



JULY 18, 2011  
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval of minutes from June 6, 13, & 27, 2011 **(page 5)**

Approval/Amendments to Agenda

**Presentations - Winners of the 8<sup>th</sup> Grade Stormwater Contest:**

Taylor Abele  
Rachel Alligood  
Zack Crawford  
Heather Shea

I. Consent Agenda:

- A. Amend – Chapter 18, Section 18-128 – One-hour Parking Areas **(page 50)**
- B. Adopt – Budget Ordinance Amendment and a Capital Project Ordinance for the Main & Respass Lift Station Project **(page 52)**
- C. Approve – Budget Ordinance Amendment Stormwater Improvements **(page 56)**
- D. Approve – Purchase Orders >\$20,000 **(page 58)**

II. Comments from the Public:

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

- A. None

IV. Public Hearing – Other:

- A. Consider – Grant Application submission for the Talent Enhancement Grant Program **and** Adopt all supporting Compliance Policies **(page 63)**
- B. Consider – Grant Application Submission for 2011 Edward Byrne Memorial Justice Assistance Grant **(page 75)**



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- V. Scheduled Public Appearances:
- A. Tom Thompson – Presentation
  - B. Bob Henkel – Flag Update
- VI. Correspondence and Special Reports:
- A. Memo – Load Management Device Report (**page 76**)
  - B. Memo – Sprout Renewable Energy Kiosk (**page 77**)
  - C. Memo – Civic Center Deck Repair (**page 81**)
  - D. Memo – Bulletproof Vest Partnership Grant – Update (**page 82**)
  - E. Memo – Washington-Disruption of Street Drug Sales- 2011 (\$9,409.69) (**page 83**)
  - F. Memo – SeaTow Pamlico Press Release (**page 85**)
  - G. Memo – N.C. Department of Environment and Natural Resources Press Release/Clean Marina (**page 87**)
  - H. Memo – Reporting of Reallocation of Funding (**page 89**)
- VII. Reports from Boards, Commissions and Committees:
- A. Human Relations Council (**page 91**)
  - B. Financial Reports (**emailed as available**)
- VIII. Appointments:
- A. Appointments – to Various Boards, Commissions, and Committees (**page 93**)
- IX. Old Business:
- A. Accept & Adopt – the Recommendation of the Planning Board **and** Adopt the Ordinance to amend Chapter 20, Article 1, of the City Code (Graffiti) (**page 120**)



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- B. Approve & Authorize – Acting City Manager to execute Change Order # 2 for Phase 1 Festival Park to WIMCO (\$1,164.08) for new contract amount (\$128,074.53) **(page 124)**
- C. Approve & Authorize – Acting City Manager to execute a change order for Phase 1 Festival Park to Mark Smith, Architect (\$1057.75) for new contract amount (\$20,417.75) **(page 132)**
- D. Approve & Authorize – Acting City Manager to execute a change order for Phase 2 Festival Park to Mark Smith, Architect (\$588.29) for new contract amount (\$25,538.29) **(page 133)**
- X. New Business:
  - A. Approve – to Allow Type V Construction in Washington’s Primary Fire District – Festival Park Restroom Facilities **(page 135)**
  - B. Approve & Authorize – the Mayor to execute a Municipality Resolution as required by the NC Department of Insurance for verification of service **(page 137)**
  - C. Adopt – Resolution Authorizing the Designation of the Bowers-Tripp House to Historic Landmark Status **(page 139)**
  - D. Award – Contract to W. O. White, LLC for Exterior Fire Protection System Improvements at Impressions (\$134,985) **(page 145)**
  - E. Accept & Authorize – Accept Bid, Award Contract to Stocks & Taylor **and** Authorize Acting City Manager to sign contract (\$145,750 with an additional \$7,300 as a 5% contingency) for Phase 2 in the “Festival” Park PARTF Project **(page 147)**
  - F. Approve – Amended By-Laws under Article III, Page 4-Section 6 of the Washington/Beaufort County Human Relations Council **(page 166)**
  - G. Approve – Uncollectible Accounts Receivable Write-off Policy **(page 174)**
  - H. Adopt – Final Budget Ordinance **and** Project/Grant Ordinance Amendments for FY 10/11 **(page 177)**
  - I. Award – Contract for Labor and Equipment for the Lightning Retrofit Project **and** Approve Purchase Order for same **(page 181)**



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- XI. Any Other Items From City Manager:
- A. None
- XII. Any Other Business from the Mayor or Other Members of Council
- A. Adopt – Resolution to Reject Merging Beaufort County Community College with another Community College – Mayor Jennings  
**(page 182)**
- XIII. Closed Session – Under § NCGS 143-318.11(a)(6) Personnel and NCGS § 143-318.11(a)(1) Disclosure of Confidential Information and NCGS § 143-318.10(e) Public Records Act
- XIV. Adjourn – Until August 8, 2011 at 5:30 pm, in the Council Chambers at the Municipal Building.

**CITY COUNCIL MINUTES  
WASHINGTON, NORTH CAROLINA**

**June 6, 2011**

The Washington City Council met in a continued session on Monday, June 6, 2011 at 5:30 pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Bobby Roberson, Mayor Pro tem; Doug Mercer, Councilman; Edward Moultrie, Councilman; Gil Davis, Councilman; William Pitt, Councilman; Pete Connet, Interim City Manager; Cynthia S. Bennett, City Clerk and Franz Holscher, City Attorney.

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

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

**APPROVAL/AMENDMENTS TO AGENDA**

Mayor Jennings requested moving the discussion of Outside Agencies to the beginning of the agenda. Also, following the discussion of Outside Agencies move the discussion item#2 – Review- Contingency Position Increase in All Funds Based on Council Budget Workshops.

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

Mayor Jennings voiced this is a special meeting and not the Committee of the Whole so there is no time limit; if Council would please try to get as much as possible accomplished tonight. By doing this, staff will have enough time to implement or make the necessary adjustments as directed by Council. Mayor Jennings noted he would like to have a resolution presented at the regular meeting on June 13, 2011.

**BUDGET WORKSHOP – OUTSIDE AGENCIES**

Mr. Connet stated the budget presented to Council included a 10% reduction from last year's authorized amount or if the requested amount was a reduction, we left it at the requested amount. Some agencies requested the same as last year's budget and some requested an increase. Mr. Connet cited the Human Relations Council as an example. Last year the HRC requested \$1,200 vs. \$500 for this year, so it was left at the requested amount. Two items added: 1: The Veterans Park (\$10,000) and 2: The Washington Community Care Coalition. Mr. Connet did not recommend funding for the new agencies when we are struggling for money.

Councilman Mercer expressed his concern over the Human Relations Council having monies left in their budget. At the end of the year it should revert back to the

General Fund and the Board should make a request to Council if it could be given to another organization and not seek ways to use the money. Councilman Pitt explained at meeting before last, a lot of the money was not spent. The HRC sought and received public/private donations. Also, Board members pulled funds out of their pocket, citing the Negro League, Jim's reception and Ed Peed Commemoration. Unfortunately, the Multicultural Festival will come out of next year's budget and \$500 which will not cover very much.

Mr. Connet voiced the HRC has done a real good job in seeking donations during the time he's been Interim City Manager.

Mayor Pro tem Roberson stated we should have an accounting system to where the money is going from the non-profit agencies. Agencies should have a budget that has been adopted and should itemize the proposed budget for the fiscal year. Mr. Rauschenbach noted this information is provided during the early stages of the budget process, it is part of the application request. Councilman Davis clarified by stating each organization has provided this information and Mr. Connet responded 'yes' along with an audit report.

Councilman Pitt reminded Council that the Human Relations Council is a City Board and receives minor funding, so it's really not an outside agency but more internal. Councilman Pitt noted, to the best of his knowledge, this is the only Board that receives funding from the City.

Councilman Moultrie stated he understood the funding for The Washington Care Coalition, funding would be dropped from the County's budget this year and if the City Council could see any way of funding this organization \$500. Councilman Moultrie stated this program helps individuals during the Christmas holidays. Councilman Pitt agreed. Council directed staff to pull the \$500 from other agencies.

Mayor Jennings took a nonbinding "straw poll" and requested a show of hands for everyone in favor of reallocating \$500 to The Washington Care Coalition from an existing: 5-0 in favor.

Mr. Connet sought clarification on the request from the Turnage Theater Foundations. Council tentatively approved providing \$22,000 by way of direct allocation. This amount combined with an \$8,000 return of property taxes will give a total contribution of \$30,000 in fiscal year 2011-12.

It was noted that for several years, the City has "forgiven" the foundation's annual property taxes and this agreement will continue for several more years. In addition to "forgiving" the foundation's property taxes, the end of this fiscal year (June 30) ends the five-year agreement in which the City appropriated \$100,000 (plus) a year to the foundation.

Mayor Jennings noted all these organizations are worthy causes and that ground work be laid so these agencies will know what to expect from the City next year. This may be something the Human Relations Council could help us with – making sure there is some accountability as to how we deal with our Outside Agencies.

**REVIEW – CONTINGENCY POSITION INCREASE IN ALL FUNDS BASED ON COUNCIL BUDGET WORKSHOPS**

Mr. Connet noted this item contains recommendations made to Council earlier and contains some new recommendations.

(Begin memo): Subject: FY 11-12 Budget Adjustments Through 5/23/11 meetings.

Attached please find a spreadsheet which shows the proposed increases and decreases in the respective Funds from the initial recommended budget. The easiest method of showing the impact of the changes you have discussed to date is to show the resulting increase or decrease in the contingency line. There is a description of all the changes discussed so far and any new information that staff has obtained since the budget was first presented.

After the final budget work session on June 6<sup>th</sup>, staff will go back and change the individual departments and their line items that will reflect the changes shown on the “Contingency Position” sheet which is attached, and any final changes made at the June 6<sup>th</sup> meeting.

**(Copy of spreadsheet attached)**

Mr. Connet explained the thorough process given to each line on the worksheet. Mr. Connet stated they tried to keep in balance and still increase the contingency lines with the net result showing at the bottom.

Council reviewed several suggested options that would have increased six contingency funds by the following amounts:

- General fund, from \$25,540 to \$112,946.
- Electric fund, from no amount to \$27,940.
- Water fund, from \$17,530 to \$19,009.
- Sewer fund, from \$24,051 to \$35,543.
- Stormwater fund, from \$2,006 to \$2,072
- Solid waste fund, from \$36,327 to \$36,820.

The proposed overall budget had a total of \$105,454 in contingency allocations for those six funds combined. The document reviewed by Council increased that amount to \$234,330.

Following the review, Council rejected some of the suggestions, reducing the \$234,330 to \$101,000.

Mayor Pro tem Roberson requested clarification if the City was under any obligation to pay Economic Development Commission funding of \$91,780. Mr. Rauschenbach shared there is an agreement through the County but not sure of the term of the agreement. Mayor Jennings stated the agreement was adjusted two (2) years ago. We reduced the City funding of EDC and the County reduced their funding of a like amount of what was then DWOW. This resulted in a shifting of the ratio and we also lost an appointment seat on the EDC. Councilman Mercer suggested we are locked into that ratio and there is a need to have a review of where the expenses are going. Mayor Jennings mentioned he requested of staff to present this information to Council and Mr. Rauschenbach explained this information was forwarded to Council earlier showing EDC's budget and the amount of reduction by the other municipalities' - contribution with the remaining balance split 2/3 County and 1/3 City. Ms. Radcliffe shared we pay this in February of each year. Mayor Jennings requested, in addition, to see a cash flow that is beneficial to the City. The City should have an annual presentation from EDC detailing how the money is being spent (justification). Mayor Pro tem Roberson requested working out a payment schedule beneficial to the City (March or April) and Mr. Rauschenbach agreed we could pay later during the year. Mayor Jennings requested inviting the EDC Director to give an update to Council on EDC funds at July meeting.

Mr. Connet shared the EDC funding and the WHDA was the two largest in the General fund to help push the contingencies up to \$112,946. Mayor Jennings requested Mr. Connet or Mr. Rauschenbach explain the logic behind the Water Reserve Fund and the Sewer Reserve Fund allocations. Mr. Rauschenbach explained two Capital Reserve Funds 1: Water and 2: Sewer but the impact fees are typically reserve and as capital improvements come forth in the future to the facilities then you can utilize those reserve funds for that use. Mayor Jennings opened the discussion for any opponents Council wishes to address.

Councilman Davis addressed the elimination of participation fees in Parks and Recreation. Council had requested staff find the money from a continuous stream into our budget (not just the one year decrease) and he doesn't remember receiving any information on that and doesn't know how it will be done. Mr. Rauschenbach stated this is a working document and things depend on one another and cited some examples. If Council agrees to the EDC funding, moving it to the Enterprise Fund then this would generate a consistent stream to offset the participant's fee. Councilman Mercer stated \$91,000 is still \$91,000 and stated the shell game is nice but doesn't see where we have saved a dime by saying we will move that \$90,000 among three other funds rather than the general fund, Councilman Davis agreed. Councilman Davis voiced it's got to be a legitimate thing where we can show it will be revenue generated year in and year out (we need to provide a revenue stream above what we got). Mr. Connet said he can't see any - he doesn't see that happening unless leagues do fundraisers to help offset it. We don't have replacement every year for this item. Councilman Mercer requested looking at the broader brush that needs to be applied before coming down to an individual line.

Councilman Mercer reviewed prior budget changes, Council agreed to reduce the Sectionalization plan to \$10,000 and therefore would have a cut of \$70,000. This is

\$70,000 that was put into the pot and during the same discussion we agreed to delay the Terra Ceia line rebuild. According to the numbers that saves a debt service of \$21,600. In all of the discussions to date, we have put \$91,000 in the pot that we can work with. In reviewing the list, Councilman Mercer addressed the four lines that were mentioned last week, Heat Pump Rebates, Participant Fees eliminated, WHDA Hotel Feasibility Study and Turnage Utilities, they add up to \$107,000. This does not include the additional in which the staff has identified (contract and utilities corrections) by adding these two items, it amounts to \$150,000 with only \$91,000 in the pot. Councilman Mercer voiced it looks like we are spending more than we are saving and to him this is a misleading concept. Councilman Mercer stated “if we are going to cut monies then cut monies and see how much we can spend”. Mayor Jennings agreed this would work but that’s essentially shoebox accounting and explained. For instance, Property, Casualty, Liability Insurance decrease of \$15,000 in which Councilman Mercer agreed but noted there was a \$12,000 increase in Worker’s Comp. Mayor Jennings agreed but stated there are several savings accounts around the table, so essentially this is exactly what Councilman Mercer described (taking all the wins and losses, placing on a page, taking allocations from anything we saved that we think we need to use and implementing that). Mayor Jennings agreed but stated this is part of making the budget work, using the resources you have (taking into account, savings and changes implemented along the way). Mr. Rauschenbach voiced they started the contingency balance as a total for these funds which is a little over \$105,000 and the proposed contingency with the adjustments moved would be \$234,000. Mr. Rauschenbach stated the net improvement would be approximately \$130,000. Mr. Connet stated Council would have to decide what level of service you want to provide to the citizens of the City and how you are going to pay for it. Mayor Pro tem Roberson stated that staff had done exactly what was directed of them to do. Council may not like it but the numbers are there and have gotten us where we need to be (not saying it is good or bad). Mayor Jennings agreed and appreciated Mayor Pro tem Roberson voicing it (he felt it was a demonstration of using all of your budget resources). The tragedy in any budget process is when you don’t have any resources to utilize which is not the case with the City.

