00
4	CPR	Full Depth Pavement Repair	SF	3750	\$ 15.00	\$ 56,250.00
5	CPR	Partial Depth Repair of Spalled/Failed Concrete Pavement	SF	350	\$ 7.70	\$ 2,695.00
6	CPR	Partial Depth Repair of Delaminated/Raveling Concrete Pavement	SF	650	\$ 7.70	\$ 5,005.00
7	PMBP	Bituminous Surface Course - S4.75A Mix	Ton	25	\$ 250.00	\$ 6,250.00
8	HA	Herbicide Application	LS	1	\$ 3,000.00	\$ 3,000.00
9	CON	Portland Cement Concrete Pavement - Priority 2 Area	CY	100	\$ 171.00	\$ 17,100.00
<b>Total - Base Bid:</b>						<b>\$ 271,000.00</b>

**Bid Alternate #1 - Priority Area 4**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 900.00	\$ 900.00
2	CPR	Full Depth Pavement Repair	SF	300	\$ 15.00	\$ 4,500.00
<b>Total - Bid Alt #1:</b>						<b>\$ 5,400.00</b>

**Bid Alternate #2 - Priority Area 5**

Item	Spec.	Description	Unit	Quantity	Unit Price	Ext. Total
1	P-150	Additional Mobilization	LS	1	\$ 4,000.00	\$ 4,000.00
2	P-101	Concrete Pavement Milling 1/2"(+) Deep	SY	300	\$ 31.00	\$ 9,300.00
3	CPR	Full Depth Pavement Repair	SF	1400	\$ 18.00	\$ 25,200.00
4	CPR	Partial Depth Repair of Spalled/Failed Concrete Pavement	SF	100	\$ 10.50	\$ 1,050.00
5	CPR	Partial Depth Repair of Delaminated/Raveling Concrete Pavement	SF	3300	\$ 10.00	\$ 33,000.00
6	PMBP	Bituminous Surface Course - S-4.75A Mix	Ton	15	\$ 250.00	\$ 3,750.00
<b>Total - Bid Alt #2:</b>						<b>\$ 76,300.00</b>

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE  
OF THE CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2012-2013**

**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 or decreased in the following accounts and amounts to consolidate Vision 100 Grant funding for the Airfield Pavement Rehabilitation project:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
37-90-3490-0007	Grant Funds 36237.38-9.1	\$( 60,969)
37-90-3490-0008	Grant Funds	(150,000)
37-90-3490-0009	Vision 100 Grant 36237.38.10.1	210,969

Section 2. That the Airport Fund appropriations budget be increased or decreased in the following accounts and amounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
37-90-4530-4513	Vision 100 Grant 36237.38.9.1	\$( 67,744)
37-90-4530-4514	Grant Funds FY 11/12	(166,667)
37-90-4530-4515	Vision 100 Grant 36237.38.10.1	234,411

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 5<sup>th</sup> day of November, 2012.

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**MAYOR**

**ATTEST:**

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**CITY CLERK**



# City of Washington REQUEST FOR CITY COUNCIL ACTION

**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning & Development  
**Date:** October 25, 2012  
**Subject:** Budget Ordinance Amendment – Keys Landing Subdivision  
**Applicant Presentation:** N/A  
**Staff Presentation:** John Rodman, Planning and Development

**RECOMMENDATION:**

I move that City Council adopt a Budget Ordinance Amendment to appropriate funds for expenses related to lot clearing in order to construct single family dwellings in Phase 1 of Keys Landing Subdivision.

**BACKGROUND AND FINDINGS:**

Keys Landing Subdivision is a Community Development Block Project jointly through the City of Washington and Metropolitan Housing. The initial expenses related to Keys landing included the entire 13 lot subdivision. After the bids for the project came in over bid the project was decided to be constructed in two phases. Phase I would include 5 lots. In order to have a balanced budget additional expense were removed from the budget list. One of the items removed included the clearing of each lot in order to construct single family homes. Preliminary estimates were received for the process of clearing the lots with the lowest estimate being \$4,000 per lot or \$20,000 total. We are asking that a budget ordinance amendment be approved in order to appropriate funds for the clearing of these lots so that construction on the houses may begin.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

Currently Budgeted (Account \_\_\_\_\_) \_\_\_\_\_ requires additional appropriation  
 No Fiscal Impact

**SUPPORTING DOCUMENTS**

Budget Ordinance  
Map of Keys Landing

<b>City Attorney Review:</b>	_____	Date By: _____	(if applicable)
<b>Finance Dept Review:</b>	_____	Date By: _____	(if applicable)
<b>City Manager Review:</b>	<u>JO</u> Concur	November 5, 2012	Recommend Denial _____ No Recommendation
	<u>10/31/12</u>	Date	

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE  
OF THE CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2012-2013**

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

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$20,000 in the account Fund Balance Appropriated, account number 10-00-3991-9910.

Section 2. That account number 10-00-4400-1501, Maint/Repair Grounds, Miscellaneous portion of the General Fund appropriations budget be increased in the amount of \$20,000 to provide funds for lot clearing in the Keys Landing subdivision.

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 5<sup>th</sup> day of November, 2012.

