

The Washington City Council met in a regular session on Monday, February 11, 2013 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, 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. Councilman Ed Moultrie was absent.

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, Community and Cultural Services Director; Stacy Drakeford, Interim Fire and Police Services Director; Susan Hodges, Human Resources Director; Keith Hardt, Electric Director; Lynn Lewis, Tourism Director; David Carraway, IT; Kristi Roberson, Parks and Recreation Manager and Mike Voss, Washington Daily News.

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

APPROVAL OF MINUTES FROM JANUARY 14 & 28, 2013

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council approved the minutes of January 14 & 28, 2013 as presented.

APPROVAL/AMENDMENTS TO AGENDA

Councilman Mercer requested the following changes to the agenda:

1. Moved Consent Item D - Authorize – Purchase order to purchase a Ford Explorer through State Contract (\$25,470.50) to New Business Item E.
2. Moved Consent Item E - Approve – Purchase orders to purchase a Ford Cab and Chassis from Pecheles Ford Toyota and a work body from Quality Truck Bodies (\$43,571.14) to New Business Item F.
3. Moved Consent Item F - Approve – Purchase Orders >\$20,000 to New Business Item G.

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

CONSENT AGENDA:

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

Councilman Mercer requested staff research the possibility of transferring the Crown Victoria to the airport as a courtesy vehicle rather than surplus the vehicle. Mr. Kay explained currently we have an SUV that was a surplus vehicle from the Electric Department that is currently serving as a courtesy vehicle. Staff will research and determine which vehicle will best fit the needs of the airport.

- A. Declare Surplus/Authorize – Electronic Auction of Vehicle through GovDeals

<u>Vehicle Number</u>	<u>Make/Model Description</u>	<u>Serial Number</u>	<u>Odometer Reading</u>
#413	1998 Dodge Ram 2500 Truck	3B6KC26Z2WM243854	139,177
#457	1998 Ford F150 Truck	1FTZF1762WNB25339	102,218
#605	2000 Ford F750 Bucket Truck	3EDXE75HXYMA22614	129,813

- B. Adopt – Budget Ordinance Amendment to paint the street light poles along Stewart Parkway and Adopt a Grant Project Amendment to close Weir Valve Grant

AN ORDINANCE TO AMEND THE GRANT PROJECT ORDINANCE FOR THE NC RURAL ECONOMIC DEVELOPMENT CENTER GRANT GRANT AWARD #2012-220-60501-118 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 Weir Valve grant be increased or decreased by the following amounts to close out this grant:

74-60-3990-9910	Fund Balance Appropriated	\$20,512
74-60-8152-9710	Residual Equity Transfer GF	20,512

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 11th day of February, 2013.

Attest:

s/Cynthia S. Bennett, CMC
City Clerk

s/N. Archie Jennings, III
Mayor

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 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 or decreased in the following accounts and amounts:

10-00-3990-6300	Residual Equity Transfer from CPF	\$20,512
10-00-3990-9910	Fund Balance Appropriated	(4,512)

Section 2. That account number 10-20-4512-1600, Maintenance/Repair Expense, Street Lighting portion of the General Fund appropriations budget be increased in the amount of \$16,000 to provide funds to repaint the street light poles along Stewart Parkway and adjacent parking lots.

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 11th day of February, 2013.

Attest:

s/Cynthia S. Bennett, CMC
City Clerk

s/N. Archie Jennings, III
Mayor

- C. Approve – Purchase orders to purchase a Ford Cab and Chassis from Capital Ford through State Contract and a dump body from Quality Truck Bodies (\$32,840.09)
- D. **Moved to New Business Item E:** Authorize – Purchase order to purchase a Ford Explorer through State Contract (\$25,470.50)
- E. **Moved to New Business Item F:** Approve – Purchase orders to purchase a Ford Cab and Chassis from Pecheles Ford Toyota and a work body from Quality Truck Bodies (\$43,571.14)
- F. **Moved to New Business Item G:** Approve – Purchase Orders >\$20,000

COMMENTS FROM THE PUBLIC: None

MR. TOM JOHNSON – YOUNG LIFE (5K COLOR THROW)

Mr. Johnson did not attend the meeting.

MR. MARK HAMBLIN – 2013 UNITED WAY CAMPAIGN

Mark Hamblin, Executive Director of United Way of Beaufort County, stated that with funding for area nonprofit organizations becoming more and more difficult to find, it's time to revert to a time-

honored way of helping those in need. With budgets being squeezed, we've got to get back to the way we used to do things. That's neighbors helping neighbors. That's the mission statement for the United Way. United Way of Beaufort County raises money and distributes it to groups like Eagle's Wings, Zion Shelter and Purpose of God Annex Outreach Center. These groups do incredible work and help in time of need. He noted there have been some bumps in the road with some organizations as far as funding goes. He expressed he was afraid to think about what Washington and Beaufort County would be like without these organizations including all the 19 community partners that United Way represents. Mr. Hamblin asked the council members and mayor to help promote and support United Way's efforts to obtain funding for its partner organizations. "In your position as an elected official, I hope that you will be advocates for us and our community partners and nonprofits in this community because I think you understand, that without these community partners, this community would be a lesser place," Hamblin said. He continued by saying community members have a responsibility to support the organizations that help them and their community. Mr. Hamblin also thanked the city and its employees for being strong supporters of United Way, presenting the city a plaque in recognition of that support.

