

The Washington City Council met in a regular session on Monday, July 10, 2017 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Mac Hodges, Mayor; Virginia Finnerty, Mayor Pro tem; Doug Mercer, Councilmember; Richard Brooks, Councilmember; Larry Beeman, Councilmember and William Pitt, Councilmember. Also, present Bobby Roberson, City Manager; Franz Holscher, City Attorney and Cynthia S. Bennett, City Clerk.

Mayor Hodges called the meeting to order and Councilmember Pitt delivered the invocation.

APPROVAL OF MINUTES:

By motion of Councilmember Pitt, seconded by Councilmember Brooks, Council approved the minutes of June 26, 2017 as presented.

APPROVAL/AMENDMENTS TO AGENDA:

Mayor Hodges reviewed the requested amendments to the agenda:

- Remove: Under New Business – Item A: Authorize Mayor to execute the Sanitary Sewer Service Agreement with F& R Properties, LLC
- Add: Under Other items from City Manager – Item E: Brunch Bill explanation

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

RECOGNITION:

David Carraway – UNC CGCIO Certification Program



Mayor Hodges poses for a photo with David Carraway, IT Director. David successfully graduated from the 2016-2017 Certified Government Chief Information Officers Program at the University of North Carolina at Chapel Hill's School of Government.

***Robbie Taylor – Associate in Applied Science
Fire Protection Technology***



Mayor Hodges poses for photo with Robbie Taylor, Fire Chief Robbie Rose and Police & Fire Services Director Stacy Drakeford. Robbie Taylor successfully graduated from Coastal Carolina Community College with an Associate in Applied Science – Fire Protection Technology Degree.

CONSENT AGENDA: NONE

COMMENTS FROM THE PUBLIC:

Mary Pat Mussleman stated she lives in the historic district on West 2nd Street and recently completed a three-year term on the Historic Preservation Commission. During her time on the HPC, she believes the members judged all requests fairly. Members were well versed in the guidelines and followed them accordingly. She expressed concern with the recent decision to remove Ed Hodges as Chairman of the Historic Preservation Commission. She suggested that Ed Hodges be allowed to remain Chairperson of the HPC and at the same time allow him to mentor another possible Chairperson.

Dee Congleton said preservation and the historic district equals economic development. The eastern and western historic districts have seen an increase in sales of real estate in the past twelve months – 18 homes sold in the past 12 months. She discussed the historic inventory and the historic

guidelines noting the guidelines are good and need to be enforced. According to John Wood, State Historic Preservation Office, Washington's guidelines are strong and do not need revising. Ms. Congleton expressed that Ed Hodges is about preservation and not just maintenance of a building. He was a good member of the Historic Preservation Commission and stood firm in enforcing the guidelines.

Tom Jardone – He came to Washington about eight months ago and fell in love with the town. He purchased a home on East Main Street with the goal to restore it while maintaining its original characteristics. He found the Historic Preservation Commission to be very informative and helpful, most especially Ed Hodges and Emily Rebert (Historic Planner). With their vast knowledge and commitment to holding up the standards of the guidelines, he feels this will increase the charm and economic value of the structures in the historic district.

PUBLIC HEARING – ZONING - 6:00PM: NONE

PUBLIC HEARING – OTHER – 6:00PM: NONE

SCHEDULED PUBLIC APPEARANCES: NONE

CORRESPONDENCE AND SPECIAL REPORTS: NONE

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES:

HUMAN RELATIONS COUNCIL (approved as presented)

SCHEDULED PUBLIC APPEARANCES: NONE

OLD BUSINESS:

Review & Discussion - "From a Renter to an Owner" Fair Housing Event: Chairperson Wright reviewed the "From a Renter to an Owner" Fair Housing event held on Tuesday, 5-12-2017. Chairperson Wright acknowledged advertising and communication was very good this year but feels the participation was slower due to the inclement weather. All speakers were excellent and information very well delivered. Board member Griffin discussed Ms. Janet Rodman's presentation and inquired what if anything can be accomplished through the HRC Board to assist the Hispanic community. When you are presented with the dangerous situations these individuals are living in (i.e. no working bathrooms, utilities, dangerous wires, etc.,) you would love to at least be able to direct them to where they can find some assistance. Board member Horton stated applicants are not being accepted through Section 8 at the moment. Board member Griffin continued and inquired if as a group (HRC members) can we push to find out where these individuals reside and make a presentation before City Council on their behalf.

HRC members suggested extending an invitation to Ms. Rodman for a one on one presentation at the July 11, 2017 meeting to explore this issue. Board member Griffin agreed to contact Ms. Rodman and invite her to the scheduled meeting.