Councilman Pitt addressed his concerns with the elimination of fees and felt for the citizens who could not afford to pay. The City needs to be good stewards; young people need something to want to stay here. Make sure funds are there next year – recurring expense Councilman Pitt understands the continuous stream but also feels we have a component staff to make this work and a citizen base that would appreciate it.

Councilman Davis did not have anything to say concerning the broader issue but voiced there are certain areas where we need to be sure we have the revenue stream coming in for next year and the following year and not just cutting something for this year. It will still be a recurring cost.

Mr. Connet stated they looked at splitting the cost in half and doing \$20,000 if Council opted to do this the \$20,000 will build on the \$112,000 and would be \$132,000.

Councilman Moultrie stated dollars shouldn't hold children hostage by not being able to participate in community activities because of not being able to afford to play ball. From his prospective they should waive the fee for the children to play sports.

Councilman Davis shared there is a misconception. There has never been one child in all the cities he's been in that one child was denied the opportunity to play ball. The League or the Recreation Department would pay the fee. He is aware of one family here that has five children and all five plays with the exception of soccer. Funds were made available for that family to do it.

Mayor Jennings noted this issue was not just about children in need. It encompasses a philosophical change that acknowledges whether folk are in need or not, the cost has increased to a level that is somewhat alarming and the fact that these folk either by virtue of property taxes and/or electric has already paid for services from the City. You could compare it to the Library when no one is charged a fee. Mayor Jennings agrees that coaches, rec officials, umpires, staff and league officials have all come out of their pockets to help people that are in need.

Mayor Jennings noted we have 1300 participants between softball, baseball, basketball and soccer taking in account each kid that plays each sport. On average kids play two sports that is approximately 650 kids playing sports in Washington. Mayor Jennings suggested the one point that has not been addressed are the future facilities needs and requested Council consider rather than eliminating the fee to reduced the fee to \$10. This \$10 (seed money) to be applied to a facility account that would take into considerations and plan for future facility needs. Mayor Pro tem Roberson inquired if there was anything else the league was not satisfied with and Mayor Jennings stated there were several things (personal opinion, we do not have a healthy relationship). He would like to see Council form a committee going forward to the league as a group to repair the relationship with the league. Councilman Mercer requested from the Manager the legality of establishing a fund (capital reserve fund) if the fund is established it would need specifications of how much you would put in each year and what it would go toward. Mr. Connet stated you could estimate each year what would go into that fund, with an accounting of it and categorized as a broad category and from a legal standpoint as a recreation facility. Ms. Radcliffe shared that you would need to put a term when the capital reserve will expire and earmark what the funds are for but you are not required to set an amount. Mr. Connet and Ms. Radcliffe gave several examples.

Councilman Mercer doesn't think spreadsheet shows where monies will come from and that the document doesn't suffice. Also, he doesn't wish to go forward with the methodology.

Mayor Jennings called for a "straw poll" on the reallocation and redistribution process. Voting for the reallocation and redistribution process: Mayor Pro tem Roberson, Councilman Pitt and Councilman Moultrie and opposing the reallocation and redistribution process: Councilman Davis and Councilman Mercer.

Councilman Mercer requested clarification on the “straw poll”. Mayor Jennings explained that general methodology is what we want to go forward with and we can now take any issues and address those separately.

Council Davis stated he could not support the elimination of Recreation fees without finding a continuous stream. Mr. Rauschenbach explained things he expected to be recurring in nature as a continuous stream. Mayor Jennings suggested (speaking to the question) if we don’t reduce the fees in Recreation what that would do in this methodology would simply increase the contingency \$40,000 and will not go back to the Recreation budget and Mr. Rauschenbach agreed. Council should ask if it is more important to have \$152,000 contingency or to make some movement on Recreation fees.

Mayor Jennings called for a “straw poll” on the component of this method which would eliminate the Recreation fee for the coming fiscal year. Voting for the method: Councilman Pitt, Mayor Pro tem Roberson and Councilman Moultrie: Opposing the method Councilman Mercer and Councilman Davis. Mayor Jennings stated he would like to move forward and form a council committee to improve our relationship with the league.

Council shared with Mr. Thornton Gorham they had voted to allocate \$500 in The Washington Care Coalition.

Councilman Mercer voiced he would like for surplus equipment (disposition of City property) be bid on before going to GovDeals for auction. Mr. Connet stated we should proceed with the bidding process by asking for a straight sale from all bidders, a sale with a trade in from all bidders, get a feel for it through GovDeals and compare, so ‘yes’ we have that option.

Councilman Davis asked if the mower for the Recreation department was on State contract. Mr. Connet had Ms. Radcliffe check and for a 51” mower cost was \$9,000, 72” was not on State contract.

Councilman Mercer requested equipment numbers for the item being replaced in Parks and Recreation. Councilman Mercer requested a continuation of the discussion in Parks and Recreation budget concerning changes/or reductions and stated he had a list of reductions across the entire budget in the order of a million dollars in hopes Council will be able to look at. Mayor Pro tem Roberson suggested including this discussion at the end of budget process and Mayor Jennings was of the same opinion. Mayor Jennings felt that if Council could go through the process and make changes we may need to make as a result (stay on schedule and go back to revisit).

Recess at 6:45 pm.

**BUDGET WORKSHOP – PUBLIC WORKS**

**Water and Wastewater,** Councilman Mercer continued with the discussions referring to the Water and Wastewater Treatment total number of employees at seventeen. Eleven of those people are assigned to a specific location in the Water and Wastewater Treatment Plant with six people remaining being able to roam. Also, he noted in the Water Treatment Plant there are seven vehicles assigned to six people and in the Sewer Plant there are two additional assigned vehicles (pick-ups) with a total of nine vehicles. Councilman Mercer alluded to the two gators assigned to those facilities. Mr. Waters addressed the need for the vehicles including the gators and noted they do not have any gators. The one requested a couple of years ago was never approved. The one purchased belongs to Stormwater. Mr. Waters noted that some of the vehicles listed are tractors and not automobiles. Mr. Waters shared they have five vehicles and explained their usage.

**Water Fund,** Councilman Mercer noted the replacement of vehicle #420 in the Water fund and according to his list, it is a 2001 backhoe at \$90,000 and asked if it could be delayed a year. Mr. Lewis stated that backhoe was purchased under a State contract and the State has replaced all purchased in 2001. If this is delayed a year the cost of repairs and maintenance will go up substantially.

Councilman Mercer stated in this budget we have \$85,000 for the purchase of AMR meters plus \$20,000 for replacement meters with monies in previous budgets. Councilman Mercer requested buying enough AMR meters, approximately 20,000 meters and install them. Mayor Jennings inquired how much it would cost to purchase enough AMR meters and Mr. Lewis stated \$450,000/\$500,000. Mayor Jennings inquired if we would have to borrow ½ million and Councilman Mercer said ‘yes’. Mr. Lewis requested the fund balance in the Water fund and Mr. Rauschenbach stated it was \$750,000. Mr. Lewis stated you could purchase 1,000 a year and buy back from the Water fund. Mayor Jennings asked where on the current plan the City begins to benefit from the implemented technology (less human interaction required). Mr. Lewis stated a total of six fiscal years out before you get to the point where everything is radio read. Mayor Jennings – short of buying them all this year is there a way to escalate what we are doing now. Mr. Lewis stated you could do 1000 a year and be done in three years. Councilman Davis inquired as to how much is paid per AMR meter and Mr. Lewis stated it was approximately \$150 currently.

Mayor Jennings called for a “straw poll” on escalating the current schedule of purchasing the AMR meters at \$200,000 a year adding only \$115,000 to the \$85,000 on this year. This would eliminate 1 meter reader in Water fund. 4-1 vote: voting for Councilman Mercer, Davis, Pitt and Moultrie and opposing Mayor Pro tem Roberson.

**Sewer Fund,** Councilman Mercer noted the purchase of the generator under the lift station in the Sewer fund. He understands there is a requirement for a generator at the lift station and that we are meeting the need now by using portable generators. Mr. Lewis shared until we have backup generators for each lift station they have to purchase a

generator until we get to that point and specified there are thirty lift stations. They are six short from having one at each lift station which includes the mobile ones. The request was for \$35,000 in the CIP but in the budget it is \$40,000 and Mr. Waters explained the increase. Mr. Lewis stated that the CIP was done back in November and the cost had increased since that time. Councilman Mercer asked what is a T3 pump and why it wasn't in the CIP in which Mr. Waters explained. Where will the \$600,000 upgrade come from for Main and Respass and Mr. Lewis suggested a memo was forwarded to Council back in April concerning the award letter they received from the Division of Water Quality. They were funded through the State Revolving Loan Fund approximately 3% low interest loan for the full amount of the loan.

**Stormwater.** Mayor Pro tem Roberson requested he would like to have a discussion on pumps at Jack's Creek this coming fiscal year (2012). Mr. Lewis explained the need for the pumps because in a major event you would have considerable flooding.

Councilman Davis asked if it was a requirement to replace plant material in the wetlands on a periodic basis. Mr. Lewis stated they are not required to replace it but to maintain it.

**Solid Waste.** Councilman Mercer inquired how many garbage cans are replaced a year and Mr. Lewis stated 200.

Councilman Pitt asked where is the recycling going and Mr. Lewis stated BCDC. Councilman Pitt addressed his previous comments on electronic recycling and noted July 1 is the mandate. Mr. Lewis stated that looking at the grant program that was available the most money the City could realize is approximately \$500 and it would cost us a lot more money to operate. Councilman Mercer suggested this is a mandate on each county and not cities.

**Cemetery.** Councilman Mercer voiced the replacement of the lawnmower and it was not in the CIP.

Councilman Davis expressed concern over the telephone, pager and computer line for \$1200 and on the other side the internet service for office & cemetery building of \$840. Mr. Lewis stated the pager and computer line should not be there just a carry-over mistake. The \$840 is correct for internet service. The dollar figures are accurate just a mistake in the justification/description.

**Airport.** Mr. Connet shared at the next meeting a 90 day extension on the contract with Tradewind will be presented and we will probably go out for RFP. Mayor Jennings suggested we should go out and recruit.

**Public Works.** General comments were given concerning Powell Bill and a request to delay any purchasing of equipment.

**BUDGET WORKSHOP – PARKS AND RECREATION REVISITED**

Council Mercer expressed concerns and requested consideration on the following six items:

1. \$7,500 for the Stainless Steel Counter Top at the Concession Stand – can we delay it for one year. Mr. Mobley stated to defer is fine - “Straw poll vote was 5-0”.
2. \$12,500 for Raising Screen at McConnell Complex safety issue – can we delay it for one year. Councilman Davis stated this should be raised for safety and Mayor Jennings agreed. We may be able to discuss with the league some assistance - “Straw poll vote was 4-1”.
3. \$24,000 reduced to \$12,000 for playground equipment on 3<sup>rd</sup> and Pierce Street – replacing part of the equipment. Councilman Davis stated this does not meet the present standard and if you don’t spend the \$24,000 then you need to remove it altogether - \$24,000 is a small amount to spend. Discussion followed: Councilman Pitt stated the one thing Council fails to realize is this is the only playground in walking distance to that neighborhood and Mr. Mobley stated it is the only playground on the West side of Highway 17. This equipment has been there for 25 years. Mayor Jennings inquired if something could be done for \$20,000 and Mr. Mobley felt they could. Councilman Pitt suggested contacting Lowes as well. “Straw poll on allocating \$20,000 in the budget and finding corporation with discount purchase - 5-0”.
4. \$17,000 Mower reduced to \$8,500. Mr. Mobley stated if it is a zero turn and 72” cut they will gladly take it – does not necessarily need to be a Grasshopper. Councilman Davis said it is now \$14,000 and not \$17,000 and felt the \$17,000 should be left in the budget. Discussions followed: Mayor Pro tem Roberson suggested allocating \$12,000 “straw poll” 3-2 with Councilman Davis and Mercer opposing. Councilman Davis felt it should be more.
5. \$25,000 for the replacement of decking on the boardwalk – can it be delayed? Mayor Jennings noted that 1/3 will be replaced with composite material. Suggested extending to 1/4 at and \$18,750 (4 years not 3 years) – “straw poll vote 4-1 with Councilman Mercer opposing”.
6. \$3,500 for concrete - delay the work? Mayor Jennings suggested consulting with leagues – “straw poll 5-0”.

**BUDGET WORKSHOP – EMPLOYEE COMPENSATION REVISITED**

Mayor Pro tem Roberson requested to revisit longevity. He would like to see a policy change that states you should be with the City at least 5 years before you get any money. This money will be collected on your 5 year period on the 5<sup>th</sup> year anniversary. Mayor Jennings expressed this is a good idea and know all members of Council has some ideas that should be pursued with the new Manager. Councilman Davis clarified this format would begin with new hires and Mayor Pro tem Roberson stated this was correct. Mayor Pro tem Roberson asked what was done for City employees last year and Mr. Connet provided this information.

Councilman Mercer stated the average maturity raise is approximately 1.75% - suggested giving a flat-raise or to give a Christmas bonus to everybody. Also, we

discussed giving a \$20 a month per pay period across the board for everybody which would be more than the \$80,000 in the budget book. Also suggested, \$500 annual Christmas bonus paid in December provided you have been employed for 6 months – not being added to salary. He would prefer to see everybody get something.

**Mayor Jennings recapped of Councilman’s Mercer suggestions:**

**Scenario A:** \$20 a month per pay period raise and would be added to the current salary (salary increase) Cost would equate to approximately \$140,000.

**Scenario B:** \$500 annual bonus to be provided for every employee provided they have been here for 6 months. Cost would equate to approximately \$130,000 but will not be added to the employee current salary.

**Scenario C:** Leave merit/job maturity as it currently is with no COLA.

Mayor Pro tem Roberson suggested everyone receive merit and longevity plus \$500 bonus - what would that equate to: Mr. Rauschenbach stated the merit and longevity would be \$85,000 plus an approximate \$120,000/\$130,000. Mayor Jennings inquired what if we do this and reduce the \$500. Councilman Davis noted he would like to see it stay somewhere in the neighborhood of \$500 for the bonus.