Community Partners: American Red Cross, The ARC, Beaufort Mental Health Assoc., Bread of Life Food Pantry, Boy Scouts of America, Boys & Girls Club, Eagles Wings, The Food Bank of the Albemarle, Girl Scouts NC Coastal Pines, Grace Martin Harwell Sr. Center, Higher Heights Human Services, Habitat for Humanity, Literacy Volunteers, Pamlico Pals, Purpose of God Annex, REAL Crisis Intervention, Salvation Army, Sr. Center, Zion Shelter.

Thanks also to the City's outstanding United Way Campaign Committee who once again have gone the extra mile to secure contributions for our local United Way – *Tom Amick, Kevin Chapman, Jasper Hardison, Robert Lowe, Gloria Moore, Sharon Probert, Kristi Roberson, Brenda Ruffin, Laura Smithwick, Jerome Tyson, and Hope Woolard.*



(Mayor Jennings, Mark Hamblin, Susan Hodges)

MEMO – CONTRACTS FOR WARREN AIRPORT FUEL

The purpose of this request is to inform City Council of contract commitments for Warren Airport fuel products for the City from February 28, 2013 through March 1, 2018.

Contract awarded as follows:

	<u>Vendor</u>	<u>Cost per Gallon</u>	<u>Estimated Usage/Year</u>	<u>Cost per Year</u>
A.	<u>Eastern Aviation Fuels</u> Jet A Fuel	\$3.25795	8,000 gallons	\$26,063.60
B.	<u>Eastern Aviation Fuels</u> AV Gas 100LL	\$4.13735	16,000 gallons	\$66,197 60
TOTAL				\$92,261.20

Councilman Mercer expressed concern with the length of the contract and the possibility of fuel rates decreasing and being locked in to a higher rate. It was suggested the City Manager and the City

Attorney review the contract to verify there is language regarding a termination clause.

Bid for: Aviation Fuel
Opened: 2:00 pm, Wednesday
January 16, 2013

Item	Description	Eastern Aviation	AvFuel Corp.	Campbell Oil Co.
1	Jet A Fuel	\$3.25795	\$3.26910	\$3.51400
2	AV Gas 100LL	\$4.13735	\$4.13960	\$4.36200
3	Monthly lease of Jet Fuel Refueler	\$700.00	\$1,250.00	\$670.49

MEMO – AUXILIARY FUNDRAISER

(begin memo from Chief Robbie Rose) In late March, the Washington Fire-Rescue-EMS Auxiliary is planning a fundraising effort in conjunction with Summit Productions. The Summit group will sell portrait packages in our response area and will use the department for the photo sessions. All proceeds are routed through the Auxiliary group who now is a certified 501 (c) (3) non-profit group. The Auxiliary group has worked with Summit Productions in the past and have been successful in the fundraising efforts to provide needed equipment for the department. (end)

HUMAN RELATIONS COUNCIL

Scheduled Public Appearances:

Ms. Beth Byrd discussion on “Taste the Good Life” event to be held on Thursday, February 21, 2013 at the Washington Civic Center from 6:00 to 8:30 pm. This event is similar to the “Taste of Washington” sponsored by the Human Relations Council and Ms. Byrd invited the Human Relations Council to participate with the Washington Harbor District Alliance and Washington/B.C. Chamber of Commerce. The event “Taste the Good Life” will be in observance of George Washington’s Birthday.

Ms. Nancy Daniels, a resident of 323 Martin Luther King Jr. Drive, addressed the Human Relations Council concerning issues occurring in her neighborhood.

Chief Robbie Rose voiced co-partnering with the Human Relations Council to purchase a marker for the burial site of Ed Peed at Beebe Park as a project for next year. Chief Rose stated the estimated cost of the marker would be in the neighborhood of \$595 and would not include any artwork.

By motion of Board member Hughes, seconded by Board member Howard, by consensus, the Human Relations Council approved supporting this project as one of our major events for the next fiscal year.

Discussion –Support of Asheville-Buncombe Community Relations Council (ABCRC)

By consensus, the Human Relations Council agreed not to support Asheville-Buncombe Community Relations at this time due to funding the events planned by the Human Relations Council.

Discussion- Proclamations:

- Human Relations Council Month
- Edward Peed Day
- Brotherhood/sisterhood Week
- ASALH/Black History Month

Board members requested to meet at City Hall on February 11, 2013 for the proclamations signage with Mayor Jennings.

FYI items addressed at this time- inclusive of January report, funds deposited into the Human Relations account from the Christmas Social, financial report, and public notification. (end report)

WASHINGTON HARBOR DISTRICT ALLIANCE –

2012 was marked with WHDA taking great strides in Economic Restructuring

Organizational Changes:

- Elected Chris Furlough as president replacing long term president Ross Hamory. Chris previously served as chair of Economic Restructuring.
- Created a new WHDA Vice President position and elected Trent Tetterton to fill the position. Trent will also serve as chair of Economic Restructuring replacing Chris Furlough.