Chairperson Wright and several Board members inquired about the summer children feeding program. Board member Montague shared statistics involving children within the city/county and emailed the information:

NEW BUSINESS:

Appointments - Reviewed names of individuals submitted to City Council.

OTHER BUSINESS:

FYI - All FYI items and reminders were discussed inclusive of the May 9, 2017 report submitted to City Council and the financial report (\$133.87 unused expenditures FY 2016-17).

OPEN DISCUSSION:

Criminal Justice Program Administrator, Kimberly Grimes reviewed the upcoming projects for Police and Fire Services. Ms. Grimes voiced the 2017 Community Day may be rescheduled to coincide with National Night Out depending on the weather. National Night Out has been scheduled for Tuesday, August 1, 2017 from 6-8PM at Beebe Park.

APPOINTMENTS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

Item Removed From Agenda: AUTHORIZE – MAYOR TO EXECUTE THE SANITARY SEWER SERVICE AGREEMENT WITH F & R PROPERTIES, LLC

ADOPT – REVISED RECREATIONAL SPORTS PROGRAM AGREEMENT

BACKGROUND AND FINDINGS: *The Recreation Advisory Committee requested the following revisions for the Recreational Sports Program Agreement:*

- *Perform a criminal record check on all Sport Program officers, board members, and coaches before they assume any Sport Program duties. Sport Program shall provide the City with a copy of any such required criminal record check upon request.*
- *Perform a criminal record check on all Sport Program team mom/dads before they assume any Sport Program duties.*
- *Each such roster shall include a list of any and all coaches for each team. Sport Program shall promptly notify the City in writing if there are any changes to any roster, including changes to any coaches, during the Sport Program period.*
- *The Recreation Department should provide approved websites to use for background checks.*
- *Include the scholarship opportunities previously offered by the City.*
 - *For every fifty (50) paying participants in the Sport Program during any one season, the City will exempt the Sport Program from paying one participant fee for a scholarship awarded by the Sport Program based on need. Said exemptions/scholarships shall not exceed ten (10) for the Sport Program period identified hereinabove.*

Previous Legislative Action: The Recreational Sport Program Agreement was last revised in 2012.

Councilmember Mercer suggested a revision regarding background check – he suggested adding “grandparents, and/or legal guardians” as it is not always parents who are raising the children.

- *Perform a criminal record check on all Sport Program team mom/dads, **grandparents, and/or legal guardians** before they assume any Sport Program duties.*

A motion was made by Councilmember Mercer to adopt the revised Recreational Sports Program Agreement with the addition of the wording “grandparents, and/or guardians” (as it relates to: *Perform a criminal record check on all Sport Program team mom/dads, **grandparents, and/or legal guardians** before they assume any Sport Program duties.*) Motion failed for lack of a second.

Councilmember Beeman noted that Council had previous discussions regarding lowering the participant fee. He would like to strike the \$30 participation fee and reduce it to \$15.

Mayor Hodges asked Kristi Roberson, Parks and Recreation Director if the \$30 participant fee had an impact on the number of participants. Ms. Roberson explained the \$30 fee did have some impact on the number of children signing up for sports.

Councilmember Mercer said he concurs with the concept that we would like all children to be able to participate in every activity that the City offers. We have to recognize each of these activities cost the City. He noted the league programs cost us about \$500,000 a year, even with the \$30 participant fee. Mayor Hodges said if parents have more than one child, or if children want to participate in more than one activity, the fee becomes cost prohibitive. Councilmember Mercer discussed the opportunity for scholarships.

Councilmember Mercer withdrew his motion due to the discussion involving changing the participant fees (motion had already died due to lack of a second). He stated the fees should have been discussed during the budget workshops. Councilmember Beeman explained that during the last meeting Council was advised to wait to have the discussions regarding fees until the agreement came before Council for renewal – now is the time to have the discussions regarding changing the fees.

Mayor Pro tem Finnerty asked Ms. Roberson her professional opinion regarding the fees. Ms. Roberson noted her professional opinion was that children do not need to play for free because they have no ownership in the program. Although she does receive complaints from parents regarding the fee if they have more than one child participating in the program, the fee still needs to be affordable. Mayor Pro tem Finnerty asked about a \$20 fee with a reduction for more than one child. Ms.

Roberson stated if the Parks and Recreation Department was in charge of the registration, then that would not be an issue, but each league is responsible for registrations for their individual programs.