Councilman Moultrie would like to see the employees get the Christmas bonus merit, job maturity and longevity.

Recess at 9:15 pm.

Mayor Jennings called for a “straw poll” for employee compensation: Same allocation for merit, job maturity and longevity. \$250 for Christmas bonus for employees that have been with the City for six months. This will cost the City approximately \$71,000 more. 5-0 vote.

**BUDGET WORKSHOP – OUTSIDE AGENCIES REVISITED**

Councilman Mercer requested revisiting the following items:

- Turnage Theater
- Feasibility Study
- Washington Housing Authority Heat Rebate (Load Management)

Councilman Mercer stated the Turnage Theater had been receiving \$100,000 per year for the past 5 years plus a rebate on their property taxes.

Mayor Pro tem Roberson requested reducing this allocation down to \$22,000 plus the \$8,000 and give them a total of \$30,000 and advise the Turnage this will be the last appropriation. \$8,000 would be added to the total contingency.

Mayor Jennings called for a “straw poll” 4-1 with Councilman Mercer opposing.

Councilman Mercer voiced his concern with the Feasibility Study noting the City is giving the Historic District \$70,000 plus and they are requesting an additional \$17,000 for a Feasibility Study on a Hotel. Mayor Jennings explained how the study would work and if the Feasibility Study is not done all the way through, the City will be refunded the \$17,000. Mr. Connet stated during the presentation the Feasibility Study the study would be done in the summer and be ready by the fall. Mayor Jennings voiced this has been the best thing he has seen in a long time and Mr. Connet agreed.

Mayor Pro tem Roberson suggested the City of Washington pay \$10,000 and WHDA work toward getting the \$7,000.

Mayor Jennings called for a “straw poll” 4-1 with Councilman Mercer opposing.

Councilman Mercer questioned the Washington Housing Authority rebate. Mayor Pro tem Roberson requested to break it out over several years. Four years at \$5,000 per year.

Mayor Jennings called for a “straw poll” 5-0 all in favor.

Mr. Rauschenbach provided a recap of all the things Council voted on and stated Ms. Radcliffe would have a red line copy of the budget book to Council by Thursday, 6-9-11. A resolution will be presented to Council on Monday, June 13, 2011 for adoption of the budget.

General Fund Contingency	\$ 88,000
Electric	46,000
Water	100,000 appropriations (115,000 for AMR meters)
Sewer	31,000
Stormwater	2,000
Solid Waste	33,000
 Grand Total	 \$101,000

**ADJOURN – UNTIL MONDAY, JUNE 13, 2011 AT 5:30 PM IN THE COUNCIL CHAMBERS AT THE MUNICIPAL BUILDING**

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council adjourned the meeting at 9:45 pm until Monday, June 13, 2011 at 5:30 am in the Council Chambers at the Municipal.

**(Subject to the Approval of the City Council)**

**Cynthia S. Bennett  
City Clerk**

The Washington City Council met in a regular session on Monday, June 13, 2011 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Doug Mercer, Councilman; Ed Moultrie, Councilman; William Pitt, Councilman; Gil Davis, Councilman; Bobby Roberson, Mayor Pro tem; Pete Connet, Interim City Manager; Cynthia Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Matt Rauschenbach, Chief Financial Officer; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; Gloria Moore, Library Director; John Rodman, Planning Director; Keith Hardt, Electric Director; Mick Reed, Police Chief; Susan Hodges, Human Resources Director; Mike Voss, of the Washington Daily News and Delma Blinson of the Beaufort Observer.

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

### **APPROVAL OF MINUTES**

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the minutes of May 2<sup>nd</sup>, 16<sup>th</sup> & 23<sup>rd</sup>, 2011 as presented.

### **APPROVAL/AMENDMENTS TO AGENDA**

Pete Connet, Interim City Manager suggested the following amendments to the agenda:

1. Remove: Memo – Paving Request for Portion of West 12<sup>th</sup> Street – Wayne Harrell (**page 128**)
2. Postpone some appointments until June 27<sup>th</sup>: Appointments – to Various Boards, Commissions, and Committees (**page 160**) {Rec. Advisory, Board of Adjustment and TDA appointments will be made tonight }
3. Remove: Approve – Classification and Pay Grade Changes(**emailed**)
4. Remove: Closed Session – Under NCGS 143-318.11(a)(6) Personnel

Councilman Mercer suggested the following amendments to the agenda:

1. Move from Consent Item C to Old Business: Award – the Financing Bid for the Installment Purchase Contract of the Impressions Building Improvement Project – not to exceed (\$800,000) (**page 53**)
2. Move from Consent Item N to Old Business: Approve – Purchase Orders >\$20,000 (**page 119**)
3. Move from VII.B. to Scheduled Public Appearance: Report – Mr. Trent Tetterton – Washington Harbor District Alliance (WHDA) – Authorization to proceed with offering Old City Hall for Sale
4. Add under Old Business: Discussion of Personnel Policy Chapter 9, Section 12

Mayor Jennings suggested the following amendment to the agenda:

1. Addition: under items from the Mayor: XII.B: Discussion: Opportunity for sublease by NC Estuarium

By motion of Councilman Moultrie, seconded by Councilman Mercer, Council approved the agenda as amended.

### PRESENTATIONS

Gregory Matthew Williamitis, Jr. – Scout of the Year Award  
 NC Department of Labor Safety Awards  
 Electric Department Safety Award  
 Electric Department Lineman Career Development

### CONSENT AGENDA

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

- A. Appoint – Matt Rauschenbach as Acting City Manager for the period July 1, 2011 through July 31, 2011
- B. Adopt – Grant Project Ordinance Amendment Keysville Road (**copy attached**)
- C. Authorize – Matt Rauschenbach to act as the Authorized Agent for NC Department of State Treasurer, Local Government Commission – application for approval of installment purchase contract for Impressions Improvements

### **AUTHORIZE – MATT RAUSCHENBACH TO ACT AS THE AUTHORIZED AGENT FOR NC DEPARTMENT OF STATE TREASURER, LOCAL GOVERNMENT COMMISSION – APPLICATION FOR APPROVAL OF INSTALLMENT PURCHASE CONTRACT FOR IMPRESSIONS IMPROVEMENTS**

Mr. Rauschenbach stated the approval of the installment purchase contract to fund the building improvements of the property leased by Impressions Marketing, Inc. is a requirement of the LGC. The application is scheduled to be submitted June 14<sup>th</sup> and will be on the agenda for the LGC's review on July 12.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council authorized Matt Rauschenbach to act as the Authorized Agent for the NC Department of State Treasurer, Local Government Commission (LGC), application for approval of installment purchase contract.

- D. (moved to Old Business for discussion) Award – the Financing Bid for the Installment Purchase Contract of the Impressions Building Improvement Project – not to exceed (\$800,000) (**copy attached**)
- E. Award – Roofing Contract to Curtis Construction Co., Inc for roofing work at Impressions (\$340,900) (**copy attached**)

- F. Approve – Contracts for Water and Wastewater Treatment Chemicals **and** Approve Purchase Orders for Chemical Purchases (\$368,135) **(copy attached)**
- G. Adopt – Ordinance Amendment for Chapter 38, Water, to add Sections 38-130 – 38-141 – Water Shortage Response Plan **(copy attached)**
- H. Adopt – Ordinance Amendment for Chapter 18, Section 18-128 – One-hour parking areas **(copy attached)**
- I. Approve – Purchase of a Rear Loader Refuse Truck from Lilley International (\$112,679.42) **(copy attached)**
- J. Approve & Authorize – Director of Parks and Recreation to execute Waterfront Docking Agreement for East Carolina University **(copy attached)**
- K. Approve & Authorize – Civic Center Lease and Management Agreement **and** Authorize Mayor to execute the agreement **(copy attached)**
- L. Adopt – Resolution to lease property off Water Street and adjoining the old “McQuay” Building to Pirates Pub, for a period of Two (2) years **(copy attached)**
- M. Authorize – the Interim City Manager or his designee to proceed with the removal of the Pamlico Auto Sales Building located at 131 Bridge Street at a cost not to exceed \$3,000 **(copy attached)**
- N. **(moved to Old Business for discussion)** Approve – Purchase Orders >\$20,000

#### COMMENTS FROM THE PUBLIC

Andrea Nikolai, 120 E. 10<sup>th</sup> Street requested the City install a sidewalk along 15<sup>th</sup> Street from Hwy 264E to Hwy 264W. Mayor Pro tem Roberson suggested she review the City’s Pedestrian Plan and also explained that easements will need to be obtained from the individual property owners to acquire the proper amount of land for the sidewalk.

Bob Henkel and Virginia Finnerty, WHDA to discuss the installation of American flags and banner on the poles downtown(Main St., Market St. and Stewart Parkway). The American flags will be flown on festive days and can be purchased and sponsored by individuals or businesses. The banner program is a program to help identify Washington as the art community that it is. They currently have 30 artist that are willing to pay for their work to be displayed in the same areas as the American flags. There is no commercial identification on the banners. The WHDA will be paying for the installation and maintenance of the banners. The artwork will be signed by the artist. The banners will stay up most of the time with the exception of when American flags are flown and during maintenance of the banners. Mayor Pro tem Roberson suggested that the WHDA coordinate with the Electric Dept. to insure the proper banner mount and installation process. Mr. Henkel stated the WHDA has contracted with Signs Now from Greenville to install/uninstall the banners. The banners will be removed during hurricane season. Mayor Jennings reminded Mr. Henkel that the utmost respect needs to be paid to the American flag and to ensure that the flag is maintained properly. Mr. Henkel explained the flags will be flown approximately 4 days during each noted holiday. Ms. Finnerty stated the Planning Board and Historic

Commission have both approved the flags and the banner program is to be reviewed at the next Historic Commission meeting.

Bob Henkel updated Council on the Greenway project. He stated we received the grant for the Bike/Pedestrian Plan for the City, this is part of the Greenway project. The next leg of the process spans from Plymouth Street to Clark’s Neck Road. The Committee will be contacting the property owners along this route to determine their willingness to have the bike/pedestrian path near their property. The grant is for \$35,000 with a City match of \$7000. We have applied for and been declined five times for this grant prior to finally receiving it.

**TRENT TETTERTON – WASHINGTON HARBOR DISTRICT ALLIANCE  
 AUTHORIZATION TO PROCEED WITH OFFERING OLD CITY HALL FOR SALE**

Trent Tetterton, WHDA Adaptive Reuse Committee is asking for approval from City Council for the authorization to proceed with offering old City Hall for sale. The current agreement with the County states that if the building is sold for an amount in excess of \$60,000, then the proceeds will be split with the County, with the City getting credit for any expenses spent on the structure that were not funded by grant dollars. If the structure sells for less than \$60,000 the County still has to agree to proceed with the sale, even if they are notified by a letter from the City Council.

Franz Holscher, City Attorney noted that any sale would have to go through some statutory process, i.e. upset bid process, and the proceeds from the sale would come to the City. WHDA would be acting as a sales/marketing agent for the City.

By motion of Mayor Pro tem Roberson, seconded by Councilman Davis, Council authorized the WHDA to proceed with offering old City Hall for sale on behalf of the City and to bring the offer back to the Council to begin the sales process.

**MEMO – CONTRACTS FOR PETROLEUM PRODUCTS**

<u>Item</u>	<u>Petroleum Product</u>	<u>Taylor Oil</u>	<u>Seeco-Eastern</u>	<u>Pitt Country Mart</u>	<u>Petroleum Traders</u>	<u>Man sfield</u>	<u>F. Ray Moore</u>	<u>Potter Oil &amp; Tire</u>	<u>Sampson -Bladen</u>
1	Gasohol, E10, (Transport)	no bid	no bid	\$3.3087	<b>\$3.3025</b>	no bid	\$3.3682	\$3.3122	no bid
2	Gasoline 87 Octane (Tankwagon)	no bid	no bid	<b>\$3.5268</b>	no bid	no bid	no bid	no bid	no bid
3	Diesel 40 Cetane (Tankwagon)	no bid	no bid	\$3.4784	no bid	no bid	\$3.6538	<b>\$3.4634</b>	no bid
4	B20 Bio-Diesel	no bid	no bid	<b>\$3.2243</b>	\$3.4500	no bid	no bid	\$3.3104	no bid

(Transport)

5 Kerosene 1-K no bid no bid **\$3.6290** no bid no no bid \$3.7890 no bid  
 Grade bid  
 (Tankwagon)

The purpose of this request is to inform Council of contract commitments for petroleum product requirements for the City from July 1, 2011 through June 30, 2012.

Contract awarded as follows:

	<u>Vendor</u>	<u>OPIS</u>	<u>Margin</u>	<u>Cost per Gallon</u>	<u>Estimated Usage</u>
A.	<u>Potter Oil &amp; Tire</u> Diesel 40 Cetane (Tankwagon)	\$3.2784	\$ .185	\$3.4634/gal	\$462,363.90
B.	<u>Pitt Country Mart</u> B20 Bio-Diesel (Transport)	\$3.1774	\$ .0469	\$3.2243/gal	\$257,944.00
	Gasoline 87 Octane (Tankwagon)	\$3.2768	\$ .25	\$3.5268/gal	\$ 7,053.60
	Kerosene 1-K Grade (Tankwagon)	N/A	N/A	\$3.6290/gal	\$ 4,717.70
C.	<u>Petroleum Traders</u> Gasohol, E10 (Transport)	\$3.2768	\$ .0257	\$3.3025/gal.	\$660,500.00
<b>TOTAL</b>					<b>\$1,392,579.20</b>

Price fluctuations will be governed by the bid margin above or below the OPIS Average Rack price for the commodity on the day May 4, 2011 at Selma, NC. The City will pay the Average Rack price for the commodity on the day of delivery plus or minus the margin bid on May 24, 2011.