- Elected long-time Music in the Streets organizer LaVon Drake to chair the Promotions committee.
- Elected Secretary of the CFA Society North Carolina, Clinton Sorenson to serve in the Treasurer position.
- Elected Selden Taylor, of Stocks and Taylor to Co-Chair the Design Committee with Bobby Roberson

Economic Restructuring Team (ERT):

- Petitioned city council and received approval for WHDA to serve as facilitator for the sale of Old City Hall. A suitable buyer was identified and the sale sanctioned by the city council. The new owner will open a landmark “destination restaurant” that will contribute to Washington as a tourist destination. WHDA worked with the new owners to successfully apply for and receive a \$200,000 grant offered through the NC Main Street Center. After many months of the new owner and WHDA working with Main Street, and state and national historical preservation organizations to finalize grants qualification terms and conditions including architectural plans, construction is finally scheduled to begin in early 2013 and be completed in the summer.
- Held meetings of interested parties regarding The Turnage Theater’s foreclosure and collected public input on the future scenarios for this important community cultural and arts asset. Continuing to work with City manager to pursue opportunities regarding The Turnage.
- Recruited and/or assisted several potential restaurant owners in opening new restaurants in the harbor district. Downtown Washington now has more good dining options than at any time in recent history....and yet another will be opening in the summer.
- Working with the city manager, property owners and prospective investors in promoting downtown hotel sites.
- Formed an active Maritime Team sub-committee to specifically address issues associated with our harbor district waterfront.

Maritime Team:

- Completed preliminary design plans for a lighthouse-like structure that will house boater and public bathrooms, and a new dock master station. Held public meetings to get the community’s input. Presented those findings to the Mayor and City Council and received approval to proceed. Applied for and received a \$200,000 CAMA grant for funding the project.
- Provides recommendation to local government on how our waterfront can be utilized to maximize its economic potential for the downtown.
- Formulated a timely report which the city’s parks and recreations department is using as input into a new management plan for the waterfront docks going forward.
- Developed and presented to city management a detailed waterfront lighting plan highlighting deficiencies in current lighting and non-functional fixtures.
- Initiated discussions concerning providing fuel for boaters and a mariners store on the waterfront.

General:

- Organized an ongoing Coffee with Council meeting, giving the downtown businesses an opportunity to meet directly with the Washington City Council and Mayor.
- Updated WHDA organizational and operational by-laws.
- Raised \$45,400 in sponsor donations.
- Campaigned for 72 foot schooner the Jeannie B to make Washington its homeport to support Washington as a tourism destination.
- Published the Beaufort County Wedding Guide to promote Washington as a wedding destination.
- Created a downtown Washington Business Directory.
- Created a music CD to promote WHDA’s Music in the Streets (MITS) events and Washington’s very talented local musicians who performed at MITS.
- Created new program that celebrates Washington’s past by hanging large window displays of historic images in the vacant buildings downtown.

- Participated in Branding initiative for Washington.
- Hosted NC Downtown Development Association Eastern NC Spring Conference.
- Hosted a three part “webinar” (property owners, public sector and tenants (retailers) to-do-list) by Roger Brooks titled “20 Ingredients of an outstanding downtown”.

Events:

- Expanded the Washington Marine Market & joined forces with BC Arts Council for all day musical entertainment at the event.
- Held Music in the Streets the third Friday of every month April-October.
- Created a new concert entitled “Downtown Motown” which brought people from the community and surrounding areas together to enjoy a day of Motown music in Festival Park.
- Held the Annual Pickin' on the Pamlico which raised \$5,000 for WHDA
- Worked with the Washington Noon Rotary helping to bring musical entertainment to Friday night of Smoke on the Water.
- Successfully hosted the Annual Washington Marine Market, which went from break even event to a money maker for WHDA
- Artwalk expanded from two dates a year to four dates a year.
- Added patriotic decorated boat contest to of July event.
- Added Popular 12 days of Christmas scavenger hunt to Hometown Holidays celebration.
- Continued hosting Saturday Market every Saturday and helped to expand the market to Wednesday’s at Beaufort County Developmental Center.

WHDA 2013 Board of Directors

Chris Furlough	President
Amy Ward	Secretary
Clinton Sorenson	Treasurer
Trent Tetterton	VP Economic Development
Bobby Roberson	Design Co-Chair
Selden Taylor	Design Co-Chair
LaVon Drake	Promotions Chair
Garleen Woolard	Organization Co-Chair
Rebecca Clark	Organization Co-Chair

EX-OFFICIO

Catherine Glover	Past President/Chamber of Commerce
Josh Kay	City Manager
Lynn Lewis	Tourism Authority

ACTIVE

ADVISORS

Mac Hodges	Promotions
Rich Morin	Logistics
Tom Miller	Sat. Market Manager/LWSS
Doris "Dot" Moate	LWSS
Jayne Meisell	Merchants /Events
Leonard Huber	Sat. Market
David Carraway	IT- Video and Photography assistance
John Schermhorn	Window Clings/Design
Allen Futrell	MITS Music Coordinator
Fred Watkins	Chair Maritime Committee
Bill Sykes	Maritime Committee
	Past Treasurer
Alexis Sideris Davis	PR
Virginia Finnerty	Merchants, Events

FINANCIAL REPORTS (EMAILED AS AVAILABLE) – No comments at this time.