Councilmember Mercer suggested that we lease the facilities to the leagues for \$1.00 a year and they take care of all of the maintenance.

Councilmember Pitt inquired what programs are going on now and Ms. Roberson reviewed the upcoming schedule.

Councilmember Brooks stated he liked the idea of having the fee affordable so all children can participate. Sports give children a chance to express themselves and mature. He is in favor of the \$15 fee, as it will encourage more participation in the programs.

By motion of Councilmember Beeman, seconded by Councilmember Brooks, Council adopted the revised Recreational Sports Program Agreement with the addition of the wording “grandparents, and/or legal guardians” (as it relates to: *Perform a criminal record check on all Sport Program team mom/dads, grandparents, and/or legal guardians before they assume any Sport Program duties.*) and lowered the participant fee from \$30 to \$15. Motion carried 3-2 with Councilmembers Mercer and Pitt opposing.

APPROVE – THE PURCHASE OF PROPERTY LOCATED ON US 264 EAST, ADJACENT TO CHUBBY’S CARPET CENTER (HORACE GENE WOOLARD PROPERTY) FOR USE BY THE ELECTRIC DEPARTMENT AND APPROVE SUBSEQUENT PO

City Manager, Bobby Roberson reviewed the request with Council noting, the purpose of the acquisition is to install a communication tower for SCADA System and provide for additional room to operate in our existing Forrest Hills substation. The current site is functional, but is difficult to work within the existing space for the Electric Department. The additional site will serve two needs for our operation:

1. The communication tower for the SCADA system (please note the original location was along Hodges Road; however, after further review the site along US 264 East provide a better alternative site for our system).
2. The property provides for the future expansion of the substation.

Further investigation determined the site on Hodges Road is within 300 feet of the flood zone. Discussions were held during the budget process and funds have been provided for the purchase of the property. Staff believes this site is cost effective and the dollar amount has been included in the line item budget: 35-90-8370-7400.

Councilmember Mercer reviewed the original request was to buy land and build on Hodges Road. He discussed the history of the request as well as the cost associated with it. He concurs with the purchase of the property on US Hwy 264 East because it is available for future expansion needs. He also thanked the City Manager for background information included in the request regarding the circuits and asked for that same information for the other substations.

By motion of Councilmember Mercer, seconded by Mayor Pro tem Finnerty, Council approved the purchase of the property located on US Hwy 264 East, adjacent to Chubby's Carpet Center (Horace Gene Woolard Property) for use by the Electric Department and approved the subsequent PO.

ADOPT – RESOLUTION OF INTENT TO CONSIDER CLOSING AND ABANDONING A PORTION OF MARTIN STREET IN ROSEDALE

BACKGROUND AND FINDINGS: The City of Washington received a petition from Peace Chapel Free Will Baptist Church and is considering a resolution to close a portion of Martin Street in the Rosedale Subdivision and intersects with West 5th Street. If the City adopts the Resolution of Intent to close the street a public hearing shall be scheduled. The Resolution is required to be published four consecutive weeks in the local newspaper. In addition adjoining property owners have to be notified and the Resolution posted at each end of the right-of-way.

By motion of Councilmember Pitt, seconded by Councilmember Brooks, Council adopted the Resolution of Intent to close and abandon a portion of Martin Street in the Rosedale Subdivision that intersects West 5th Street (Hwy 264) as shown on the attached map and scheduled a public hearing for

the next scheduled City Council meeting on August 14, 2017 to consider a resolution ordering the closing and abandoning of said portion of Martin Street.

**A RESOLUTION DECLARING
THE INTENT OF THE CITY OF WASHINGTON TO CONSIDER
CLOSING AND ABANDONING A PORTION OF MARTIN STREET AND RIGHT-OF-WAY**

WHEREAS, the City Council (Council) for the City of Washington, North Carolina (City) exercises general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits or its extraterritorial jurisdiction pursuant to North Carolina General Statute § 160A-296 *et seq.*

WHEREAS, North Carolina General Statute § 160A-299 authorizes cities to close public streets and alleys and prescribes procedures for carrying out said authority.