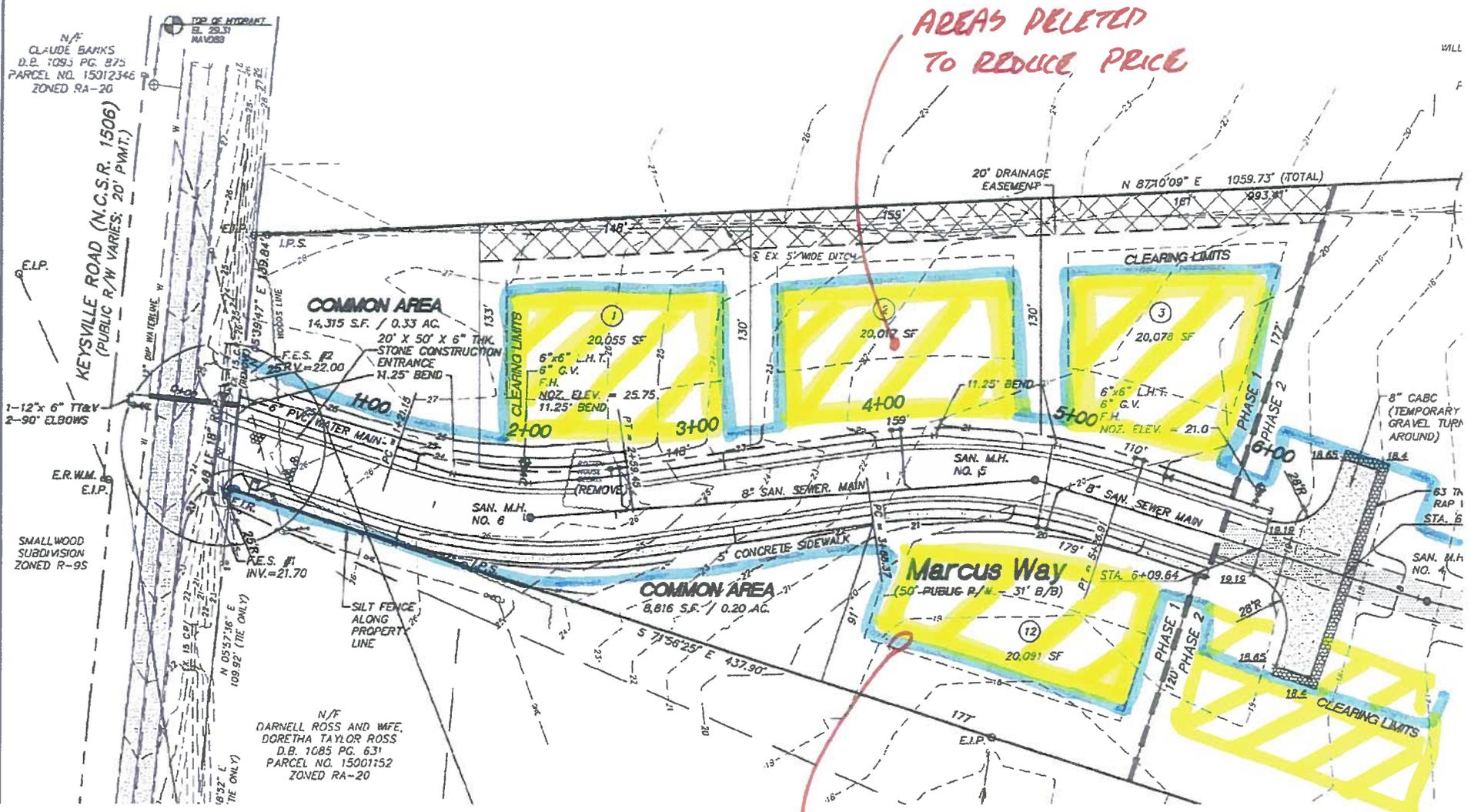
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**MAYOR**

**ATTEST:**

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**CITY CLERK**



AREAS DELETED  
TO REDUCE PRICE

CLEARING LIMITS  
AS ORIGINALLY BID



City of Washington  
**REQUEST FOR CITY COUNCIL ACTION**

---

**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning & Development  
**Date:** October 25, 2012  
**Subject:** Ordinance: Adopt an ordinance to condemn as unsafe the structure located at 107 East 8<sup>th</sup> Street and award the demolition contract.

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

**RECOMMENDATION:**

***Motion A:***

I move that the City Council adopt the ordinance condemning the structure located at 107 East 8<sup>th</sup> Street as unsafe and demolish and remove the structure.

***Motion B:***

I move that the City award the demolition contract to the lowest responsible bidder, T.J.'s Marine, in the amount of four thousand nine hundred fifty (\$4,950) dollars.

**BACKGROUND AND FINDINGS:**

The governing body of the City may adopt and enforce ordinances relating to residential buildings or 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 buildings or 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.

**PREVIOUS LEGISLATIVE ACTION**

Notice of Complaint and Notice of Hearing – September 7, 2012  
Hearing Held – September 19, 2012  
Order to Remedy Defective Condition – September 19, 2012



**AN ORDINANCE FINDING THAT THE STRUCTURE DESCRIBED HEREIN IN THE CITY OF WASHINGTON IS CONDEMNED AS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED**

**WHEREAS**, the City Council of the City of Washington finds that the structure located on the property having an address of 107 East 8<sup>th</sup> Street, Washington, North Carolina and being owned by Brice Puryear (a/k/a Brice C. Puryear as well as Chris Puryear) and wife, Sharon Puryear, has been condemned as, among other things, unsafe pursuant to North Carolina General Statute § 160A-426 and that all applicable statutory provisions have been complied with as a condition of the adoption of this Ordinance.

**WHEREAS**, the structure located on said property should be demolished and removed as directed by the Senior Building Official for, among other things, the reasons stated by the Senior Building Official in his September 19, 2012 Notice of Decision that was served on the property owners.

**WHEREAS**, the owners of the structure have been given a reasonable opportunity to bring the structure into compliance with the applicable standards of the City Code as well as State statute in accordance with North Carolina General Statute § 160A-425 et seq as well as pursuant to the Order issued by the Senior Building Official in said Notice of Decision.

**WHEREAS**, said owners have failed to comply with said Order.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Washington as follows.

**Section 1.** The Senior Building Official is hereby authorized and directed to proceed to demolish and remove the above described structure located at 107 East 8<sup>th</sup> Street in accordance with the applicable provisions of the City Code and North Carolina General Statute § 160A-432 *et seq.*

**Section 2.** Pursuant to North Carolina General Statute § 160A-432, the amounts incurred by the City in connection with any demolition or removal authorized hereunder shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner prescribed by law as liens for special assessments. The amounts incurred by the City in connection with any demolition or removal authorized hereunder shall also be a lien against any other real property owned by the above named owners and located within the City limits or within one mile of the City limits, except for the above named owners' primary residence.