APPOINTMENTS:

Councilman Mercer noted the Historic Preservation Commission still has a vacant position and he encouraged Council members to recruit members for all of our boards. The Clerk will continue with advertising the vacant position.

OLD BUSINESS: None

APPROVE – RECOMMENDED CHANGES TO EMS CHARGES

City Manager Josh Kay explained EMS Management & Consultants, Inc. provides us recommendations regarding EMS charges. By following the 2013 calendar schedule for Medicare Rates; we should adopt the proposed fee schedule prior to July to enable us to implement fees for the 2013 calendar year. Specifically we are recommending the addition of the ALS Level 2 charge which we currently do not use, and the increase of the loaded mileage transport fee. All other fees will remain unchanged.

Medicare 2013 Allowable Amounts - EMS Management & Consultants, Inc.

Rural		27889	
Description	2013 Medicare Allowable (Rural)	Current Charge	Recommended Charge 130% of Medicare Fee Schedule
ALS Emg. Transport A0427	\$401.46	\$550.00	\$521.90
BLS Emg. Transport A0429	\$338.08	\$450.00	\$439.50
ALS Level 2 Emg. Transport A0433	\$581.07	No Current Chg.	\$755.39
Urban Mileage or Rural Mileage 18+ A0425	\$7.16	\$13.00	\$13.96
Rural Mileage 1 - 17	\$10.74	\$13.00	\$13.96

CURRENT / PROPOSED CHARGES

Prepared by: Robbie Rose, Fire Chief

Description	Current	Proposed
ALS Emg. Transport - Co. Resident	\$550.00	\$550.00
ALS Emg. Transport - Non-Co. Resident	\$655.00	\$655.00
ALS Level 2 Emg Transport	0	\$755.39
BLS Emg. Transport - Co. Resident	\$450.00	\$450.00
BLS Emg. Transport -Non-Co. Resident	\$555.00	\$555.00
ALS Treatment No Transport	\$350.00	\$350.00
BLS Treatment No Transport	\$250.00	\$250.00
Patient Transport Mileage Charge	\$13.00	\$14.00

ALS = Advance Life Support
 BLS = Basic Life Support
 Note: Level 2 ALS transport involves 3 or more ALS patient procedures
 Note: Level 2 ALS transport charges same for County & Non-County Residents

The request includes adding an advanced-life-support II fee (emergency transport) of \$755.39, which we currently do not charge. The request also seeks to increase the loaded mileage transport fee from \$13 a mile to \$14 a mile. The proposed changes were recommended by EMS Management & Consultants.

Councilman Mercer expressed concerns about the proposed changes, including how they could financially affect the many elderly people who use city-provided EMS. Mayor Pro tem Roberson said “unfortunately someone has to pay, either the individual to the city through Medicare or the City of Washington.”

City Manager Josh Kay suggested the issue be tabled until more information could be gathered.

APPROVE – PURCHASE ORDER TO NEO CORPORATION TO PERFORM THE ASBESTOS ABATEMENT OF THE OLD HEALTH DEPARTMENT (\$27,000)

City Manager Josh Kay explained this project has been going on for awhile and is a FEMA grant project. We are required to remove the asbestos from the facility. The demolition costs are less than \$10,000.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council approved a purchase order to NEO Corporation in the amount of \$27,000 to perform the asbestos abatement of the Old Health Department located at 403 Harvey Street through a FEMA grant project number PDM-PJ-04-NC-2010-003.

Bid for. Health Department
 Date: January 31, 2013

Item Description	NEO Corporation	W. F. Bulow Insp.	Enviro Assessment
Asbestos Abatement	\$27,000.00	\$28,565.00	\$27,165.00
Completion date:	March 8, 2013		

AWARD – AUDIT CONTRACT FOR FISCAL YEAR 2012-2013 (\$33,000)

City Manager, Josh Kay explained that in 2011 the Finance Department went out to bid for an independent auditor to perform the fiscal year 2010-2011 audit and Martin Starnes was awarded the bid. The Request for Proposal stated that the City intended to continue the relationship with the auditor for 5 years on the basis of annual negotiation after the completion of the first year's audit. The contract is consistent with the bid submitted and we are recommending that Council award the audit contract for fiscal year 2012-2013 to Martin Starnes, & Associates, CPA, PA in the amount of \$33,000.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council awarded the audit contract for fiscal year 2012-2013 to Martin Starnes and Associates, CPA, PA located in Hickory, NC at a cost of \$33,000.

**PUBLIC HEARING: KEVIN RICHARDS – COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) - ECONOMIC DEVELOPMENT & BUILDING REUSE
AND APPROVE LANGUAGE ACCESS PLAN**

Mayor Jennings opened the public hearing. Kevin Richards came forward and explained that this is the second of two public hearings that are required in the application process for the Community Development Block Grant program. The City is proposing to apply for a \$320,000 grant for the up fit of the former Brooks Boatworks building in the Industrial Park. The total anticipated cost for the up fit is \$640,000. The eligible grant amount is based on a projection of 16 new jobs at \$20,000 per job created by Oak Ridge Metal Works. The company had 9 employees as of December 20, 2012 and will have 25 employees by the time the grant is over. The company will design and build automation equipment for industry.