**MEMO – PAVING REQUEST FOR PORTION OF WEST 12<sup>TH</sup> STREET – WAYNE HARRELL (request removed by applicant)**

**MEMO – SIDEWALK REQUEST ALONG THE 700 BLOCK OF WEST 15<sup>TH</sup> STREET – MS. DOROTHY CIVILS**

(begin memo from Allen Lewis, Public Works Director)We are in receipt of a letter, copy attached, from Ms. Dorothy Civils of 120 Mayo Drive regarding this subject. For clarity, the location Ms. Civils is referring to is the southwest quadrant of the intersection of 15<sup>th</sup> Street and Washington Street or, directly across 15<sup>th</sup> Street from the Goodwill store. In order to construct a sidewalk at this location, an easement would be required because there is not sufficient street right of way to install a sidewalk behind the curb along 15<sup>th</sup> Street. As you are aware, 15<sup>th</sup> Street is a state maintained road so, if you wish to proceed with this request, some amount of coordination would be required with NCDOT. I have made initial contact with them and am waiting on replies. In the meantime, we ask for your direction in regards to this request.(end memo)

**MEMO – UPDATE ON HAVENS GARDENS BOAT RAMP**

(begin memo from Philip Mobley, Parks and Recreation Director) I have been in contact with the N C Wildlife Resource Commission about their proposed upgrade to the Havens Gardens Boat Ramp site. They are in the process of obtaining the Major CAMA Permit for their construction on Runyon Creek from NCDENR. They informed me of their timetable, which will be starting in October 2011 after the heavy boating season, in order for less of a conflict in that parking area. (end memo)

**MEMO – UPDATE ON FESTIVAL PARK**

(begin memo from Philip Mobley, Parks and Recreation Director) WIMCO is now telling us their contract on Phase I should be complete during the second week in June. After WIMCO's completion, of the Picnic Shelter, Performance Stage and Grasscrete Drive/Walkway surfaces, the Washington Garden Club will assist with planting materials around the new facilities.

Phase II design work is almost complete. At the July regular City Council Meeting, you should have a contract, for your approval, to start construction of the proposed restrooms and walkways, which may be concrete or Grasscrete, bench areas with trash receptacles, landscaping beds, additional large trees along with a site irrigation system for the great lawn and the landscape beds.

The Gary Tomasulo Playground site prep has started. Fifty percent of the playground equipment has arrived. We will continue to work on site prep by pruning dead limbs off the three trees by the playground location and staking out the location of equipment. We will continue to work on constructing the playground site as Phase I and II continue.

We have started meeting collectively with groups (WHDA, Chamber, Arts Council, Rec. Advisory, Festival Park Design Committee, Estuarium, Police Dept., Fire Dept., WTDA) to get input for the development of a user policy that can be recommended to the Washington Recreation Advisory Committee and then recommended to City Council for the best use of Festival Park area. The user policy will cover the types of activities allowed and operation hours, fees for profit and nonprofit, location for tents, types of cookers, vendors, vehicle types and use, location and movement of vehicles. This policy may have to be included in the City Code for the protection of the waterfront, park lands/facilities and other public amenities in order for City Staff (Police, Fire, Public Works, Pks & Rec. etc.) to have direct control of the site (for public/facility safety). All events would continue to be routed through the Special Event Policy, handled by the Event & Facilities Manager located at the Pks & Rec Administrative Office, Suite 200, 310 West Main Street, in the Peterson Building. (end memo)

**MEMO - UPDATE ON ARMY CORP OF ENGINEERS RESCINDING  
CAMA PERMIT CONDITIONS**

(begin memo from Philip Mobley, Parks and Recreation Director) As you know, The Parks and Recreation Department has been tediously trying to build new docks. Many obstacles have come and we have been working through each one as they have presented themselves. One such obstacle threatened funding, availability of completed docks and design just to name a few. This was the condition that was placed on the Major CAMA permit, by the Army Corps of Engineers, disallowing boats on the outside of the new T Docks (within the Setback area). The reason cited (from a comment made by the US Coast Guard) was a significant concern for safety in the Navigational Channel. The Channel within the "Inner Harbor" (between the bridges) is 200' wide with a Setback area of 50' on either side of the Channel for a total of 300'. On either side of the two bridges, the Channel width is 100'.

February 24, 2011 Bay Design Group published “A Study of Boat Traffic Conditions, Washington Harbor, Washington, NC”. “This study quantifies boat traffic Levels-of-Service using highway traffic volume and capacity methods. This study also quantifies the channel capacities and then considers actual and hypothetical boat traffic volumes compared to the channel capacities.” \* This study shows that using these recognized methods to evaluate boat traffic congestion, there is not a boating congestion problem in the Inner Harbor of Washington.

On March 10, 2011, Bill Forman, Jr. P.E., Bay Design Group, submitted this study along with a “Request for Appeal or Objection”, to the conditions placed on the Major CAMA Permit of disallowing boats to be docked within the setback area, to Col. Jefferson Ryscavage, Commander, US Army Corps of Engineers, Wilmington District.

On March 28, 2011 Tracey Wheeler, US Army Corps of Engineers, Washington Regional Office, telephoned me to give me the good news! On April 11, 2011 an amended CAMA permit was issued with the condition (# 12) removed, allowing boats to dock on the outside of the T Docks within the setback area.

I would like to take this opportunity to thank Bill Forman, Jr., P.E. for his persistence, patience, thoroughness and efficiency in bringing this issue to such a favorable conclusion. I would also like to thank all of you for your continued support. (end memo)

#### **MEMO – UPDATE ON KUGLER FIELD**

Councilman Pitt inquired which teams used Kugler Field. Mr. Mobley stated the Church leagues and Junior Babe Ruth teams use the field. He has been in contact with the school regarding remodeling the Kugler Field concession stand and the Leagues are operating out of that concession stand. Remodeling efforts will continue.

(begin memo from Philip Mobley, Parks and Recreation Director) On May 13, 2011 Mr. Franz Holscher, City Attorney, received a letter from Mrs. Kim Edwards, Attorney to the BC Board of Education, informing the City that we had 30 days to respond to their letter about the “Neil Weeks Memorial”, the Concession/Restrooms located behind the baseball field backstop screen. The BC Board of Education deemed this facility to be unsafe for the Adult Church League to use for restrooms or concessions this season. This came after the BC Board of Education school maintenance personnel and a parks and recreation maintenance staff member did the yearly inspection of Kugler Field as per the Joint Use Agreement.

We are looking into ways to replace the roof, replace sills under front porch cover, replace any rotten boards, replace wooden restroom stalls, paint the insides in both restrooms and remove the bats (flying type). There is a volunteer effort going now by friends and classmates of Neil Weeks, the Adult Softball League, support of historical Kugler Field and volunteers within the community to save this facility at Kugler Field. The BC Board of Education said that if the City wants to use this facility, the City will have to bring it up to standard or the “Neil Weeks Memorial” would be demolished by the BC Board of Education.(end memo)

**MEMO – COMMUNITY BRANDING PROJECT**

(begin memo from Lynn Lewis, TDA Director) For the year there has been considerable discussion related to the community brand for Washington. The Washington Tourism Development Authority promotes Washington to visitors as the “heart of the Inner Banks.” Other references to the community used by various organizations include: “original” Washington, waterfront capital of North Carolina, where the rivers meet the sea. However, none of these references, including heart of the Inner Banks, was coined based on stakeholder audience input.

The City of Washington, WTDA, Washington-Beaufort County Chamber of Commerce, and the Washington Harbor District formed a committee to review the options available for the implementation of a community brand strategy. After a review of several organizations who conduct such a service, the group has determined that Eye Integrated Communications based in Greenville, NC offers the best solution for our multi-faceted branding needs.

The WTDA needs a community brand to promote the community to an external visitor audience, the City needs a community brand to add value for its residents and businesses. The Washington-Beaufort County Chamber of Commerce envisions a brand that will show a comprehensive approach to building a more vibrant business community. The Washington Harbor District Alliance needs a brand to encapsulate the uniqueness of the Washington’s Main Street and downtown for its business owners and visitors. While each of these organizations has a different mission, all are committed to building and promoting Washington as a place to live, work and play. Eye Integrated Communications has been winning awards for Washington for the past seven years and the marketing agency for the WTDA. Their award winning works include the historic walking tour book, postcard fulfillment package, website ([www.visitwashinetonnc.com](http://www.visitwashinetonnc.com)), and magazine ad campaign. They are also responsible for the new billboard campaign along Highway 17 that is getting a lot of attention.

The group appointed to review community branding liked the idea of working with a company that was located nearby, but also one with a reputation for quality work. Eye Integrated has proposed an approach very similar to that used by Land Design when developing the latest downtown master plan. Audience input will be key to the process. Various methods, include charrettes and surveys, will be used to collect impressions and input from key audiences. The final result will be a comprehensive brand and key implementation strategies that can be incorporated by each organization in its line of work. In this branding process it will be important that community members understand that a brand is so much more than a logo. It has been described as “what people say about you when you are not around.” The committee is presently working to secure a date to meet with Eye Integrated again to address key points in the proposal, identify a timeline, and assign next step tasks. (end memo)

**MEMO – ASBESTOS SITE INSPECTION TRANSFER**

The Budget Officer transferred \$3,200 of funding between divisions of the General Fund to complete an asbestos site inspection of City Hall.

**HUMAN RELATIONS COUNCIL**

**Update Shelter for Women and Children & Domestic Violence** -Executive Director of Washington Housing Authority Inc, Marc Recko presented the following:

Group of individuals and agencies that are making an effort to re-establish a shelter:

\* Faith Based Community

- \*Washington Housing Authority
- \* Washington Housing Nonprofit, Inc. (potential owner)
- \* Human Relations Council
- \*A number of individuals in the area

The Vision Statement is to create and sustain a safe haven of short term emergency housing for women and children from Beaufort and Martin Counties in a shelter home located in Washington, North Carolina. Mr. Recko discussed the following:

- \*The unmet need in Beaufort County
- \* The two alternatives for referring families in crisis
- \* Proposed program
- \* Purchase of property
- \*Operating budget

**Question & Answers Session:**

What happens when someone is a victim of domestic violence? Referred to Pitt County (majority of the time they are full) with transportation being an issue. Source of funding (any funds now from local government) Where to seek funding? Federal funds not coming in and doubtful about any State funding (no funds locally). Private funding and support from any faith based organization (budget crunch for local government so funding is doubtful). Consider a presentation to the United Way. > What would be the incentive for the private investor -what's the return on investment? This information was available when the "Options" site was located here. What happens to our homeless men since this shelter will be for women and children only? Zion Shelter takes care of the men. The Zion Shelter was funded by the Inter-church Fowm consisting of approximately 24 churches. Mr. Recko noted this is a work in progress and it was suggested that Board members attend some of the local government budget sessions.

**Update Multicultural Festival Board member Castro presented the following:**

Mr. Rod Bradley, Director, LWCC Programs East Carolina University has officially committed to the festival ECU is willing and agrees to provide transportation for their performers Dancer's tentative plan  
> Volunteers  
> Sponsorships

**Reschedule Fair Housing Forum Tentative dates: June 16 & June 23, 2011**

**Update Project Next Step** Ms. Corbett shared Project Next Step summer program will be starting in June and will be centered on gang prevention. National Night Out will be held in August.

**Discuss Amending By-Laws & Agenda Format**

**Discuss All reminders**

**FINANCIAL REPORTS**

Council accepted the report as presented.

**APPOINTMENTS – TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES**  
**{REC. ADVISORY BOARD, BOARD OF ADJUSTMENT, TOURISM & LIBRARY}**

By motion of Councilman Davis, seconded by Councilman Moultrie, Council reappointed Audrey Woolard(inside), Ann Ange(outside) and Arnold Barnes(inside) to the Recreation Advisory Board with terms to expire June 30, 2014.

By motion of Councilman Davis, seconded by Councilman Moultrie, Council reappointed Steve Fuchs as an Alternate Member to the Enlarged Board of Adjustment(subject to the concurrence of the Beaufort County Board of Commissioners); Paula McCullough to the Board of Adjustment; Marion Ore as an Alternate Member to the Board of Adjustment terms to expire June 30, 2014.

By motion of Mayor Pro tem Roberson, seconded by Councilman Davis, Council reappointed David Gossett Washington Tourism Development Authority term to expire June 30, 2014.

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council reappointed Mayor Pro tem Bobby Roberson as the Council representative to the Washington Tourism Development Authority.

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council appointed Yvonne Saleem to the Board of Library Trustees, to fill the expiring term of Susan Murrell, term to expire June 30, 2017.

\*The remainder of the appointments will be made at the Committee of the Whole meeting on June 27<sup>th</sup>.

**AUTHORIZE – MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT**  
**TO PERFORM ENGINEERING SERVICES NECESSARY FOR THE MAIN AND**  
**RESPESS STREET LIFT STATION REPLACEMENT PROJECT**

Pete Connet, Interim City Manager stated that as discussed numerous times over the last several months, including in memorandum form at the April 11, 2011 Council meeting, we have been awarded funding in the form of a low interest loan from the Division of Water Quality (DWQ). The attached agreement will provide for all engineering services necessary to see the project through its completion. This project was listed in the CIP and is proposed in the FY 11-12 budget. If the award is made tonight, no expenditures will take place until July 1, 2011.

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council authorized the manager to enter into a professional services agreement with Rivers and Associates, Inc., to perform engineering and other services necessary for the Main and Respepp Street lift station replacement project, effective July 1, 2011.

**ADOPT – ELECTRIC RATE SCHEDULES**

(memo from Keith Hardt, Electric Director)During the fiscal year 2011-12 budget discussion in May the City Council directed staff to amend the existing Residential Electric Service Schedule for electric service to include electric service delivered only to residential customers located outside the corporate limits of the City of Washington to be billed on or after 1 July 2011 at the same billing determinants as those determinants prior to 1 July 2011. In addition, the City Council directed staff to develop a new Residential Electric Service Schedule to reflect a 5% reduction in current billing determinants for electric service to include electric service delivered only to residential customers located within the corporate limits of the City of Washington for electric service billed on or after 1 July 2011.

The reduction in electric sales revenue of \$348,286 associated with this rate adjustment has been included in the proposed Electric Fund fiscal year budget for 2011-12.(end memo)

Councilman Mercer reviewed his calculations regarding the 5% electric rate reduction. Mr. Hardt noted he reduced the rate determinates by 5%. Councilman Mercer suggested the numbers be reviewed and revisited at the Committee of the Whole meeting.

By motion of Councilman Mercer, seconded by Councilman Moultrie, Council continued the adoption of the electric rate schedules until the Committee of the Whole meeting on June 27<sup>th</sup>.

**APPROVE & AUTHORIZE – THE CITY MANAGER TO EXECUTE A CHANGE ORDER FOR PHASE I FESTIVAL PARK TO WIMCO FOR A NEW CONTRACT AMOUNT OF (\$126,910.45)**

Philip Mobley, Parks and Recreation stated the Festival Park Planning Committee asked Mark Smith, Project Architect, to review the need for additional electrical outlets for stage lighting at the light bar. This change is now being recommended at a cost of \$861.30. A second review was done for the removal and reinstallation of storm pipes at the performance stage to allow for drainage of excess ground water. This recommended change totals \$349.15. We believe that the \$1,210.45 cost of the two change orders can be absorbed in the current construction line item budget and are not recommending an appropriation of contingency at this time.