**Section 3.** This Ordinance shall be recorded in the Office of the Register of Deeds of Beaufort County, North Carolina.

This Ordinance shall become effective on this date of adoption November 5, 2012.

\_\_\_\_\_  
N. Archie Jennings, Mayor

Attest:

\_\_\_\_\_  
Cynthia S. Bennett, City Clerk

**ORDER TO REMEDY DEFECTIVE CONDITION**  
**9/5/2012**

Brice Christopher Puryear / Sharon B. Puryear  
2809 Pebblebrook Drive  
Sanford, NC 27330-7653

Re: 107 East 8<sup>th</sup> Street  
No.: 5686-00-0369

To: Brice Christopher Puryear / Sharon B. Puryear

This matter coming on to be heard and being heard before the undersigned on August 31, 2012 at 10:00 am at 102 East Second Street, room 115 and the undersigned, having reviewed the file; carefully inspected the premises; heard the testimony; and reviewed the evidence, arguments, and other matters presented at the hearing, hereby makes the following findings of fact.

1. Proper notice of the formal complaint dated 8-20-2012 and stating the charges as well as containing a notice of this hearing was served upon the above owners of and parties in interest in the above property. No owner or person of interest attended the hearing was present at hearing.
  
2. The following conditions currently exist on the subject property, including dwelling.
  - a. Defects increasing the hazards of fire, accidents, or other calamities.
  - b. Lack of ventilation, light, or sanitary facilities.
  - c. Unsafe, unsanitary, or dangerous conditions.
  - d. Attracting insects or rodents.
  - e. Conditions creating a fire hazard.
  - f. Dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary facilities.
  - g. Deteriorated condition of walls.
  - h. Overloaded floors.
  - i. Defective construction.
  - j. Decay of structure/walls/flooring/foundation.
  - k. Unsafe wiring.
  - l. Inadequate means of access.
  - m. Dangerous, injurious, or detrimental to the health, safety or otherwise inimical to the welfare of the people of the City of Washington.
  - n. Other:
  
3. The repair, alteration, or improvement of the dwellings cannot be made at a reasonable cost in relation to the value to the dwelling if the certificate of elevation shows the floor level above base flood elevation (BFE).

Based upon the foregoing findings of fact, the undersigned concludes said dwelling is unfit for human habitation and is dilapidated.

Based upon the foregoing findings of fact and conclusions, you are hereby ordered as follows.

1. To repair, alter or improve such dwellings to comply with the minimum standards of fitness established by Section 4-86 *et seq* of the Washington City Code within 30 days.
2. To vacate and close the dwelling within \_\_\_\_\_ days.
3. To vacate and close the dwelling within \_\_\_\_\_ days and until such repairs, alterations and improvements have been made.
4. Remove or demolish the dwellings within 30 days.

If you fail to comply with this order within the time specified herein, the undersigned may, among other things authorized by the Washington City Code and/or North Carolina state law, either 1) submit to the City Council at its next regular meeting a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with this order or 2) submit to the City Council an ordinance ordering the undersigned to cause such dwellings to be brought into compliance with this order. The cost of any repairs, alterations or improvements; vacating and closing; and/or removal or demolition, caused to be made or done by the undersigned shall constitute a lien against the subject property and shall also constitute a lien on any other real property of the owner of the subject property located within the City limits or within one mile thereof except for the owner's primary residence.

You must obtain all permits and approvals required by the Washington City Code and/or North Carolina state law before commencing the work required hereunder. If you have any questions or if I may assist you in any way, please feel free to contact me.

Respectfully,



Allen Pittman  
Senior Building Official  
City of Washington  
PO Box 1988  
Washington, NC 27889  
(252)975-9334

Cc: Mr. Wayne Harrell, Chief Building Official  
Mr. John Rodman, Director of Planning and Development  
Mr. Franz Holscher, City Attorney  
File

# COPY



## City of Washington

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

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### NOTICE OF COUNCIL MEETING ORDER TO DEMOLISH

October 25, 2012

Brice C. and Sharon B. Puryear  
2804 Pebblebrook Drive  
Sanford, NC 27330

Re: 107 East 8<sup>th</sup> Street  
PIN No.: 5686-00-0369

This is to notify you that the City Council will vote on the ordinance to demolish the structure located at 107 East 8<sup>th</sup> Street on November 5, 2012. Based upon findings of fact and conclusions, you were ordered, pursuant to North Carolina General Statute § 160A-429, to remove and demolish said structure within thirty (30) days. The 30 day period expired on October 5, 2012.

The City may, pursuant to North Carolina General Statute § 160A-432, cause the structure to be removed or demolished. The amounts incurred by the City in connection with the removal or demolition of the structure shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as liens for special assessments provided in Article 10 of Chapter 160A of the North Carolina General Statutes.

The City Council will vote on the ordinance during their regularly scheduled Council meeting at the following date and time:

**Date:** Monday, November 5, 2012

**Place:** City Council Chambers - City Hall - Municipal Building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.

**Time:** 6:00 P.M.

If you have any questions or if I may assist you in any way, please feel free to contact me.

Respectfully,

*Allen Pittman*

Allen Pittman  
Senior Building Official  
City of Washington  
PO Box 1988  
Washington, NC 27889  
(252) 975-9334

cc: Mr. John Rodman, Planning and Development  
Mr. Franz Holscher, City Attorney

File

Bid Sheet

TJ's Marine Construction LLC (contractor)  
hereby offers to demolish and properly dispose of the structure at 107 E 8<sup>th</sup> Street for the sum of  
\$ 4,950.00 (bid).

This bid includes all items listed on the bid specification sheet for this project.