Mayor Pro tem Roberson inquired if this is a spinoff from Flander's Filters? Mr. Richards explained he believed this was a separate company. Mayor Pro tem Roberson expressed concern with any possibility of potential findings on this grant. Mr. Richards noted that the information from Oak Ridge Metal Works explained the company was started in 1997.

Councilman Mercer stated we are constantly looking at grants that are creating jobs and it is extremely difficult to follow the job creation path. We need to be extremely careful when looking at these grants and monitor them closely.

Councilman Pitt inquired as to what industry the equipment would be made for? Mr. Richards explained the company will make equipment for different manufacturing companies.

Councilman Brooks inquired about the number of employees and asked if the 9 current employees will count towards the grant? Mr. Richards explained that the 9 current employees will not count, the company will need to create 16 additional jobs for a total of 25 jobs.

Councilman Pitt inquired what was the grant deadline or time to comply with the grant requirements? Mr. Richards stated they have two years to comply with the grant requirements and they will also have the opportunity to request an extension if needed.

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

City Manager, Josh Kay reminded Council that if they wish to apply for the grant, they need to approve the Language Access Plan as well as the resolution for the City of Washington application for Community Development Block Grant funding for the Oak Ridge Metal Works-Building Reuse Project.

Councilman Mercer inquired if there was any cost associated with the grant for the City? Mr. Kay explained there would be an estimated cost of \$25,000 for administering the grant, if we pay an outside agency to administer the grant.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council adopted the resolution for the City of Washington application for Community Development Block Grant funding for the Oak Ridge Metal Works- Building Reuse Project. Motion carried.

Mr. Kay briefly explained the purpose of the Language Access Plan.

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council approved the Language Access Plan as presented. Motion carried.

**RESOLUTION FOR THE CITY OF WASHINGTON APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE OAK RIDGE
METAL WORKS- BUILDING REUSE PROJECT**

WHEREAS, the City Council has previously indicated its desire to assist in economic development efforts within the City; and,

WHEREAS, the City Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit Oak Ridge Metal Works; and,

WHEREAS, the City Council wishes the City to pursue a formal application for Community Development Block Grant funding to benefit Oak Ridge Metal Works;

WHEREAS, the City Council certifies it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the City Council that the City of Washington is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for Economic Development to benefit Oak Ridge Metal Works.

Adopted this the 11th day of February, 2013 in Washington, North Carolina.

Attest:

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

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

Language Access Plan

4-1

City of Washington, North Carolina

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, managers of all federally-funded programs or activities administered by the City of Washington, North Carolina, must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities of the City of Washington to ensure that LEP individuals can communicate effectively.

This policy and plan is effective February 11, 2013.

I. Scope of Policy

These requirements will apply to all partially or wholly federally-funded activities undertaken by the City of Washington (herein referred to as "the agency") including subcontractors, vendors, and subrecipients.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving subgrants from the agency.

II. Definitions

- A. Limited English Proficient (LEP) individual -Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with

health care providers and social service agencies.

- B. Vital Documents -These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance; and other outreach materials.
- C. Title VI Compliance Officer: The person or persons responsible for compliance with the Title VI LEP policies.
- D. Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

III. Providing Notice to LEP Individuals

- A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

List the current name, office telephone number and office address of the Title VI compliance officer(s):

Mr. Josh Kay, Washington City Manager
102 East Street, PO Box 1988
Washington NC 27889 Telephone (252) 975-9319

(Note: The agency must notify the DCA compliance office immediately of changes in name or contact information for the Title VI compliance officer.)

- B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

Identify areas within the agency where these signs will be posted:

- 1. County Social Services Department
 - 2. County Administration Building
 - 3. County Health Department
 - 4. Sheriff's Office
 - 5. County Schools
- C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public (including electronic text).
 - D. The agency will also disseminate information in the following manner:
(Describe how information will be disseminated. This may include, but not be limited to: dissemination of pamphlets explaining the rights in this policy.)
 - 1. Pamphlets in waiting rooms of county offices outlined in Section III-B
 - 2. City of Washington website

IV. Provision of Services to LEP Applicants/ Recipients

- A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:
 - a. the language needs of each LEP applicant/recipient
 - b. the points of contact where language assistance is needed; and
 - c. the resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.

2. Determining the Language Needs of the Population to be Served
The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:
 - a. The non-English languages that are likely to be encountered in its program will be identified.

 - b. An estimate of the number of people in the community for whom English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals, local entities should review:
 - 1) Census data
 - 2) school system data
 - 3) reports from federal, state, and local governments
 - 4) community agencies' information, and
 - 5) data from client files.

 - c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.

3. Determining the Language Needs of Each Applicant/Recipient
The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:
 - a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language.

Check all methods that will be used:
 - ✓ multi-language identification cards, a poster-size language list, or the use of "I speak" peel-off language identification cards for indicating preferred languages

 - ✓ English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy

 - b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client's primary language.

 - c. Staff will not solely rely on their own assessment of the applicant or recipient's English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge. A declaration of the client will be used to establish the client's primary language.

 - d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.

 - e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at

no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

B. Provision of Bilingual/Interpretive Services

1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours. This requirement will be met by available bilingual staff, employees of local community action organizations, and telephone interpreters.
2. The agency will provide language assistance at all levels of interaction with LEP individuals, including telephone interactions.