WHEREAS, the City finds it to be advisable and in the public's best interest to conduct a public hearing for the purpose of giving consideration to the closing and abandoning of a portion of Martin Street and right-of-way, said portion consisting of all of that area as shown on the map attached hereto and/or available for review in the office of the City Clerk and to which reference is herein made for a more complete and accurate description.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Washington, North Carolina as follows:

Pursuant to North Carolina General Statute § 160A-299, a public hearing will be held at 6:00 p.m. on the 14th day of August 2017 in the City Council Chambers, Room 214, of the Municipal Building to consider a resolution that would order the closing and abandoning of a portion of Martin Street, said portion being more particularly described as follows:

- 1) All of that area labeled "Abandoned Portion of Martin Street and Right-of-Way" as shown on the map attached hereto attached and/or available for review in the office of the City Clerk and to which reference is herein made for a more complete and accurate description.
- 2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Washington Daily News, or other newspapers of general circulation in the area.
- 3) The City Clerk is further directed to transmit by registered or certified mail a copy of this Resolution of Intent to each property owner abutting upon that portion of said Martin Street and right-of-way under consideration to be closed and abandoned.
- 4) The City Clerk is further directed to prominently post this Resolution of Intent in at least two places along the portion of Martin Street and right-of-way that is under consideration to be closed and abandoned as notice of said public hearing and the consideration being given to close as well as abandon a portion of Martin Street and right-of-way.

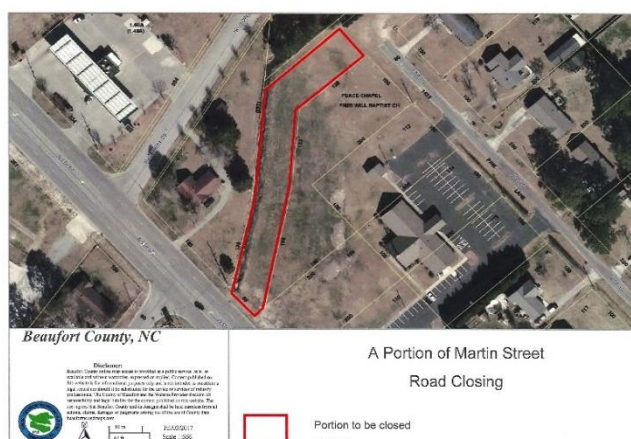
Upon motion made by Council member William Pitt, and duly seconded by Council member Richard Brooks, the above Resolution was duly adopted by the City Council at the meeting held on the 10th day of July 2017 in the Council Chambers of the Municipal Building.

Upon call for a vote, the following Council members voted in the affirmative: William Pitt, Richard Brooks, Larry Beeman, Virginia Finnerty and Doug Mercer.

ATTEST:

s/Cynthia S. Bennett
CITY CLERK

s/Jay MacDonald Hodges
MAYOR



ADOPT – DECLARATION OF OFFICIAL INTENT TO REIMBURSE

Matt Rauschenbach, Administrative Services Director/C.F.O explained installment financing is budgeted for fiscal year 2018. This declaration authorizes the City to reimburse itself for Council approved expenditures prior to the issuance of debt. It is anticipated that requests will be made for some purchases prior to the issuance of debt due to necessity, the ability to complete this fiscal year, and to avoid price increases. This is the process that has been used for the last 5-6 years and is only a formality. The purchase would have to come back to Council to determine the type of financing to use (cash or borrow money from the bank).

Councilmember Mercer discussed this item is a formality that has been brought before Council many times in the past. The only item in the FY17-18 budget is for the replacement of a 2009 sewer vac truck with a purchase price of approximately \$330,000. There is adequate funding in the sewer fund. The latest financial statements shows the sewer fund has an un-encumbered balance of \$361,000 from last year, so that fund balance will go up by \$361,000.

By motion of Councilmember Mercer, seconded by Councilmember Beeman, Council authorized staff to purchase the replacement sewer vac truck out of fund balance (sewer fund).

Councilmember Mercer noted this would save approximately \$25,000 in interest.

ANY OTHER ITEMS FROM CITY MANAGER:
UPDATE AND ACTION – LIBRARY RENOVATION ACTION REQUEST IN THE
AMOUNT OF \$8,000 ~ STEVE MOLER

The City Manager explained the library had an original budget request of \$40,000. Due to budget restraints, this funding was removed from the budget. If Council chose to approve the renovation request of \$8,000, the money would have to come from fund balance.

Steve Moler, Brown Library Board of Trustees reviewed the request for funding the renovation of the elevator portion of the library as well as the periodical rooms. The cost for renovations would be \$7,500-\$8,500. He asked Council to consider assisting the library with \$8,000 for the renovations.

There were no questions from Council regarding the request.

By motion of Councilmember Pitt, seconded by Councilmember Beeman, Council approved the request to appropriate \$8,000 from fund balance to assist Brown Library in the renovations of the elevator area and periodical room. Motion carried 4-1 with Councilmember Mercer opposing.