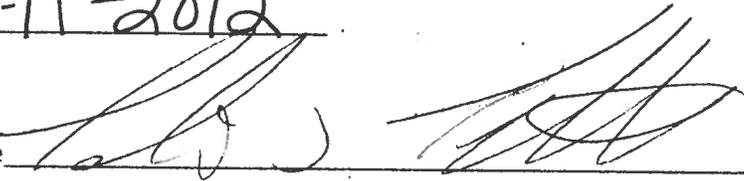
Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on October 11, 2012. Any unsealed bid will not be accepted.

Date 10-11-2012

Signature



Contractor information

Company TJ's Marine Construction LLC

Address P.O. Box 125  
Pantego NC 27860

Phone 252-943-6677 & 944-5555  
office cell

**Bid Sheet**

B.E. Singleton & Sons, Inc. (contractor)  
hereby offers to demolish and properly dispose of the structure at 107 E 8<sup>th</sup> Street for the sum of  
\$7,500.00 (bid).

This bid includes all items listed on the bid specification sheet for this project.

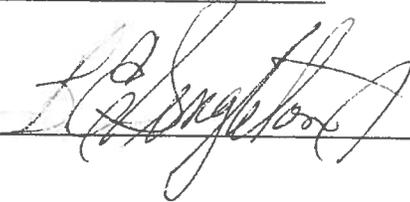
Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on October 11, 2012. Any unsealed bid will not be accepted.

Date October 11, 2012

Signature



**Contractor information**

Company B.E. Singleton & Sons, Inc.

Address 920 West Third Street

Washington, NC 27889

Phone Office: 252-946-3287 Fax: 252-946-9597

Bid Sheet

ST. Clair Trucking Inc (contractor)  
hereby offers to demolish and properly dispose of the structure at 107 E 8<sup>th</sup> Street for the sum of  
\$ 8800.00 (bid).

This bid includes all items listed on the bid specification sheet for this project.

Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on October 11, 2012. Any unsealed bid will not be accepted.

Date 10-11-12

Signature Mitchell A. St. Clair

Contractor information

Company ST. Clair Trucking Inc

Address P.O. Box 372  
Washington NC 27889

Phone 252 946-7959

Bid Sheet

Roanoke Electric Corporation (contractor)  
hereby offers to demolish and properly dispose of the structure at 107 E 8<sup>th</sup> Street for the sum of  
\$13,700.00 (bid).

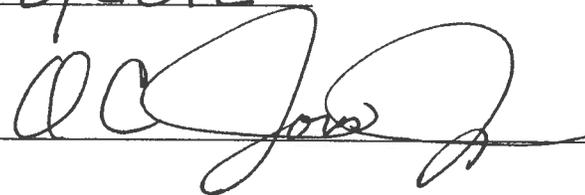
This bid includes all items listed on the bid specification sheet for this project.

Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on October 11, 2012. Any unsealed bid will not be accepted.

Date 10/8/2012

Signature 

**Roanoke Electric Corporation**

**P.O. Box 7**

**Pantego, NC 27860-0007**

**(252) 943-3617**

Contractor information

Company \_\_\_\_\_

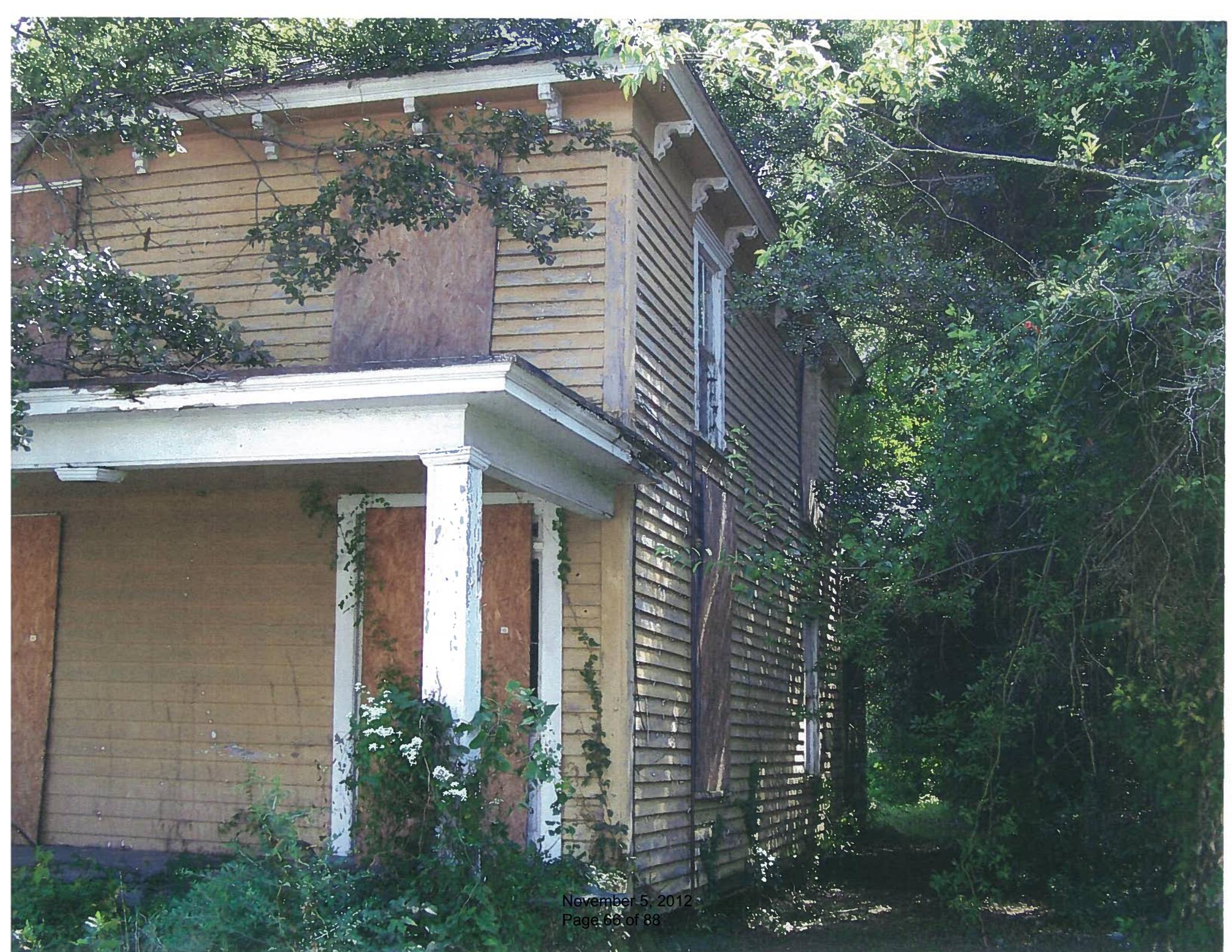
Address \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_