Describe how this requirement will be met:

The City of Washington will utilize qualified bilingual employees, qualified employees of local community action agencies, and paid interpreters or telephone interpreters when qualified county or community action agencies are not available.

3. Interpreter Standards

- a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth below. The agency will ensure that interpreters and self-identified bilingual staff, have first been screened to ensure that the following standards are met before being used for interpreter services:
 - 1) Can fluently and effectively communicate in both English and the primary language of the LEP individual
 - 2) Can accurately and impartially interpret to and from such languages and English
 - 3) Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services
 - 4) Demonstrates cultural competency
 - 5) Understands the obligation to maintain confidentially
 - 6) Understands the roles of interpreters and the ethics associated with being an interpreter

Describe how the agency ensures the competency of bilingual staff and interpreters:

The City of Washington will conduct competency review sessions of qualified bilingual/interpretive employees as part of employee's annual review process. The county department heads will personally evaluate the LEP qualifications of paid interpreters and employees of local community action organizations utilized for outsourcing of LEP-related tasks utilizing the criteria outlined above.

- b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.
4. Using Family Members or Friends as Interpreters'
- a. Applicants/recipients may provide their own interpreter; however, the agency will not require them to do so.
 - b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness or services or

violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.

- c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.
 - d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to temporarily act as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the DCA upon request.
5. The agency will not require the applicant/recipient to pay for bilingual/interpretive services.
- C. Provision of Written Translations
1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.
 2. Translation of Vital Documents
 - a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.
 - b. When forms and other written material related to federal assistance programs contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.
 - c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people, whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language.
 - d. The agency will keep a record of all vital documents translated, and will submit this information to interested state/federal agencies at their request.
 3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**
- D. Documentation of Applicant/Recipient Case Records
1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.
 2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicant's/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:
 - a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.

- b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to interested state/federal agencies upon request.
3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.

E. Staff Development and Training

1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:
 - a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.
 - b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.
2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.
3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients, and other entities receiving state or federal dollars are trained in the requirements of this policy.

Describe how this provision will be met:

A copy of this policy will be provided to all subrecipients/agencies and management contractors who participate in federally-funded programs managed by the City of Washington.

4. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients, and other applicable funded entities collect and maintain such information as well.

V. **Compliance Procedures, Reporting and Monitoring**

A. Reporting

The agency will complete an annual compliance report and send this report to interested state/federal agencies.

B. Monitoring

1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system providing by the interested state/federal agencies. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the interested state/federal agencies upon request.

2. The agency will cooperate, when requested, with special review by the interested state/federal agencies.

VI. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

1. The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee, and briefly describe the alleged violation of this policy.
2. The agency will maintain records of any complaints filed, the date of filing, actions taken, and resolution.
3. The agency will notify the appropriate state/federal agency and the Division of Community Assistance of complaints filed, the date of filing, actions taken, and resolution. This information will be provided within 30 days of resolution.

B. Investigation

1. The state/federal agency's Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

C. Resolution of Matters

1. If the investigation indicates a failure to comply with the Act, the local unit of government, Agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.
2. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the U .S. Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency .
3. If not resolved by the Division of Community Assistance, the complaint will be forwarded to the Department of Justice (DOJ), HUD Field Office, or other appropriate DOJ contact.

This the day of February, 2013.

SUBMITTED AND APPROVED BY:

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

ADOPT – CITY’S COMPREHENSIVE PLAN UPDATE

Mayor Jennings opened the public hearing. John Rodman, Planning Director explained that council members said the draft plan needed more work and elements added to make it more of a community based plan. Goals and objectives have been added to the following sections of the plan: transportation/mobility, housing/neighborhood, public facilities, commercial/business districts. Mr. Rodman feels these changes make this a more community wide plan. The changes were presented to the Planning Board during their January meeting and the Board voted unanimously to make a recommendation for Council to approve the Comprehensive Plan.

Councilman Mercer commented that page one stated the plan shows 2023 plan. Mr. Rodman said that usually the plans are a twenty year projection, but Planning Board members felt the plan should only reflect at 10 year projection. The plan will be revised to reflect the 10 year plan of 2013-2023. Councilman Mercer also noted corrections need to be made to Catherine Glover's title. The plan should look beyond the downtown area and it lacks specificity. (He will forward his other corrections to Mr. Rodman.) It has a lot of feel good statements. He further noted he would vote against the plan.

Mayor Pro tem Roberson explained this is a fluid document that references/reflects other documents adopted by the City.

Councilman Pitt asked if the plan is a changeable document and Mr. Rodman assured him the plan could be changed at anytime.

Councilman Brooks expressed that he can appreciate the Planning Board working on this project. He understood that sometime when you work on something it's hard to come to a clear decision. In some instances you have to vote on some things that you hope maybe it will be changed later, but you know what you're voting for at that time.

Councilman Moultrie thanked the Planning Board and staff for all of their hard work in preparing this document.

Dot Moate suggested sending the plan back to the Planning Board for additional review and possible revision. The council rejected her suggestion due to the Planning Board voting unanimously to approve and submit the plan to Council for consideration.