Original Contract Price	\$ 125,700.00
Change Order	\$1,210.45
New Contract Price	\$126,910.45

Councilman Mercer expressed concern over the work being done prior to the change order being approved. Mr. Mobley stated the changes can be absorbed in the current budget.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved and authorized the City Manager to execute a Change Order in the amount of \$1,210.45 to WIMCO for a new contract amount of \$126,910.45.

Mr. Mobley advised Council of some upcoming change orders that will need to take place in the next week or so. The architect will need to be paid for change orders, WIMCO will install four PVC 4:” pipes under grasscrete so when irrigation system is installed in Phase 2, the lines can be slid in the pipe instead of tearing up grasscrete for installation. Councilman Mercer stated he was ok with the changes as long as it is less than \$10,000.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council approved the change orders that will need to occur next week to include paying the architect for change orders, and WIMCO’s installation of four 4” PVC pipes under grasscrete at a cost not to exceed \$10,000.

**APPROVE & AUTHORIZE – THE CITY MANAGER TO EXECUTE A CHANGE ORDER FOR THE 2008 BIG- P DOCK CONTRACT IN THE AMOUNT OF (\$24,500) TO TD EURE FOR A NEW CONTRACT AMOUNT OF (\$329,900)**

Mr. Mobley explained that he and Bill Forman, the Bay Design Group Project Engineer met with the TD Eure Contractor on the 2008 BIG-P dock project. We discussed and are recommending removing Add Alternate 1 (\$22,000), the removal and disposal of approximately 2450 sq. ft. of treated timber decking on Docks A & B and replace it with 2 x 8 treated timber decking. We likewise recommend deleting Add Alternate 2 (\$2,500), the removal of existing utility pedestals on Docks A & B and resurfacing of fiberglass gel coat with marine paint products.

The purpose of this change order is to change the project scope of work and reduce the contract price. The Engineer and the Contractor agree with this reduction in scope of work.

Original Contract Price \$ 354,400

Change Order reductions (24,500)

New Contract Price \$ 329,900

The \$24,500 savings realized by the above change order will be used to cover additional expenses associated with the mobilization and geotechnical investigation.

Mayor Pro tem Roberson requested that the Attorney review the contract with T.D. Eure. Mayor Jennings explained that the plan is to remove some scheduled board replacements in the original contract and use those savings from that against staying inside the total budgeted amount. The savings will pay for the Geotechnical report for pilings and to pay for the barge from T.J. Marina. Council discussed the conflicts with TD Eure. TD Eure plans to finish the job and not default on the job, although the contractor feels the job he is doing is greater than the job he bid on. Once he finishes the job, he will have a claim against us for additional funding. Mr. Mobley feels the claim would be against the engineering firm, not the City. The claim could cost up to an additional \$48,000.

Councilman Mercer voiced concern over the project becoming an opened ended project and we should “pull the plug” on the project. Councilman Mercer stated the contractor had the opportunity before he submitted his bid to acquire any additional data he felt necessary prior to submitting his bid and he did not do that. Mr. Holscher stated Council needs to ask themselves if they want to move forward with a contractor and project knowing there is a risk of an additional \$48,000 claim. Mr. Mobley agreed with Councilman Mercer and acknowledged he has been very concerned with this entire project. We would have to turn in the \$200,000 federal grant and possibly the \$50,000 bathroom grant if we stopped this project. Mr. Holscher stated if you don’t take out the change orders this involves an additional \$72,000 claim this could go to mediation and possibly a lawsuit.

Mr. Mobley stated that in March the BIG-P grant was extended to January 31, 2012. Mr. Holscher suggested staff contact the granting agency regarding de-obligating the funding. Teresa Hamilton stated they have done so, and the granting agency explained we would probably not receive future funding. Mr. Holscher discussed the terms of the contract referring to “termination of contract for convenience”. Mr. Mobley stated the contractor has been paid for all work to date.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council authorized the City Manager to execute a change order in the amount of (\$24,500) for the 2008 BIG-P dock

contract with TD Eure for a reduced new contract amount of \$329,900. Councilman Mercer opposed the motion.

Council discussed the various options regarding the BIG-P grant relative to piers/boat docks.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council voted to terminate the BIG-P project on the construction of additional piers/boat docks and pay the bills to date. Voting for the motion: Pitt, Moultrie, Roberson, Mercer; against: Davis. Motion carried, 4 to 1.

Councilman Davis inquired as to what was the chance of the City losing the claim from the contractor for additional funds? Mr. Holscher stated he felt the City has a strong argument, but do you want a disgruntled contractor working on this project. Councilman Moultrie and Councilman Pitt agreed we should get out of the contract if we can. Councilman Mercer suggested we may want to review the proposal again from Fred Watkins regarding boat docks/piers.

Recess 7:20pm-7:30pm

**ADOPT – ORDINANCE CONDEMNING THE STRUCTURE LOCATED AT 603/605 PARK DRIVE AND AWARD THE DEMOLITION CONTRACT**

John Rodman explained that the governing body of the City may adopt and enforce ordinances relating to nonresidential 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. The owner (s) of the subject property has failed to respond to the request by the Senior Building Inspector to bring the structure into compliance. Therefore, it is recommended that an Ordinance be adopted to remove the structure and fill material located at 603/605 Park Drive.

By motion of Councilman Mercer, seconded by Councilman Davis, Council adopted the ordinance condemning the structure located at 603/605 Park Drive as unsafe and demolish and remove the structure and fill material. Councilman Moultrie voted against the motion. Motion carried, 4 to 1.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council awarded the demolition contract to the lowest responsible bidder, T.J.'s Marine Construction LLC in the amount of five thousand dollars paid to the City (-\$5,000).

Mr. Holscher stated the NCGS 160A-426 deals with unsafe structures and provides that when a structure is forced to be demolished because the owner doesn't respond then the cost of the demolition becomes a lien against the property. You are also required by statute to sell any materials that can be sold and those proceeds are credited against the demolition cost. In this situation we had the contractor tell us he would pay us in excess of what it would cost to tear down the structure. The money is deposited to the Clerk of Court who will distribute those funds accordingly.

**(copy attached)**

**AUTHORIZE – INTERIM CITY MANAGER TO ENTER INTO AN INTERIM AGREEMENT FOR FBO OPERATION – MONTH TO MONTH EXTENSION**

Pete Connet, Interim City Manager explained that negotiations are still underway for arrangements to operate Warren Field Airport upon expiration of the current Lease, License and Managerial Agreement with Tradewind Aviation, LLC on June 30<sup>th</sup>. At this same time, the City also is attempting to determine what direction it needs to take and how to structure any agreements that are related to that direction. In any event, it is unlikely that any new long-term agreement(s) will be finalized prior to June 30, 2011. As a result the City Staff is asking permission to enter into some sort of temporary agreement with Tradewind to bridge the period between the expiration of the current agreement and the implementation of any new agreement(s).

Toward that end, please find attached draft red-line version of a Lease, License and Managerial Agreement Extension (Extended Agreement) that would extend, with some revision, the terms of the current agreement on a month to month basis. We had contemplated a 90-day extension, but month to month is the recommendation from FAA, through the Division of Aviation. It should be noted that the City has received some informal, preliminary feedback from the Division of Aviation. This informal, preliminary feedback contains possible recommendations of letting the current agreement expire; undergoing a public request for proposals process; separating the airport management agreement from all contracts and leases with fixed base operators; and, if a fuel price guarantee is contemplated, requiring the recipient of the guarantee to buy a certain, minimum number of gallons, allowing everyone else to receive the same opportunity, and revising the Rules and Regulations for the Airport to incorporate any such fuel price guarantee. Staff recommends the granting of a Month to Month extension of the agreement between Tradewind Aviation and the City of Washington while discussions continue between the parties, and the FAA/NC Division of Aviation.

Thomas Dolder came forward and stated he has operated the airport for 4 ½ years and offered his support with the RFP process by submitting his application, but will continue to manage the airport until the RFP process is complete.

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council authorized the Interim City Manager and City Attorney to negotiate, finalize, and enter an Extended Agreement with Tradewind Aviation so long as the final agreement does not require any additional financial obligation from the City and so long as the Extended Agreement is consistent with guidance/direction from the Division of Aviation.

**AWARD – THE FINANCING BID FOR THE INSTALLMENT PURCHASE CONTRACT OF THE IMPRESSIONS BUILDING IMPROVEMENT PROJECT – NOT TO EXCEED (\$800,000)**

Councilman Mercer stated he wanted to make sure that we don't borrow more funding than we actually need. He wondered if the amount borrowed should be lowered to \$750,000 or even less being the bid for the roof repairs came in lower than anticipated.

Mr. Rauschenbach stated the new lease agreement with Impressions generates enough revenue to service \$770,000 in debt, the additional revenue stream started on April 1<sup>st</sup>. Since we have received the roof bids in May, we have also received other bids such as the fire protection system inside the building at \$27,000, but the fire protection supply line projected at \$83,000 will cost at least \$145,000 due to the

addition of a back flow prevention system. We tried to stay within the \$770,000, we met with Impressions and they provided the City a “wish list” of repairs, such as painting the outside of the building at a cost of \$59,000. We would like to continue along the lines of our \$769,000 lease structure and continue with the needed repairs. If all the borrowed funding is not spent the remaining amount will be applied back to the principal.

The lease with Impressions dated April 1, 2011 includes these building improvements to be funded by the City and reimbursed through supplemental rent payments over five years in the amount of \$ 14,727.58/ month. LGC approval is required for the installment purchase contract to provide this funding.

The supplemental rent and debt service are included in the 2011-2012 proposed budget. Construction bids are still being received and the loan amount will be finalized prior to the planned July 15<sup>th</sup> closing.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council awarded a not to exceed \$800,000 installment purchase financing bid to RBC Bank for the funding of the building improvements of the property leased by Impressions Marketing Group, INC. and authorize the C.F.O. to execute the necessary documents to close this transaction contingent on the approval of the Local Government Commission and have the City Attorney review the documents prior to execution.

**APPROVE – PURCHASE ORDERS >\$20,000**

Councilman Mercer asked for clarification regarding the BCI Utility Construction purchase order. Is this the underground piping going in at Smallwood? Keith Hardt stated yes it is and we were under the time schedule to get the work completed while the contractor was onsite.

Councilman Mercer inquired about the RFP regarding phone systems, was Cisco the only phone system that was bid? Mr. Rauschenbach explained yes as it was the most appropriate system for our needs.

\*Requisition #9163, T&D Solutions, LLC, \$22,746, DOT reimbursable Hwy 17 utility relocation. Account 35-90-7220-041 1.

\*Requisition #9193, Pitt Country Mart., \$50,000, fuel for peak shaving generators. Account 35-90-8370-3 101.

\*Requisition #9313, BCI Utility Construction, \$85,000, relocate underground electric utilities for storm water project. Account 58-90-5710-4500.

\*Requisition #9373, Computer Service Partners, \$80,395, equipment for new phone system. Account 10-00-4400-7401.

\*Requisition #9385, Covington Diesel, \$26,617, backup generator for lift station. Account 32-90-8320-7400.

\*Requisition #9387, B.E. Singleton & Sons, \$45,750, demolition of old Ed Tech building for storm water project. Account 58-90-5710-4500.

By motion of Councilman Moultrie, seconded by Councilman Pitt, Council approved the purchase orders as presented.

Mr. Rauschenbach asked if the fuel purchase orders could be done similarly to the chemical purchase orders for the annual requirement next year instead of bringing individual purchase orders and be excluded from the \$20,000 purchase order policy.

By motion of Mayor Pro tem Roberson, seconded by Councilman Davis, Council excluded the fuel purchase orders from the “PO’s over \$20,000” beginning with the new FY 11-12 fiscal year. Councilman Mercer opposed. Motion carried, 4 to 1.

### **DISCUSSION OF PERSONNEL POLICY CHAPTER 9, SECTION 12**

Councilman Mercer stated well over a year ago we began looking at the Personnel Policy, most particular “car allowance/travel policy”. The current policy reads: “ With the exclusion of department heads for whom the City provides a City owned vehicle, department heads may be provided a travel bonus subject to annual approval by the City Council. Department heads receiving the travel bonus will not be eligible for reimbursement of mileage expenses within a specified mile radius of the City in accordance with the provisions of the bonus. Travel beyond the specified mile radius will be reimbursed in accordance with the City’s travel policy”.

We have had numerous discussion regarding we want to pay our department heads when they drive their vehicle for City business. He is recommending the following change to the personnel policy: Department Heads- It is recognized that on many occasions Department Head are required to operate their personal vehicles to conduct city business, when a City owned vehicle is not available. In order to provide compensation for this use, each Department Head is required to maintain a personal vehicle mileage use log for the City business and submit a report at the end of each month to the Finance Officer. The Finance Officer will reimburse the Department Head for the business mileage using the approved reimbursement rate (normally the approved IRS rate). This reimbursement will be paid to the Department Head in accordance with the procedures used to pay other expense reports.”

A motion was made by Councilman Mercer and seconded by Councilman Davis to adopt the proposed language as a replacement for the current language regarding department head travel allowance, “Department Heads- It is recognized that on many occasions Department Head are required to operate their personal vehicles to conduct city business, when a City owned vehicle is not available. In order to provide compensation for this use, each Department Head is required to maintain a personal vehicle mileage use log for the City business and submit a report at the end of each month to the Finance Officer. The Finance Officer will reimburse the Department Head for the business mileage using the approved reimbursement rate (normally the approved IRS rate). This reimbursement will be paid to the Department Head in accordance with the procedures used to pay other expense reports.”

Mayor Pro tem Roberson noted that there should be some guidance regarding consistency with the travel logs and Councilman Mercer suggested reviewing sample logs at the next meeting. We also should review this periodically. Mr. Connet stated that since he has been Interim City Manager he has had several discussions with Department Heads and was advised this was presented as part of their compensation package. Mr. Rauschenbach and Mr. Rodman explained they were told this was part of their compensation package during the hiring process at a rate of \$350 per month and this would be a

significant pay reduction. Mayor Pro tem Roberson and Councilman Moultrie stated it is not fair to take away that allowance if it was discussed as part of the hiring process. Mayor Pro tem Roberson would like a list of all of the Department Heads that were promised the car allowance as part of the compensation package. Councilman Mercer reviewed a change that was made in 2006 when the City Manager gave all Department Heads the same amount for car/travel allowance. Susan Hodges, HR Director stated some of the department heads would've fallen through the cracks, this was the most equitable way to give them all the same amount. Councilman Mercer stated he has asked for quite some time to have meetings to review the personnel policy and those meetings have not occurred. We either need to adopt the change or not.