November 5, 2012  
Page 65 of 88





City of Washington  
**REQUEST FOR CITY COUNCIL ACTION**

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**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning & Development  
**Date:** October 25, 2012  
**Subject:** Ordinance: Adopt an ordinance to condemn as unsafe the structure located at 312 East Water Street and award the demolition contract.

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

**RECOMMENDATION:**

***Motion A:***

I move that the City Council adopt the ordinance condemning the structure located at 312 East Water Street as unsafe and demolish and remove the structure.

***Motion B:***

I move that the City award the demolition contract to the lowest responsible bidder, St. Clair Trucking, in the amount of eight thousand four hundred (\$8,400) dollars.

**BACKGROUND AND FINDINGS:**

The governing body of the City may adopt and enforce ordinances relating to residential buildings or 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 buildings or 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.

**PREVIOUS LEGISLATIVE ACTION**

Notice of Complaint and Notice of Hearing – May 30, 2012  
Hearing Held – June 12, 2012  
Order to Remedy Defective Condition – June 12, 2012

**FISCAL IMPACT**

\_\_\_ Currently Budgeted (Account \_\_\_\_\_) \_\_\_ requires additional appropriation  
\_\_\_ No Fiscal Impact

**SUPPORTING DOCUMENTS**

Ordinance  
Bids Submitted

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City Attorney Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
City Manager Review: JP Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation  
10/31/12 Date

**Demolition Bids Submitted:**

St. Clair Trucking	\$8,400
B.E. Singleton	\$12,000
Roanoke Electric	\$12,970

**AN ORDINANCE FINDING THAT THE STRUCTURE DESCRIBED HEREIN IN THE CITY OF WASHINGTON IS DILAPIDATED AS WELL AS CONDEMNED AS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED**

**WHEREAS**, the City Council of the City of Washington finds that the structure located on the property having an address of 312 East Water Street, Washington, North Carolina and being owned by William R. Henry, Jr. has been found to be dilapidated pursuant to Section 6-132 *et seq* of the Washington City Code and has been condemned as, among other things, unsafe pursuant to North Carolina General Statute § 160A-426 and that all applicable statutory provisions have been complied with as a condition of the adoption of this Ordinance.

**WHEREAS**, the structure located on said property should be demolished and removed as directed by the Senior Building Official for, among other things, the reasons stated by the Senior Building Official in his June 12, 2012 Notice of Decision that was served on the property owner.

**WHEREAS**, the owner of the structure has been given a reasonable opportunity to bring the structure into compliance with the applicable standards of the City Code as well as State statute in accordance with North Carolina General Statute § 160A-425 *et seq* as well as 160A-441 and pursuant to the Order issued by the Senior Building Official in said Notice of Decision.

**WHEREAS**, said owner has failed to comply with said Order.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Washington as follows.

**Section 1.** The Senior Building Official is hereby authorized and directed to proceed to demolish and remove the above described structure located at 312 East Water Street in accordance with applicable provisions of the City Code and North Carolina General Statute § 160-432 *et seq* as well as 160A-441 *et seq*.

**Section 2.** Pursuant to North Carolina General Statute § 160A-432, the amounts incurred by the City in connection with any demolition or removal authorized hereunder shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner prescribed by law as liens for special assessments. The amounts incurred by the City in connection with any demolition or removal authorized hereunder shall also be a lien against any other real property owned by the above named owner and located within the City limits or within one mile of the City limits, except for the above named owner's primary residence.

**Section 3.** This Ordinance shall be recorded in the Office of the Register of Deeds of Beaufort County, North Carolina.

This Ordinance shall become effective on this date of adoption November 5, 2012.

\_\_\_\_\_  
N. Archie Jennings, Mayor

Attest:

\_\_\_\_\_  
Cynthia S. Bennett, City Clerk

**ORDER TO REMEDY DEFECTIVE CONDITION**  
**6/12/2012**

Mr. William R. Henry Jr.  
217 Mallard Lane  
Hampton, VA 23605

**COPY**

Re: 312 East Water Street  
Washington, NC 27889  
No.: 5675-97-5062  
To: Mr. William R. Henry Jr./owner/ Parties in Interest in the above referenced property.

This matter coming on to be heard and being heard before the undersigned at 10:30 am on June 12, 2012 at 102 East Second Street, room 115 and the undersigned, having reviewed the file; carefully inspected the premises; heard the testimony; and reviewed the evidence, arguments, and other matters presented at the hearing, hereby makes the following findings of fact.

1. Proper notice of the formal complaint dated 5-30-2012 and stating the charges as well as containing a notice of this hearing was served upon the above owners of and parties in interest in the above property. No one was present at hearing.
  
2. The following conditions currently exist on the subject property, including dwelling.
  - a. Defects increasing the hazards of fire, accidents, or other calamities.
  - b. Lack of ventilation, light, or sanitary facilities.
  - c. Unsafe, unsanitary, or dangerous conditions.
  - d. Attracting insects or rodents.
  - e. Conditions creating a fire hazard.
  - f. Dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary facilities.
  - g. Deteriorated condition of walls.
  - h. Overloaded floors.
  - i. Defective construction.
  - j. Decay of structure/walls/flooring/foundation.
  - k. Unsafe wiring.
  - l. Inadequate means of access.
  - m. Dangerous, injurious, or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the people of the City of Washington.
  - n. Other:
  
3. The repair, alteration, or improvement of the dwellings cannot be made at a reasonable cost in relation to the value to the dwelling.