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

By motion of Councilman Moultrie, seconded by Councilman Brooks, Council accepted the recommendation of the Planning Board and adopted the City's Comprehensive Plan as provided with the corrections to be made that were outlined by Councilman Mercer. Motion carried 4-1 with Councilman Mercer opposing.

ADOPT/AUTHORIZE – ADOPT A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AND AUTHORIZE MATT RAUSCHENBACH TO ACT AS THE AUTHORIZED AGENT

Mayor Jennings opened the public hearing.

Josh Kay, City Manager explained this request is to refinance the USDA Loan that was used to construct Fire Station #2. Refinancing the loan, would allow the city to save money and pay off the loan 11 years sooner than originally expected. City Manager Josh Kay said the city would save \$1.3 million over the life of the loan by refinancing it. It is requested after the public hearing, that Council adopt a resolution authorizing the filing of an application for approval of a financing agreement as authorized by NCGS 160A-20 for the issuance of an installment purchase contract to refinance the USDA Loan . It is further requested that Council authorize Matt Rauschenbach to act as the authorized agent for this application. This resolution of findings along with a public hearing on the refinancing are requirements of the application of approval of installment purchases by the State of NC Department of State Treasurer, Local Government Commission. The application is scheduled to be submitted to the LGC February 14th and will be on the agenda for the LGC's review on March 5th.

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

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council adopted a resolution authorizing the filing of an application for approval of a financing agreement authorized by NC General Statute 160A-20 for the issuance of an Installment Purchase Contract to refinance the USDA loans for the construction of Fire Station 2 and authorized Matt Rauschenbach to act as the Authorized Agent for this application.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the City of Washington, North Carolina desires to refinance the USDA loans for Fire Station 2 (the "Project") with the proceeds from the issuance of an Installment Purchase Contract purchased by a single financing institution to better serve the citizens of Washington; and

WHEREAS, The City of Washington desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Washington, North Carolina, meeting in regular session on the 11th day of February, 2013, make the following findings of fact:

1. The proposed contract is necessary and expedient because the USDA loans can be refinanced at a lower interest rate with the same annual payments and result in the debt being repaid eleven years earlier.
2. The proposed contract is preferable to a bond issue for the same purpose because the issuance cost and interest rate is higher for general obligation bonds and the issuance of an Installment Purchase Contract can be done in a more expedient manner.
3. Based upon information provided to the Council, the costs of the financing described above is favorably comparable to the costs associated with other alternative means of financing and is acceptable to the Council.
4. The City of Washington's debt management procedures and policies have been carried out in strict compliance with law.
6. No increase in ad valorem taxes is necessary to service this debt.
7. The City of Washington is not in default in any of its debt service obligations.
8. The attorney for the City of Washington will render an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to act on behalf of the City of Washington in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 11th day of February, 2013.

The motion to adopt this resolution was made by Councilman Mercer, seconded by Mayor Pro tem Roberson and passed by a vote of 5-0.

Attest:

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

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

**AWARD - FINANCING BID FOR INSTALLMENT FINANCING USDA
REFINANCE(\$2,075,000)**

Council agreed to refinance the USDA loans in the January Council Meeting. Four proposals were received from financial institutions (see bid tab) on January 30, 2013. The budget ordinance amendment appropriates the payoff of the USDA loans and debt service for the new loan. Closing costs of \$7,900 will be paid from loan proceeds.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council awarded a \$2,075,000 installment purchase financing bid to BB&T contingent on approval from the LGC, adopted a resolution approving financing terms, authorized the C.F.O. to execute the necessary documents to close this transaction, and adopted a budget ordinance amendment.

**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 or decreased in the following accounts and amount to pay off the USDA loans:

10-00-3920-9101	Proceeds From Lease Purchase	\$2,067,100
10-00-3991-9910	Fund Bal. Appropriated	<u>561,855</u>
	Total	\$2,628,955

Section 2. That the General Fund appropriations budget be increased or decreased in the following fund accounts and amount:

10-50-4020-8002	Principal Payment USDA Loan	\$2,598,400
10-50-4020-8005	Interest Payment USDA Loan	(18,149)
10-50-4020-8100	Principal Payment Notes	33,031
10-50-4020-8300	Interest Payment Notes	<u>15,673</u>
	Total	\$2,628,955

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 11th day of February, 2013.

Attest:

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

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

RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Washington City (“City”) has previously determined to undertake a project for refinancing the City’s existing USDA debt (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated January 30, 2013. The amount financed shall not exceed \$2,075,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.58%, and the financing term shall not exceed 15 years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City’s official

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

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

Approved this 11th day of 2013.

Attest:

s/Cynthia S. Bennett
City Clerk

s/N. Archie Jennings, III
Mayor

DISCUSSION REGARDING VEHICLE PURCHASE REQUESTS

Councilman Mercer noted that he had asked the Manager earlier about the requests for vehicle purchases and was curious why the State contract price and the local price was different for the two truck cabs. He continued to explain that he didn't have the specifications for the vehicles when he asked that question. Now that he has seen the specifications for truck #513 and #619, he understands why there is a price difference. One truck calls for a dual rear axle and is a one ton truck. Currently, vehicle #619 is a Ford F-150 1/2 ton pickup truck. Councilman Mercer requested justification in moving from a 1/2 ton to a one ton pickup truck with a big work body. He suggested that Council continue the requests for the vehicle purchases until the requested information has been received. He also suggested that the vehicles used need to be standardized and he referenced the different types of SUV's in the Electric Department.