Mayor Jennings reviewed the motion: A motion was made by Councilman Mercer and seconded by Councilman Davis to adopt the proposed language as a replacement for the current language regarding department head travel allowance, "Department Heads- It is recognized that on many occasions Department Head are required to operate their personal vehicles to conduct city business, when a City owned vehicle is not available. In order to provide compensation for this use, each Department Head is required to maintain a personal vehicle mileage use log for the City business and submit a report at the end of each month to the Finance Officer. The Finance Officer will reimburse the Department Head for the business mileage using the approved reimbursement rate (normally the approved IRS rate). This reimbursement will be paid to the Department Head in accordance with the procedures used to pay other expense reports." Voting for the motion: Mercer and Davis; against: Roberson, Moultrie & Pitt. Motion fails: 3-2.

**ACCEPT & ADOPT – THE RECOMMENDATION OF THE PLANNING DEPARTMENT AND  
ADOPT ORDINANCE TO AMEND CHAPTER 20, OFFENSES AND MISCELLANEOUS  
ARTICLE 1, BY ADDING SEC. 20-17 (GRAFFITI)**

John Rodman, Planning Director explained that he, the City Manager, the Police Department felt the need to develop and implement an ordinance on the abatement of graffiti. The purpose is to establish a program for the removal of graffiti from public and private property. Graffiti has been found to be a public nuisance and is destructive of the rights and value of property owners as well as the entire community. Once graffiti has been reported this will be channeled through the Police Department to attempt to identify the perpetrator. If that cannot be determined, then this will be routed back to the Planning Department and will follow the nuisance ordinance. We will notify the property owner of the structure regarding removing the graffiti. Council discussed various concerns including the number of days the property owner has to remove the graffiti as well as de-criminalize the charge. Mr. Rodman stated that on other nuisance orders the person is given 10 days to correct the problem. The perpetrator is fined, not the property owner.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council continued this item until the next regular meeting in July.

**APPROVE – THE TEMPLATE FOR AND AUTHORIZE CITY MANAGER TO ENTER INTO  
LEASE AGREEMENT FOR ROOMS AT THE PETERSON BUILDING ON AN  
ANNUAL BASIS**

Mr. Mobley stated the majority of the tenants are being charged. Currently, there are three non-profits with only one of them paying (WAHF), two do not pay: Pamlico Pals/Horizons and Beaufort/Hyde Special Olympics. Councilman Mercer suggested we need to review a template for all

the rooms being rented out to other agencies. We need to establish a rate and include a definitive policy regarding non-profits.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council agreed to continue this item until the next regular meeting in July.

**ADOPT – BUDGET ORDINANCE AMENDMENT WORKERS COMP RESERVE FY 2011/12**

Mr. Rauschenbach explained the City’s self funded workers compensation fund was established in fiscal year 2009/2010 with an excess reinsurance reserve of \$600,000 and \$225,094 for claims. We have operated from the reserve for two years without additional funding and need to provide adequate reserves for future claims through fiscal year 2011/2012. The benefit realized from being self funded vs. fully insured is estimated to have been \$81,167/year.

**Self Funded Workers Comp Benefit Recap 6/2/2011**

**Self Funded Cost**

Claims paid 305,175  
 Third Party Administrator 40,000  
 Excess Reinsurance 77,469  
 Total Cost 422,644

**Fully Insured Cost**

Cost/yr 292,489  
 #ofyears 2  
 Total Fully Insured Cost 584,978

**Self Funded Benefit**

First two years 162,334  
 Average per year 81,167

By motion of Councilman Moultrie, seconded by Mayor Pro tem Roberson, Council adopted the Budget Ordinance Amendment to appropriate funds to replenish the workers compensation reserve fund.  
**(copy attached)**

**ADOPT – REVISED POLICY FOR WATER & SEWER BILLING ADJUSTMENT**

Mr. Connet explained that it has been almost Seven (7) years since this policy was revised by the City Council (December 2004). He has reviewed the policy and checked to see what other cities are doing about large water bill adjustments. Most of the ones he heard from allow for some type of adjustment to the water bill & sewer bill if the water didn’t go through the sewer system. Customer Service makes every effort when a leak is detected to notify the customer as soon as possible, using door hangers and phone messages.

By motion of Mayor Pro tem Roberson, seconded by Councilman Moultrie, Council adopted the Revised Policy for Water and Sewer Billing Adjustments.

**POLICY FOR  
 WATER AND SEWER BILLING ADJUSTMENTS  
 EFFECTIVE MAY 2011  
 WATER & SEWER ADJUSTMENTS**

To make an adjustment, the City of Washington will need the following information from the customer:

- When the leak was discovered;
- Who made repairs, where and when; and
- A copy of the plumber’s bill, or receipts for materials purchased if you made the repairs.

The amount of the bill adjustment depends in part on whether the water from the leak returned to the sanitary sewer system or leaked elsewhere on your property.

The City of Washington will issue a billing adjustment to any customer having a water leak repaired based on the following formula:

1. The customer will be required to pay for his monthly average water consumption, plus 40% of the total amount over the average.
2. The customer will be required to pay for his monthly average sewer consumption and will not be billed any additional charge, if the water did not go into the Sewer System.
3. If a customer has a high water usage due to leaks or malfunctions of equipment and the water did go back into the sewer system, then the customer will not receive an adjustment. Faulty commodes or constant running of water in commodes are good examples of this high water usage.

**The City will only allow one adjustment during any 365 day period.**

If the City notifies a customer of a water leak at their premise and the customer does not correct the problem within 30 days of notification, the City will not issue any adjustment(s).

The following procedure will be followed before an adjustment is given:

- The customer has to provide the Customer Service Representative with proof that the water leaked on the ground or premises before an adjustment can be considered.
- A check-read service order will be generated by a customer service representative to verify the reading of the meter and to investigate signs of a leak. The water and sewer department will be notified, if any assistance is needed.
- Approximately sixty (60) days from the date of repair, the customer’s account will be printed and given to Public Works Department for review.
- Upon review of customer’s usage history, a water and/or sewer adjustment will be granted based on an average monthly usage.
- The adjustment will appear on the customer’s utility account.

**ADOPT – BUDGET ORDINANCE – FISCAL YEAR 2011-2012**

Mr. Rauschenbach explained the Budget Ordinance for Fiscal Year 2011-2012, totaling \$62,225,970. This ordinance appropriates the following amounts in the funds listed for operational expenses during the fiscal year:

General Fund	\$14,284,101
Water Fund	3,090,869
Sewer Fund	3,750,671
Storm Water Management Fund	689,229
Electric Fund	37,951,962
Airport Fund	406,229
Solid Waste Fund	1,248,500

Cemetery Fund	272,605
Library Trust Fund	225
Cemetery Trust Fund	800
E-911 Surcharge Fund	0
Public Safety Capital Reserve Fund	120,000
Economic Development Capital Reserve Fund	189,779
Water Capital Reserve Fund	30,000
Sewer Capital Reserve Fund	86,000
Facade Fund	10,000
Internal Service Fund	<u>95,000</u>
Grand Total	\$62,225,970

Councilman Mercer reviewed the fee schedules and noted they were not discussed at all during the budget workshops. He also noted that during the budget discussions last year a recommendation was made to the electric deposits. It was apparent those changes were never made to the fee schedule. Mr. Rauschenbach reviewed the deposit schedules with Council and stated this change evidently fell through the cracks and he apologized for that. Councilman Mercer reminded Council that last year Council approved changing the fee deposit back to the language from 2007-2008. Ms. Radcliffe asked if we could change the policy beginning July 1<sup>st</sup>, Councilman Mercer stated he was ok with that as long as the correction was made July 1<sup>st</sup>.

The following Electric Deposit Schedule will become effective July 1, 2011(Mr. Rauschenbach distributed the corrected fee schedule for Electric Deposits via e-mail on June 15<sup>th</sup>)

**DEPOSITS - ELECTRIC**

Definition/Comments – Process deposits for electric utility customers

Fees Charged –

- (a) *Residential.* Any person applying for electric services to be furnished to residential premises will have their credit checked using the Online Utility Exchange service. That credit information along with the history of usage at the service address, and the following schedules will be used to determine if a deposit will be charged and, if so, the amount:

- (1) Owners without electric heat.....\$50
- (2) Owners with electric heat.....\$100
- (3) Tenants without electric heat.....\$100
- (4) Tenants with electric heat.....\$125

Or at the City’s discretion 2/12 average annual charges based on the utility billing history at the location of service request.

After applying the above criteria, deposits will be capped as follows:

(5) residential electric deposits will be capped at \$200 if the customer provides his/her social security number.

(6) residential electric deposits will be capped at \$300 if the customer does not provide his/her social security number.

Such deposit requirement may be satisfied as follows:

(7) A cash deposit or billed deposit over a period not to exceed 3 months, which shall be refunded by credit to the customer's account at the end of a six month period during which the customer has paid six (6) bills on time and service has not been disconnected for failure to pay and has not had any returned checks or drafts on the account;

(8) Proof that the deposit refund requirements of subsection (a) of this section have been met at another location for which the customer is responsible; or

(9) A personal, written guarantee of payment by a current city customer who has satisfied the deposit refund requirements of subsection (a) of this section.

(b) *Increases.* A deposit may be increased or a new deposit may be required, at the city's discretion, after the customer's third failure to pay a bill in a timely manner, having service terminated for nonpayment, or having a check or draft returned because of insufficient funds or a closed account. This increase shall be the amount as defined in section (a)(1 & 2).

(c) *Commercial.* Any person applying for electric services to be furnished to commercial premises will have their credit checked using the Online Utility Exchange service. It will be determined from that if a deposit shall be charged. Generally, deposits for commercial electric services shall be in an amount equal to two-twelfths of the estimated annual charges. The initial deposit shall be based upon the city's estimate of customer's usage. After six (6) billing periods following the initial deposit, the customer's actual usage will be reviewed, and the deposit adjusted to reflect such actual usage. If the amount of the required deposit is decreased, the difference shall be credited to the customer's account; if the amount of the required deposit is increased, the difference shall be billed to the customer.

(1) Such a deposit requirement may be satisfied as follows:

- (a) A cash deposit or billed deposit, which shall be refunded by credit to the customer's account at the end of the first twenty-six-month period during which the customer has paid at least twenty-four (24) bills on time and service has not been disconnected for failure to pay;
- (b) Proof that the deposit refund requirements of subsection (a) of this section, have been met at another location within the city's system for which the customer is responsible; or
- (c) A surety bond or letter of credit issued by an entity satisfactory to the city; such bond or letter of credit shall be in the amount of the cash deposit and shall be irrevocable for a period of at least twenty-four (24) months from the date of the application.
- (2) If the customer chooses to use its credit history at other locations to satisfy the deposit requirement, the customer shall designate all such locations. If service is disconnected at any such location for nonpayment, the city may disconnect service to any or all such locations until the customer pays its account in full.
- (d) *Contractors.* Building contractors requesting temporary electric services will not be required to provide a deposit. However, each building contractor or his representative will be required to make a written request showing the date, the location of the service and the name in which the service is required.
- (e) *Increases.* A deposit may be increased, at the city's discretion, after the customer's third failure to pay a bill in a timely manner, having service terminated for nonpayment, or having a check or draft returned because of insufficient funds or a closed account. This increase shall be an amount equal to two-twelfths (2/12) of the estimated annual charges for commercial premises.
- (f) *Credit, refund, transfer.* When service is disconnected at the customer's request, the deposit shall be credited to the customer's final bill. If any deposit remains, the city will hold the final bill and mail it, along with a city check to the customer at the address given by customer. If the departing customer does not leave a valid forwarding address with the city, any refund will be held for thirty (30) days at city hall before being placed into an inactive status file. Deposit returns apply only to customers who are moving off of the city's system and not to those customers who are transferring service from one location to another within the system in which the deposit shall be transferred with the service.
- (g) *Termination of service.* Customers may terminate electric services in person or by phone.

General Ledger Code - 35-90-2500-0000 Electric Consumer Meter Deposits

Previous Legislative Reference - (Code 1972, § 25-11; Code 1993, § 6-33; Ord. No. 86-23, § 1, 11-10-1986; Ord. No. 88-15, § 2, 11-14-1988; Ord. No. 93-2, § 2, 3-8-1993)

Councilman Mercer noted that in the motion to adopt last year's budget the following item was included in the motion: "...set the Advalorem Tax rate at \$0.50(1 ½ cents going toward the Public Safety Capital Reserve Fund)...". Mr. Rauschenbach stated this was understood to be included in that rate.

By motion of Councilman Pitt, seconded by Councilman Moultrie, Council adopted the Budget Ordinance for Fiscal Year 2010-2011, set the 2011 Advalorem Tax rate at \$0.50 (1 ½ cents going toward the Public Safety Capital Reserve Fund)per \$100.00 value, and set the user fee schedule included in the appendix of the budget. Voting for the motion: Moultrie, Pitt, Davis; against: Mercer and Roberson. Motion carried: 3-2.

Councilman Mercer reminded Council of the possible reductions he suggested during the budget workshops in excess of \$600,000, while only \$80-90,000 in reductions were adopted. He stated he will not vote for this budget. Mayor Jennings stated he is proud of the budget that was presented to Council and proud of the staff that presented this budget. There are tax breaks for our citizens and rewards for our employees for the first time in a long time.

Discussions were held regarding the reduction in fees for league play.

A motion was made by Councilman Moultrie and seconded by Councilman Davis, that if a particular league does not reduce their fees by \$30 per person then that \$30 fee will be imposed on that League. All voted in favor and the motion carried.

(copy attached)

#### **UPDATE – POLICE DEPARTMENT FUNDING**

(begin memo from Pete Connet) We had a good meeting with Susan Christensen of the USDA last week. She was in-town to go over some of the invoices to-date on the Police project and we brought her up to speed on the funding issues we are facing. As I understand it, their loan commitment is still solid and we would need to complete the construction by the summer of 2013. She shared with us that a recent bid in Washington (March 2011) came in \$600,000 under the \$7 million estimate. They had 18 bidders on the project. She also said that USDA could go up to a 40 year term if that would help with the budget issues; this would reduce the DS payment on a \$3 million loan, offered by USDA, by \$22,000. There would be no penalty if the City wanted to pay-off the loan earlier than the proposed 40 year term. She stated that USDA knows that this a very important project for the City of Washington and they are willing to help in any way they can. Susan also pointed out to us that there are no new USDA projects being funded at this time, nor are they taking any new applications.

What savings we may see from a contractor is unknown at this time. In today's construction market contractors are hungry for work as evidenced in the recent bid in Washington that Susan shared with us. The only way to find out is to take the project all the way to the bidding phase. The cost to get there is approximately \$116,000 above what we will have spent to get through the Design Development Phase. Of Kevin's total contract price for A&E Services of \$257,667, the City would have spent \$206,133 to

get through the bidding phase versus \$90,183 if we stop at the end of the Design Development Phase. Additional related expense for the project, as of this date, amount to approximately \$50,000, for such items as legal fees, soil testing, appraisals, detailed land surveys and topographic mapping, and pre-project A&E expenses (approximately \$10,100). Total estimated expenses (A&E and Other related expenses as noted) through Design Development Phase would be approximately \$140,000. The project total cost commitment for the City through getting bids in-hand (the next phase) would be approximately \$256,000.