Based upon the foregoing findings of fact, the undersigned concludes said dwelling is unfit for human habitation and is dilapidated.

Based upon the foregoing findings of fact and conclusions, you are hereby ordered as follows.

- \_\_\_\_ 1. To repair, alter or improve such dwellings to comply with the minimum standards of fitness established by Section 4-86 *et seq* of the Washington City Code within \_\_\_\_ days.
- \_\_\_\_ 2. To vacate and close the dwelling within \_\_\_\_ days.
- \_\_\_\_ 3. To vacate and close the dwelling within \_\_\_\_ days and until such repairs, alterations and improvements have been made.
4. Remove or demolish the dwellings within 30 days.

If you fail to comply with this order within the time specified herein, the undersigned may, among other things authorized by the Washington City Code and/or North Carolina state law, either 1) submit to the City Council at its next regular meeting a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with this order or 2) submit to the City Council an ordinance ordering the undersigned to cause such dwellings to be brought into compliance with this order. The cost of any repairs, alterations or improvements; vacating and closing; and/or removal or demolition, caused to be made or done by the undersigned shall constitute a lien against the subject property and shall also constitute a lien on any other real property of the owner of the subject property located within the City limits or within one mile thereof except for the owner's primary residence.

You must obtain all permits and approvals required by the Washington City Code and/or North Carolina state law before commencing the work required hereunder. If you have any questions or if I may assist you in any way, please feel free to contact me.

Respectfully,



Allen Pittman  
Senior Building Official  
City of Washington  
PO Box 1988  
Washington, NC 27889  
(252)975-9334

Cc: Mr. Wayne Harrell, Chief Building Official  
Mr. John Rodman, Director of Planning and Development  
Mr. Franz Holscher, City Attorney  
File

Bid Sheet

St. Clair Trucking Inc (contractor)

hereby offers to demolish and properly dispose of the structure at 312 East Water Street for the sum of  
# 8400.00 (bid).

This bid includes all items listed on the bid specification sheet for this project.

Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on June 26, 2012. Any unsealed bid will not be accepted.

Date 7-25-12

Signature Mitchell A. St. Clair

Contractor information

Company ST. Clair Trucking

Address 1085 East 4TH Street  
Washington N.C

Phone 252 946 7959

**Bid Sheet**

B. E. Singleton & Sons, Inc. (contractor)  
hereby offers to demolish and properly dispose of the structure at 312 East Water Street for the sum of  
\$ 12,000.00 (bid). Twelve Thousand Dollars

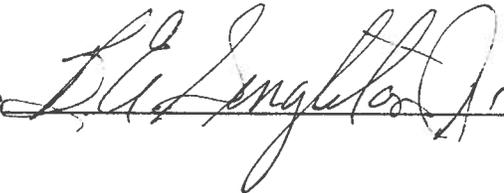
This bid includes all items listed on the bid specification sheet for this project.

Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on June 26, 2012. Any unsealed bid will not be accepted.

Date July 25, 2012

Signature 

**Contractor information**

Company B. E. Singleton & Sons, Inc.

Address 920 West Third Street  
Washington, NC 27889

Phone 252-946-3287 Fax: 252-946-9597

Bid Sheet

Roanoke Electric Corporation (contractor)  
hereby offers to demolish and properly dispose of the structure at 312 East Water Street for the sum of  
\$12,970.00 (bid).

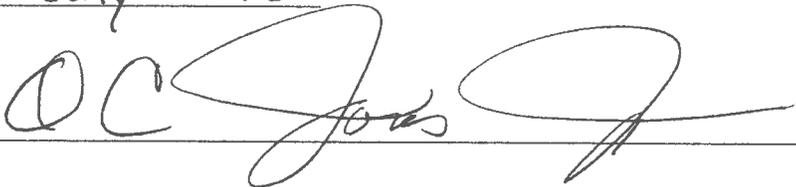
This bid includes all items listed on the bid specification sheet for this project.

Successful bidder shall be responsible for all permits, disposal and other applicable fees.

I understand that the City of Washington reserves the right to reject any and all bids.

I also understand that this bid is to be sealed in an envelope. The seal of the envelope is to have the signature of the bidder and the date that the bid was submitted. The bid will not be opened until 2 pm on June 26, 2012. Any unsealed bid will not be accepted.