UPDATE – FARMER’S MARKET, WHDA

The City Manager provided an update on the farmer’s market. Washington Harbor District Alliance (WHDA) will be moving into the former McClellan’s building. They will be renovating this building and moving their offices and the farmer’s market to this new location.

Councilmember Pitt and Councilmember Brooks asked for confirmation that the farmer’s market will stay in the current location until the end of the season and Mr. Roberson confirmed.

Councilmember Mercer noted that WHDA asked City Council to move the farmer’s market to the current location and Council agreed to their request.

UPDATE – CITY CODE ~ MESSAGE BUSINESS AMENDMENT PROPOSAL

The City Manager noted the City Code references a provision regarding massage businesses and the need for those businesses to obtain a business privilege license, which triggers the permit process to move forward. Since cities no longer collect business licenses, this provision needs to be amended in the City Code and the amendment will be presented to Council on August 14.

DISCUSSION – STREETSCAPE

Frankie Buck, Public Works Director reviewed that the south end of Market Street between Main Street and Second Street will be excavated and the street will be closed for the duration of the project (approximately three weeks). Concerning installing electrical at the same time, Mr. Buck noted it can be done, but we need to make sure we do not impede the work of the contractor.

Mr. Roberson noted he met with members of the WHDA staff and they will bring forward the draft streetscape masterplan that was prepared in February 2016. They will be asking Council to adopt the plan and re-implement the streetscape committee.

Councilmember Mercer asked for a list of the streetscape committee members, noting there needs to be a broad spectrum of members and not just members of WHDA. John Rodman stated he would provide a list of the committee members to the City Manager/City Council.

“BRUNCH BILL”

The City Manager reviewed the “Brunch Bill” with Council noting this bill allows the sale of alcohol beginning at 10:00am on Sunday’s. Councilmember Mercer asked if this applies only to facilities that serve food and Mr. Roberson stated no, it applies to any facility that sells alcohol (restaurants, convenience stores, grocery stores, etc.). Mr. Roberson explained this item would be formally presented to Council on August 14.

Councilmember Beeman said if the State has approved this, do we have to vote on it as well. Mr. Roberson explained our City Code would have to be amended. Councilmember Mercer explained NCGS allows municipalities to adopt an ordinance to regulate the sale of alcohol on Sunday– our existing ordinance limits the sale of alcohol beginning at noon on Sunday. The existing ordinance complies with the previous State law; this bill allows the sale of alcohol beginning at 10:00am on Sunday. Mayor Pro tem Finnerty said this is a bill that promotes tourism. Mr. Roberson will forward a copy of the bill along with the summary provided by the NC League of Municipalities to Council.

**ANY OTHER BUSINESS FROM THE MAYOR OR OTHER MEMBERS OF COUNCIL:
DISCUSSION – HOUSE BILL 900 ~ COUNCILMEMBER PITT**

Councilmember Pitt discussed the ¼-cent sales tax that is moving through the General Assembly at this time – although it has not been passed as of yet. The funds would come back to the city from the State Treasurer’s office – the predicted amount to be returned to the City of Washington is approximately \$200,000. These funds could help us recover from the privilege license fees that we lost several years ago. He hopes the City will support the ¼-cent sales tax increase.

**REPORT – JLUS (JOINT LAND USE STUDY) COMMITTEE ~
COUNCILMEMBER PITT**

Councilmember Pitt stated he has served on the Joint Land Use Study Committee for Seymour Johnson Airforce Base for the last four year. It was formed by former Governor Pat McCrory and includes counties/municipalities that are in the flight-training path (Beaufort, Bertie, Dare, Hyde, Tyrrell, Washington, Wayne, City of Goldsboro and City of Washington). They are currently reviewing fly over maps at this time.

**CLOSED SESSION: UNDER NCGS §143-318.11 (A)(3) ATTORNEY CLIENT PRIVILEGE,
(A)(5) ACQUISITION OF PROPERTY AND (A)(6) PERSONNEL**

By motion of Councilmember Pitt, seconded by Councilmember Brooks, Council agreed to go into closed session at 6:25pm under NCGS§143-318.11 (A)(3) Attorney/Client Privilege, (A)(5) Acquisition of Property and (A)(6) Personnel.

By motion of Councilmember Beeman, seconded by Mayor Pro tem Finnerty, Council agreed to come out of closed session at 7:30pm.

ADJOURN:

By motion of Councilmember Pitt, seconded by Councilmember Brooks, Council adjourned the meeting at 7:30pm until Monday, August 14, 2017 at 5:30pm, in the Council Chambers.

Cynthia S. Bennett, MMC
City Clerk