Mayor Jennings suggested that Council provide the standard guidance to staff for the City's vehicle fleet. In the meantime staff has requested vehicle purchases tonight.

(Moved From Consent Item D -) AUTHORIZE – PURCHASE ORDER TO PURCHASE A FORD EXPLORER THROUGH STATE CONTRACT (\$25,470.50)

Mr. Kay explained the Electric Department currently has four SUV's. The request tonight is to replace a Ford Explorer with a Ford Explorer. Councilman Mercer requested justification as to why a Jeep Liberty could not be used instead of the Ford Explorer. Keith Hardt, Electric Director said the Jeep Liberty is in the Meter Dept. which doesn't have to carry the same type of equipment. Mr. Hardt said the Ford Explorer is their standard vehicle, but for two years this vehicle was not on State contract. The extension sticks and fiberglass sticks will not fit in the Jeep Liberty. Mayor Jennings said information like this would be helpful for Council in standardizing vehicles. Mr. Hardt said that State contracts don't always have the same type of vehicles every year.

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council authorized the purchase of a Ford Explorer through State contract 070G Item 62. Motion carried 4-1 with Councilman Mercer opposing.

Vendor	Cost Per Unit	Delivery	Less Trade-In
Capital Ford	\$25,470.50	90 days	N/A
Grand Total	\$25,470.50		

(Moved From Consent Item E) - APPROVE – PURCHASE ORDERS TO PURCHASE A FORD CAB AND CHASSIS FROM PECHELES FORD TOYOTA AND A WORK BODY FROM QUALITY TRUCK BODIES (\$43,571.14)

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the purchase orders to purchase a Ford Cab and Chassis from Pecheles Ford Toyota and a work body from Quality Truck Bodies. This vehicle will replace vehicle #619.

Vendor	Cost Per Unit	Delivery
Pecheles Ford Toyota	\$33,267.96	60 -90 days
Quality Truck Bodies	\$10,303.18	14-21 days
Grand Total	\$43,571.14	

(Moved From Consent Item F) - APPROVE – PURCHASE ORDERS >\$20,000

Requisition #12105, \$45,875.32, to Butler Chrysler Dodge Jeep for two Dodge Chargers for the Police Department to replace vehicle #134, a 2005 with 121,232 miles, and #159, a 2005 with 106,022 miles and currently out of service mechanically. The vehicles will be purchased through the State contract and \$55,000 is budgeted for the purchase in 10-10-4310-7400.

Requisition #12472, \$20,550, to Booth & Associates for engineering services on substation rebuild, accounts 35-90-7220-0400 & 35-90-8370-0400. Mr. Kay explained the request is actually for the main substation at the Wastewater Treatment Plant being there are currently some problems with that substation. Councilman Mercer explained the budget book calls for the substation at White Post, but he is okay with the change as long as the funds are there.

By motion of Mayor Pro tem Roberson, seconded by Councilman Brooks, Council approved the following purchase orders #12105 and #12472.

ANY OTHER ITEMS FROM CITY MANAGER: NONE

**ANY OTHER BUSINESS FROM THE MAYOR OR OTHER MEMBERS OF COUNCIL
DISCUSS – USE OF FEMA LOTS AS COMMUNITY GARDENS**

Councilman Pitt discussed the potential use of FEMA lots as community gardens for non-profits and possibly partnering with the Master Gardeners Program. There are currently 40 FEMA lots being mowed. The lots are usually mowed twice a month during the growing season. Mayor Pro tem Roberson said he is not opposed to this type of activities, but we need to look at other municipalities who have had this type of project. He expressed concern with people taking items from the garden that doesn't belong to them. Concern was also expressed for clearing the garden after the growing season. A possible solution would be to sublease the lot to an adjoining residential property owner. Councilman Brooks agreed that allowing the adjoining property owner to lease the lot would be more beneficial to the City. Councilman Mercer suggested that the Master Gardener program adjacent to the Airport could be expanded as a much more viable approach. Councilman Pitt will report back to Council regarding the location of the 40 FEMA lots.

**CLOSED SESSION – UNDER § NCGS 143-318.11(A)(3) ATTORNEY CLIENT
PRIVILEGE – INCLUDING CITY OF WASHINGTON VS. ANNE & HARRY MEREDITH,
ET AL (08-CVS-105), AND NCGS 143-318.11(A)(4) ECONOMIC DEVELOPMENT**

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council entered into closed session at 6:45 pm under § NCGS 143-318.11(a)(3) Attorney Client Privilege – including City of Washington vs. Anne & Harry Meredith, et al (08-CVS-105), and NCGS 143-318.11(a)(4) Economic Development.

By motion of Councilman Pitt, seconded by Councilman Brooks, Council agreed to come out of closed session at 7:45pm.

ANNOUNCEMENTS:

Project Next Step's graduation ceremony will be held February 20, 2013 at 4:00pm, Fire Station #1.

ADJOURN

By motion of Councilman Pitt, seconded by Councilman Brooks, Council adjourned the meeting until February 25, 2013 at 5:30pm in the Council Chambers at the Municipal Building.

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