Date 25 July 2012

Signature 

Contractor information

Company **Roanoke Electric Corporation**

**P.O. Box 7**

**Pantego, NC 27860-0007**

**(252) 943-3617**

Address \_\_\_\_\_

Phone \_\_\_\_\_

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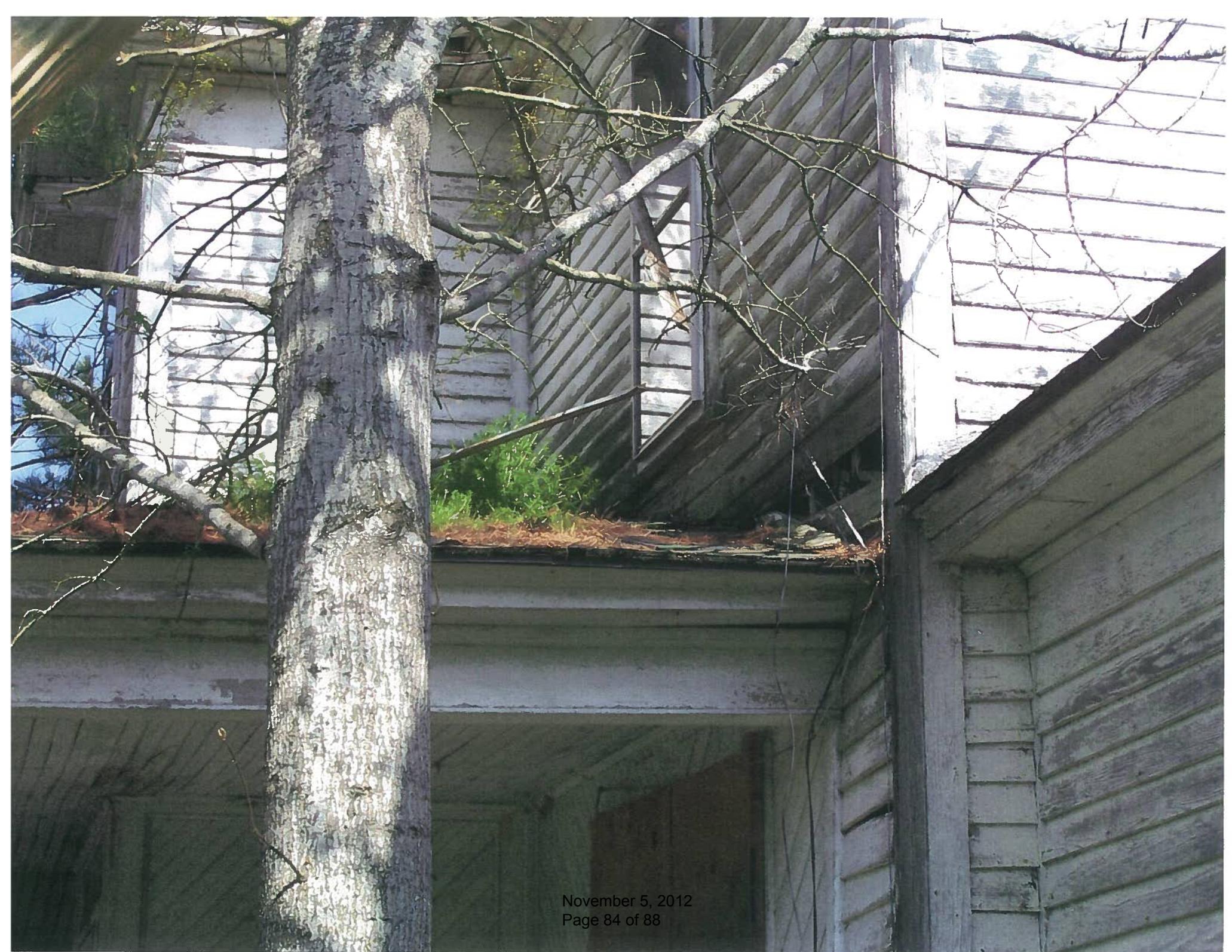
07/17/2007

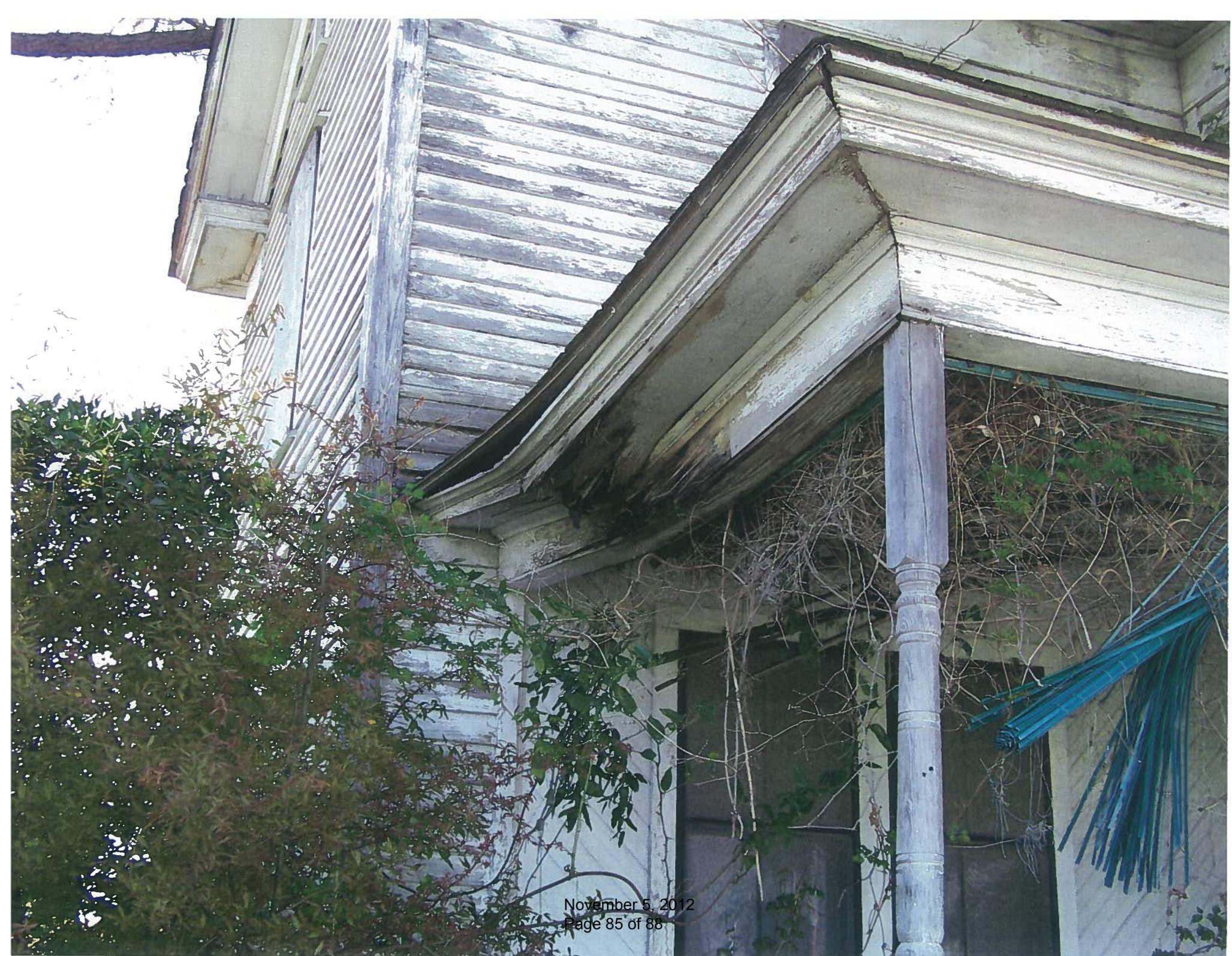


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Resolution to be distributed at Council meeting.