We have also learned that the EOC Grant application window is now open. As part of the discussions on the 13<sup>th</sup> if the Council decides to keep pushing forward with the project, we ask for you to consider filing for this grant. There is still no word on the FEMA Buyout funds for the existing PD.

I wish I had a good recommendation for you on this. It is a roll of the dice. If we stop at the DD Phase those dollars are not wasted if we stick with the airport site. Nor are the dollars wasted if you take it all the way to getting bids in-hand and then have to put things on the shelf until funds are available to carry the debt.

The downside to putting things on the shelf for a 12 to 18 month period of time is that there a very good chance the USDA funding might not be there in the future.

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**We are at a crossroads and direction is needed:**

- Do we incur additional expenses? Nearing completion of design development at a project cost of \$140,000 to date. Construction documents and bidding are the next phase with additional engineering cost of \$116,000 taking us to approximately a \$256,000 investment.
- Does DOA proceed with FAA land release? DOA needs direction on proceeding and expending State funds to process application. An alternate use for this site will likely require reapplication. The payment to the airport for release of the land would be done in a lump sum to a Capital Project Reserve.
- Do we stay on schedule to complete project within June 2013 USDA guideline by proceeding?

**Project Cost**

- \$4.3 million estimate vs. \$3 million Council direction
- As of this time there does not appear to be a way to reduce the total project cost to \$3 million.
- Construction cost may reduce the estimate, bidding will quantify, but won't reduce the estimated total cost to \$3 million

**Other Funding Sources/Considerations (find \$1 million)**

- Pursuing FEMA & EOC grants without guarantees in a funding environment that is tightening
- Do we proceed with the EOC grant application?
- Electric fund pay for the \$140,000 emergency generator for load management?

**Ability to Service Debt (\$3 million 4.125% USDA loan)**

- \$62,500 construction interest is included in FY 11-12 proposed budget
- \$ 176,133/ year 30 year USDA (additional \$113,633 from FY 11-12)

- \$ 154,401/ year 40 year USDA (additional \$91,901 from FY 11-12)
- Additional recurring revenue sources and or expenditure reductions will be necessary to service the additional debt.

Additional Considerations:

- USDA is not processing new loan applications. Long term financing may not be available if the project is postponed.
- Construction cost will likely increase in the future.(end memo)

<b>Preliminary Cost Estimation of Police Department Facility.</b>							
<b>Numbers taken in part from USDA Loan Application and updated info as known</b>							
<b>For Discussion Purposes only</b>							
<b>Expense Item</b>			<b>Est. Cost</b>		<b>Notes</b>		
Development and Construction			\$ 3,235,160				
	Building Cost	\$ 2,543,710			based on 14,963 SF x \$170/sf		
	Site Work Cost	\$ 472,450					
	IT/Telecom	\$ 38,000.00					
	Security	\$ 41,000.00					
	Emergency Gen.	\$ 140,000.00					
Land Surveys & Appraisals, sites 1&2			\$ 15,000		\$11,475 paid to date		
Land Cost/FAA/airport Improvements			\$ 200,000		Two appraisals--1@\$300,000 and		
Legal and Administrative			\$ 20,000		Estimate from Atty.		
Architect /Engineering fees (max.per contract)			\$ 257,667		8% of Development and Construc		
Interest on Construction Loan			\$ 112,500		\$3 million, 2.5%, 18 months		
Furniture/Fixtures/Equipment (FFE)			\$ 200,000		6.2% of Development cost		
Contingency			\$ 200,000		6.2% of Development cost		
Geotech/soils analysis			\$ 3,900		from actual quote		
Detailed site survey/including topo			\$ 6,100		Estimate		
Preliminary Reports/prior to Design contract			\$ 10,650		paid to date		
Estimated Moving cost of the Department			\$ 35,000		Est. moving \$35,000		
			\$ 4,295,977				
<b>Revenue Sources</b>							
Public Safety Capital Reserve fund			\$ 1,000,000				
USDA Loan			\$ 2,000,000		They will go up to \$3,000,000		
			\$ 3,000,000				
<b>Potential Funding Sources</b>							
<b>FEMA BUY OUT NET NEW MONEY</b>		\$ 600,000					
EOC Grant Program		\$ 457,000					
		\$ 1,057,000					
<b>Revenue/Expenses</b>			<b>\$ (1,295,977)</b>				

Council discussed the various possibilities relating to continuing, stopping or placing on hold the Police Department project, including ideas such as reconfiguration of the facility, keeping it as is and placing out for bids as well as continue looking for funding sources.

Council, by consensus agreed to suspend the Police station project for 60 days and during this time possibly redesign the facility and review funding/financing sources. Council requested that staff give an update/review at the August 8<sup>th</sup> Council meeting.

The City Attorney will forward a letter to FAA asking them to place the land release on hold. By consensus, Council authorized staff to proceed with submitting the E.O.C. grant application.

**DISCUSSION – ETJ BOUNDARY**

Mayor Pro tem Roberson suggested the need to reduce the ETJ Boundary. The pending legislation would allow for citizens inside the ETJ to vote and to be allowed to be on City Council. We could possibly reduce the 1 ½ ETJ area. Council suggested the item be sent to the Planning Board for further review. Councilman Mercer noted this bill is now considered a study bill.

**DISCUSSION – PARTNERSHIP FOR THE SOUNDS**

Mayor Jennings requested permission from Council for the City Attorney to write a letter to Partnership for the Sounds stating their lease allows for a sub-lease in regards to the proposed upland bathhouse. Council by consensus agreed to the allowing the attorney to write the letter.

**DISCUSSION – GATES AT MOSS LANDING**

Councilman Davis asked the City Manager to review the installation of the gates at Moss Landing and the City's boardwalk. He understood the gates would be at the Moss property line not beginning at the City's boardwalk. These gates are locked and should be opened.

**ADJOURN**

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council adjourned the meeting at July 18, 2011 at 5:30pm in the Council Chambers at the Municipal Building.

**(Subject to the Approval of the City Council)**

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

**CITY COUNCIL MINUTES  
WASHINGTON, NORTH CAROLINA**

**June 27, 2011**

The Washington City Council met in a continued session on Monday, June 27, 2011 at 5:30 pm in the City Council Chambers at the Municipal Building. Present were: Archie Jennings, Mayor; Bobby Roberson, Mayor Pro tem; Doug Mercer, Councilman; Gil Davis, Councilman; William Pitt, Councilman; Pete Connet, Interim City Manager; and Reatha B. Johnson, Assistant City Clerk.

Councilman Moultrie was absent and excused from the meeting.

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

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

**APPROVAL/AMENDMENTS TO AGENDA**

Councilman Davis requested adding closed session under § NCGS 143-3 18.11 (a)(6) Personnel.

Mayor Jennings stated Councilman Moultrie had called and requested Council consider moving the Regular Council meeting from July 11, 2011 to July 18, 2011. Mayor Pro tem Roberson informed Council that he would be unavailable on the 11<sup>th</sup> as well. This discussion will become item # 1 and all other items will move successively.

Mayor Jennings requested moving appointments to various Boards, Commissions and Committees to the next regular Council meeting in July.

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

**PRESENTATION – INTERIM CITY MANAGER, PETE CONNET**

Mayor Jennings presented the Interim City Manager, Pete Connet with a gift of appreciation for his stay with the City of Washington during the transition period and noted his experience was truly a blessing.

**CONSIDER – CHANGING MEETING DATE FOR JULY 11, 2011**

Mayor Jennings noted it had been customary that we only have one meeting during the month of July. During the last several years we have forgone the Committee of the Whole meeting in recognition of the effort put forth by Council and Staff during the budget process.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, Council agreed to change the regular scheduled meeting from July 11, 2011 to July 18, 2011.

**APPROVE – CLASSIFICATION AND PAY GRADE CHANGES**

Human Resource Director, Susan Hodges, stated the Director for the City's Technology Services, Ray Midgette, retired in December of 2010 and after much consideration, the decision was made to outsource the day to day information technology systems administration. The transition significantly impacted the Data Systems Specialist, the only remaining position in the department. This position was observed for six months when we entered the contract with Sound Side Group. The position has retained considerable responsibility for the information technology function for the City, including internal coordination, administration, special projects, help desk monitoring, coordination with the contractor, etc.

Ms. Hodges voiced the Police Department has had a recent retirement in the evidence and records division. With this change in staff, Police Chief Reed has decided to reorganize the telecommunications, records and evidence functions with the intent to better utilize civilian staff where possible and sworn law enforcement officers in the capacities that require the sworn status. The reorganization combines records, evidence and telecommunications into one unit with one supervisor. The Telecommunications Supervisor has been assigned the additional responsibility of overseeing Police evidence and records, in addition to the telecommunications function. This reorganization can be supported within the current budgeted salary allocation and does not change staffing levels.

Classifications were reviewed and reclassification requests are being submitted for Council consideration.

A copy of the report from Consultant, Becky Veazey with the MAPS Group was attached describing the recommended changes.

Councilman Mercer suggested there had been no prior discussions of reorganizing the Police Department. Councilman Mercer felt this was an excellent opportunity for Council to evaluate the staffing level. He requested Council be given job descriptions for the positions prior to the reorganization and the new job descriptions defining the new activities. Also, he would like to be provided with an old organizational chart plus the proposed new organizational chart.

Councilman Mercer felt that Council was being asked to approve a job position without any description and requested continuing this action item until a future date. Councilman Pitt seconded the motion. Discussion.

Ms. Hodges explained the organizational chart had been intentionally left off because this is an administrative function to be updated when changes occur and did not wish those to be a part of the Council's action.

Mayor Jennings inquired if there would be an impending problem if Council waits until July to consider this action item. Ms. Hodges expressed her concerns and the need for one of the vacant position. Also, there is also a placement that needs to be considered internally and she would like to move forward because of the need to have this position established at the proper level. Council Mercer inquired if the delay of three weeks would make any appreciable difference and any action taken can be made retroactive.

Mr. Connet requested Ms. Hodges attend the Closed Session to share information with Council regarding Personnel issues.

Mayor Pro tem Roberson voiced he was interested in the process when it comes to Personnel. When Ray Midgette retired and the reorganization was set up, Council does not have the total cost allocation (net cost from the savings of reclassification). Mr. Rauschenbach shared they did outsource in the tune of \$20,000 to Sound Side Group. This position was looked at over the last six months and there will still be considerable savings to the City to represent work currently being done for the person that filled that role. Mayor Pro tem Roberson reiterated he would like to still see the numbers.

Mayor Pro tem Roberson stated he does not feel they have a lot of control with overtime in the Police Department. The salary pay grade will be taken out of the overtime line item due to reorganization but what happens if something comes up and you need to appropriate more money into the overtime line item. Ms. Hodges stated this will be an exempt position. Chief Reed explained that he was trying to make sure the sworn staff is confined to activities that are required to be sworn staff as well as reduced the number of supervisors. By reducing the number of supervisors and creating a situation where there is some cross training that we can do to better utilize our people. Chief Reed mentioned they are a Public Safety Entity and just in the last couple of weeks there were unforeseen situations that occurred. He can't promise that something may arise and would require overtime. Mayor Pro tem Roberson commented Chief Reed and expressed his appreciation to Chief on an outstanding job with his budget by reducing his total overtime hours.

Councilman Pitt inquired as to how many cities has implemented this procedure. Ms. Veazey shared she hasn't seen it frequently but has seen it in some communities. These communities are not close to Washington but the trend is moving toward more civilian staff. The Police Support Services Supervisor position (previously Telecommunications Supervisor) would be going from non-exempt to exempt with no more overtime in that position.

Mayor Jennings stated there was a motion on the table: Mayor Pro tem Roberson requested to specify a date for this action item.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council agreed to continue the Classification and Pay Grade Changes until August 8, 2011 regular Council meeting.

**APPOINTMENTS – TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES – MOVED TO JULY 18, 2011 REGULAR MEETING**

**AMEND – USER FEE SCHEDULE FOR FISCAL YEAR 2011/2012, ELECTRIC DEPOSIT**

Mr. Rauschenbach noted this request is the result of discussion from Budget Workshops. The electric deposit user fees have been amended to be consistent with discussions and with the direction of Council to be implemented 7/1/11.

Mr. Rauschenbach stated that per conversation with the City Attorney, Franz Holscher numbering inconsistencies has been identified in this policy and City Code. Mr. Rauschenbach requested that Council approve the amendment subject to the revisions of the City Attorney. There will be a forthcoming amendment to the City Code.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the user fee schedule for the electric deposit subject to the correction of numbering and lettering changes to be submitted by the City Attorney.

**AWARD – CONTRACT FOR COMPLETION OF CITY'S COMPREHENSIVE PLAN UPDATE**

Planning & Development Director, John Rodman and Planning Administrator, Glen Moore presented this action item to Council. Mr. Rodman recalled Council's attention that the Comprehensive Plan was one of the goals for the Planning & Development Department this year. Initially RFP proposals for the City's Comprehensive Plan update were received on November 19, 2010. At the May 16, 2011 City Council meeting, Council instructed staff to rebid the project.

Mr. Moore spoke with all bidders informing them that they would need to reduce some of the scope of services since funds were limited. Originally there were six proposals ranging from \$39,000 - \$90,000.

Revised RFP packages were received on June 1, 2011 from three planning consulting companies to update the City's Comprehensive Plan. Holland Consulting Planners presented the lowest RFP at \$29,500, Clarion Associates presented an RFP in the amount of \$30,000 and Wooten Company had an RFP of \$43,530. The staff thoroughly reviewed each of the three bid proposals and the scope of work submitted by each. The total scope of services was very similar but Clarion Associates was the only company that stated they could complete the project in 10 months rather than 12 months. City Council is not bound by state statute to award a contract on a presented RFP to the lowest bid. Planning would like to request Council award the contract to Clarion Associates out of Charlotte, NC as the award should be presented on the total RFP.

Mayor Pro tem Roberson inquired if the completion date was specified on the specifications. Mr. Rodman suggested they are a little behind schedule and was hoping to

get this done by the beginning of the year and 10 months would certainly help. Interim City Manager, Pete Connet agreed with Mr. Rodman's assessment.

By motion of Mayor Pro tem Roberson, seconded by Councilman Pitt, Council awarded the contract for the completion of the City's Comprehensive Plan Update to Clarion Associates in the amount of \$30,000 to be completed within 10 months and to include the PO's for this fiscal year.