City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning & Development  
**Date:** October 29, 2012  
**Subject:** Adopt Resolution: the Small Business Entrepreneurial Assistance (SBEA) Grant.  
**Applicant Presentation:** Warren Wooten, Wooten Company  
**Staff Presentation:** John Rodman, Planning and Development

**RECOMMENDATION:**

I move that the City Council adopt the resolution for the SBEA grant approving various CDBG related documents and authorizing the manager and mayor to sign all CDBG documents on behalf of the City.

**BACKGROUND AND FINDINGS:**

The Division of Community Investment and Assistance has approved the 2011 Community Development Block Grant (CDBG) for Small Business and Entrepreneurial Assistance (SBEA) funds in the amount of \$200,000. The primary purpose of the SBEA program is to provide funding to local governments to jumpstart the growth of existing small businesses by expanding their businesses and creating new jobs. Five (5) local businesses will participate in the program and provide the local match.

**PREVIOUS LEGISLATIVE ACTION**

Accepted the grant award and adopted the project budget ordinance – August 13, 2012  
Awarded Administrative Contract – October 8, 2012

**FISCAL IMPACT**

Currently Budgeted (Account \_\_\_\_\_) \_\_\_\_\_ requires additional appropriation  
 No Fiscal Impact

**SUPPORTING DOCUMENTS**

Resolution

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** JO Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation

10/31/12 November 5, 2012  
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City of Washington  
**REQUEST FOR CITY COUNCIL ACTION**

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**To:** Mayor Jennings & Members of the City Council  
**From:** William O'Pharrow, Washington/Beaufort County Human Relations Council; Chairperson  
**Date:** October 17, 2012  
**Subject:** Approve Amended By-Laws under Article II, Page 3-Section 4(a), (b) & (c); Article IV Page 4-Section 2 & Section 3 and Article V-Page 5-Section 4, of the Washington/Beaufort County Human Relations Council.  
**Applicant Presentation:** N/A  
**Staff Presentation:** N/A

**RECOMMENDATION:**

I move that Council accept the language change recommendation of the Washington/Beaufort County Human Relations Council and approve the amended by-laws under Article II, Page 3-Section 4(a), (b), & (c); Article IV; Page 4-Section 2 & 3 and Article V-Page 5-Section 4 of the Washington/Beaufort County Human Relations Council.

**BACKGROUND AND FINDINGS:**

The Washington/Beaufort County Human Relations Council at a regular meeting held Tuesday, October 9, 2012 approved amending the following by-laws:

Article II, Page 3-Section 4(a), (b), & (c) Authority of Council (HRC) revision:

- (a) The Council may make expenditures, enter into contracts and agreements without specific approval of its Governing Body, provided the respective obligations, contracts, or expenditures meet all legal requirements, (including but not limited to Section 2-290 of the Code of the City of Washington) will not exceed the unexpended funds remaining in the respective line item of the Council's budget, and will not be binding on the Governing Body. No personnel shall be hired or paid by the Council unless (the individual proposed is) approved by the City Council.
- (b) The Council is authorized to receive contributions from private agencies, or from individuals, in addition to any funds which may be appropriated for its use. The City of Washington's finance division shall manage and maintain all HRC funds and investments within the City's normal financial management procedures.
- (c) The HRC shall provide regular updates to the City Council. Special reports and recommendations can be made to (or requested by) the City Council as the need arises. The HRC will provide an annual report as required by the Code of the City of Washington.

Article IV, Page 4-Section 2 & 3 Meetings of Council (HRC) revision:

Section 2: Special meetings of the HRC may be called by the Chairman, Vice-Chairman or three (3) members of the HRC. The Purpose of the meeting shall be stated in the written or telephone notice. All members and local media will be notified pursuant to and in compliance with North Carolina General Statutes.

Section 3: A quorum of the HRC shall consist of a simple majority of the Council. No proxies shall be allowed.

Article V, Page 5-Section 4 Officers – Secretary/Treasurer revision:

Section 4: The City Manager, as ex-officio to the HRC, shall serve as Secretary/Treasurer and may appoint a city employee(s) to serve as a recording secretary and/or treasurer. The City Manager will serve in an ex-officio capacity and will not be eligible to vote on any matter.

The Secretary/Treasurer shall be responsible for such books, documents and reports as necessary or requested by the Chairman of HRC; responsible for recording the minutes of all meetings, regular, special, executive board and annual. Such books shall be open for inspection as prescribed by law. The Secretary shall, in general, perform all duties associated with the office of Secretary subject to the control of the HRC.

The Secretary/Treasurer shall oversee any funds appropriated to the HRC. He/she shall maintain such records and make sure reports as required by HRC or the Governing Body. A financial report shall be made at each regular meeting of HRC. The Treasurer shall, in general, perform all other duties associated with the office.

PREVIOUS LEGISLATIVE ACTION:

Amended by-laws dated July 18, 2011.

FISCAL IMPACT

Currently Budgeted (Account \_\_\_\_\_)  Requires additional appropriation  No Fiscal Impact

SUPPORTING DOCUMENTS

Adopted amended by-laws dated 10-9-12

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City Attorney Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 City Manager Review: BO Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation 10/31/12 Date