**MEMO – PERSONNEL POLICY CHAPTER 9 – CAR ALLOWANCE**

Interim City Manager, Pete Connet stated at last meeting this item came up as to how many department heads were receiving car allowance and this information is provided to Council in a Memorandum.

**(Begin memo) Article IX, Section 12 (b) of Personnel Policy – “Car Allowance/Travel Bonus”**

This memo is in response to Council's questions regarding the above referenced matter. Currently there are eight (8) department heads that receive a monthly car allowance as part of their salary compensation. They are as follows:

Matt Rauschenbach  
Philip Mobley  
Keith Hardt  
Gloria Moore

Allen Lewis  
Susan Hodges  
Lynn Lewis  
John Rodman

Of these eight, Matt, Keith, and John had been told that the car allowance was part of their compensation package by the City Manager who either hired them or promoted them into their current department head position. Keith has paperwork from R.L. Willoughby dating back to March 13, 1997 stating he would be paid a monthly car allowance of \$350.00

Each department head receives as part of their salary, \$350.00 per month, or \$4,200.00 per year. If they travel more than 150 miles (one-way) they receive reimbursement at the IRS rate for their mileage above the 150. As an example, if a Department head use his/her own vehicle and travels to Greensboro to a meeting and the total miles are 350 miles round-trip, they will be reimbursed for the miles above 300 -- 50 mile X .51/mile or \$25.50.

If they are paid on a straight mileage basis in the same example the cost is 350 X .51 mile = \$178.50.

**My recommendation would be as follows:**

\*Since this auto allowance has become and is budgeted as part of their annual salary, I would recommend that the total salary amount not change, and that the current method of mileage reimbursement continue, with some clarification in the personnel policy similar to the City Manager language contained in the present Policy.

***b. Department Heads. With the exclusion of department heads for whom the City provides a City-owned vehicle the City Council may provide a monthly***

*flat amount of car allowance for the Department Heads in lieu of providing a city-owned vehicle to conduct city business. The allocated car allowance will cover all mileage expenses for City business within a 150-mile radius (300 miles round trip) of the City. Travel beyond the 150-mile radius will be reimbursed in accordance with the City's travel policy. This allowance will be reported on the Department Head's W-2 form.*

If the City Council does not accept the recommendation set forth above, I would recommend the following alternative.

*The Department Heads, listed above, shall not have their current compensation package (base salary plus monthly auto allowance) reduced as of July 1, 2011, but will begin being reimbursed for actual miles traveled on City business as the then current IRS mileage rate. Said request for reimbursement shall be on a monthly basis and shall be submitted to the Finance Department on a signed and dated monthly mileage log for payment.*

This alternative recommendation would keep the respective department head whole based on the actions of previous City Manager administrations, and would implement the changes that the Council briefly discussed at their June 13, 2011 regular meeting. New language would need to be added/changed in current Personnel Policy (**IX. Section 12. Car Allowance / Travel Bonus (b) Department Heads.**) (End memo)

Councilman Mercer noted this is a memo for consideration and it was called to his attention the need by Council to know what some of the other nearby communities are doing in regards to travel allowance for department heads. Councilman Mercer recommended taking no action on this memo and requested that the City Clerk contact the nearby towns (New Bern, Greenville, Tarboro, Rocky Mount, and Kinston) and see their policy on department heads travel.

Mayor Jennings stated for clarification, how often does our department heads travel outside the 150-mile radius. Mr. Connet stated it is very rare for department heads to travel past the 150-mile radius on City business, but it does occur from time to time. Mayor Pro tem Roberson commented on the problem the City ran into with department heads travel with the Manager and provided the reason. Mayor Jennings noted it is rare to receive a car allowance and mileage and suggested one consideration may be leaving the travel allowance in place and not having any reimbursement for mileage since we are rarely outside of the radius.

Council requested taking the memo information and moving forward with some additional analysis. Council postponed any action until a later date.

#### **ADOPT – ELECTRIC RATE SCHEDULES**

Electric Director, Keith Hardt stated Council had requested clarification of some of the changes on rate determinants. These are in line with the current 5%.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council adopted the rate schedule for the electric rates set forth in the documents, the one for electrical services outside of the city with the appropriate fees and ones for electrical services for residential customers inside the city with the appropriate fees.

**CLOSED SESSION – UNDER § NCGS 143-318.11(a)(6) PERSONNEL**

By motion of Councilman Davis, seconded by Councilman Pitt, Council agreed to enter closed session under § NCGS 143-318.11(a)(6) Personnel @ 6:05 PM.

By motion of Councilman Mercer, seconded by Councilman Pitt, Council agreed to come out of Closed Session at 6:45pm.

**ADJOURN – UNTIL MONDAY, JULY 18, 2011 AT 5:30 PM IN THE COUNCIL CHAMBERS AT THE MUNICIPAL BUILDING**

By motion of Councilman Pitt, seconded by Councilman Davis, Council adjourned the meeting at 6:46 pm until July 18, 2011 at 5:30 pm in the Council Chambers at the Municipal.

**(Subject to the Approval of the City Council)**

**Reatha B. Johnson**  
**Assistant City Clerk**



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Allen Lewis, Public Works Director *Allen Lewis*  
**Date:** 06-29-11  
**Subject:** Amend Chapter 18, Section 18-128 – One-hour parking areas.  
**Applicant Presentation:** N/A  
**Staff Presentation:** Allen Lewis

RECOMMENDATION:

I move Council adopt an ordinance to amend Chapter 18, Section 18-128 – One-hour parking areas to include the south side of Second Street from Market Street westward one hundred ninety (190) feet.

BACKGROUND AND FINDINGS:

This amendment is at the request of Councilman Davis. This will limit parking to one hour on the south side of West 2<sup>nd</sup> Street between Market Street and the first driveway into the parking lot across from the Beaufort County courthouse. The attached ordinance codifies this request.

Attached is the amended portion of the ordinance for your consideration.

PREVIOUS LEGISLATIVE ACTION

06-13-11 – amended parking ordinance on East 2<sup>nd</sup> Street.

FISCAL IMPACT

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

SUPPORTING DOCUMENTS

Ordinance to amend Chapter 18, Section 18-128, One-hour parking areas.

July 18, 2011

City Attorney Review: \_\_\_\_\_ Date By: Page 50 of 182 (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 City Manager Review: *EML* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation 7/13/11 Date

**AN ORDINANCE TO AMEND CHAPTER 18,  
SECTION 18-128: ONE-HOUR PARKING AREAS,  
OF THE WASHINGTON CITY CODE**

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

Section 1. That Chapter 18 Section 18-128 – One-hour parking areas, be amended to add the following:

Sec. 18-128 (b) (5)

West Second Street (south side), from Market Street westwardly a distance of one hundred ninety (190) feet.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall become effective July 19, 2011.

This the 18<sup>th</sup> day of July 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Matt Rauschenbach, C.F.O.  
**Date:** July 18, 2011  
**Subject:** Budget Ordinance Amendment & Capital Project Ordinance  
 Main & Respress Lift Station  
**Applicant Presentation:** N/A  
**Staff Presentation:** Matt Rauschenbach

**RECOMMENDATION:**

I move that City Council adopt a Budget Ordinance Amendment and a Capital Project Ordinance for the Main & Respress lift station project.

**BACKGROUND AND FINDINGS:**

The Main & Respress lift station project was included in the FY11/12 budget. This Council Action removes the Main & Respress lift station project from the Sewer Fund and establishes a Capital Project Fund.

**PREVIOUS LEGISLATIVE ACTION**

FY 11/12 approved budget

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Budget Ordinance Amendment  
Capital Project Ordinance

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** YML Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation  
7/13/11 Date

**A CAPITAL PROJECT ORDINANCE FOR MAIN & RESPESS  
LIFT STATION UPGRADE  
CITY OF WASHINGTON, N.C.  
FOR THE FISCAL YEAR 2011-2012**

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

Section 1. The project authorized is to provide funds for upgrading the Main Street & Respass Street lift station.

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

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

73-90-8000-0400	Grant/Loan Administration	\$ 20,000
73-90-8000-0405	Legal Fees	6,000
73-90-8000-0410	Engineering/Permitting	160,000
73-90-8000-4500	Construction	376,400
73-90-8000-9900	Contingency	<u>37,600</u>
	Total	\$ 600,000

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

73-90-3490-0000	State Loan Proceeds	\$ 600,000
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Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the State Revolving Loan Fund loan agreement.

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

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

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

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

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

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

Adopted this the 18th day of July, 2011.

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MAYOR

ATTEST:

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CITY CLERK

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

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

Section 1. That the Estimated Revenues in the Sewer Fund be decreased in the amount of \$600,000 in the account Other Loan Proceeds, account number 32-90-3920-9105.

Section 2. That account number 32-90-8230-7400, Capital Outlay, Lift Station Department portion of the Sewer Fund appropriations budget be decreased in the amount of \$600,000 due to setting up a capital project fund to account for the expenses.

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 18<sup>th</sup> day of July, 2011.

\_\_\_\_\_  
**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: 07-07-11
Subject: Adopt Budget Ordinance Amendment for Stormwater Improvement Project (\$44,205).
Applicant Presentation: N/A
Staff Presentation: Allen Lewis

RECOMMENDATION:

I move that Council adopt a budget ordinance amendment to re-allocate funds for stormwater Improvement Project in the amount of \$44,205.

BACKGROUND AND FINDINGS:

Due to change orders as a result of conditions in the field, we need to reallocate \$44,205 from the contingency line item of this project into the construction line item. This majority of this cost is due to changes needed in design due to unforeseen utility conflicts and easement acquisition issues.

As for the status of the project, at this time the project is on schedule to be completed within the contract timeline (March 2012). Work should be completed at the Trade Wilco site by the date of this Council meeting, effectively completing the improvements in the airport canal basin portion of the project.

PREVIOUS LEGISLATIVE ACTION

Last action item included authorizing manager to enter into construction contract – 12-13-10.

FISCAL IMPACT

[X] Currently Budgeted (Account 58-90-5710-9900) \_\_\_ Requires additional appropriation \_\_\_ No Fiscal Impact

SUPPORTING DOCUMENTS

See attached Budget Ordinance Amendment.

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

Handwritten signature and date 7/13/11

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

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

Section 1. That the Contingency portion of the RZDEB Stormwater Project be decreased in the amount of \$44,205, account number 58-90-5710-9900.

Section 2. That account number 58-90-5710-4500, Construction portion of the RZDEB Stormwater Project be increased in the amount of \$44,205.

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 18<sup>th</sup> day of July, 2011.

---

**MAYOR**

**ATTEST:**

---

**CITY CLERK**



# Requisition Form

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

Requisition #:9758  
PO #: Not Assigned  
User Name: Beverly Clark

Date: 07/08/2011  
Approved By:  
Approved Code: Awaiting Final Approval  
Total Amount: \$174,553.60  
Ship To:  
CITY OF WASHINGTON WAREHOUSE  
203 GRIMES ROAD  
WASHINGTON, NC 27889

ASPLUNDH TREE EXPERT COMPANY  
708 BLAIR MILL ROAD  
WILLOW GROVE, PA 19090

Vendor Instructions: Electric T&D  
Al Leggett  
975-9315

Quantity	Description	Job Number	Unit Price	Extended
1	52 pay weeks (1yr) for one three man crew w/truck and chipper		\$174,553.60	\$174,553.60
<b>Sub Total</b>				<b>\$174,553.60</b>
<b>Total Tax</b>				<b>\$0.00</b>
<b>Total</b>				<b>\$174,553.60</b>

Account Number	Account Description	Amount
35-90-8380-4501	CONTRACT SERVICE-TREE TRIMMING	\$174,553.60
<b>Total</b>		<b>\$174,553.60</b>

## Approval List

Dept Level Approval: \_\_\_\_\_  
Department Head: \_\_\_\_\_  
PO Level Approval: \_\_\_\_\_  
Purchase Order Prep: \_\_\_\_\_

# Requisition Form

City Of Washington

P.O BOX 1988

WASHINGTON, NC 27889

Requisition #:9780

PO #: Not Assigned

User Name: Adam Waters

Date: 07/08/2011

Approved By:

Approved Code: Awaiting Final Approval

Total Amount: \$158,500.00

Ship To:

CITY OF WASHINGTON WAREHOUSE (PW)

203 GRIMES ROAD

WASHINGTON, NC 27889

RIVERS & ASSOCIATES INC.

PO BOX 929

GREENVILLE, NC 27834

**Vendor Instructions:** PUBLIC WORKS  
WATER RESOURCES  
ADAM WATERS  
252-975-9310

Quantity	Description	Job Number	Unit Price	Extended
1	PROFESSIONAL ENGINEERING SERVICES FOR MAIN AND RESPESS PUMP STATION REPLACEMENT.		\$158,500.00	\$158,500.00
<b>Sub Total</b>				<b>\$158,500.00</b>
<b>Total Tax</b>				<b>\$0.00</b>
<b>Total</b>				<b>\$158,500.00</b>

Account Number	Account Description	Amount
73-90-8000-0410	ENGINEERING/PERMITTING	\$158,500.00
<b>Total</b>		<b>\$158,500.00</b>

## Approval List

Dept Level Approval: \_\_\_\_\_  
Department Head: \_\_\_\_\_  
PO Level Approval: \_\_\_\_\_  
Purchase Order Prep: \_\_\_\_\_

# Requisition Form

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

Requisition #:9762  
PO #: Not Assigned  
User Name: Frankie Buck

Date: 07/08/2011

Approved By:  
Approved Code: Awaiting Final Approval  
Total Amount: \$205,506.00

MILLER SUPPLY CO., INC.  
PO BOX 1745  
LAURINBURG, NC 28353

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

Vendor Instructions:SHIP TO ATTEN: FRANKIE BUCK

Quantity	Description	Job Number	Unit Price	Extended
1398	5/8 " X 3/4 " A.M.R. WATERMETERS		\$147.00	\$205,506.00
			<b>Sub Total</b>	<b>\$205,506.00</b>
			<b>Total Tax</b>	<b>\$0.00</b>
			<b>Total</b>	<b>\$205,506.00</b>

Account Number	Account Description	Amount	
30-90-7250-7000	NONCAPITALIZED PURCHASES	\$205,506.00	
		<b>Total</b>	<b>\$205,506.00</b>

## Approval List

Dept Level Approval: \_\_\_\_\_  
Department Head: \_\_\_\_\_  
PO Level Approval: \_\_\_\_\_  
Purchase Order Prep: \_\_\_\_\_

# Requisition Form

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

Requisition #:9790  
PO #: Not Assigned  
User Name: Ed Pruden

Date: 07/11/2011  
Approved By:  
Approved Code: Awaiting Final Approval  
Total Amount: \$32,716.97

ATLANTIC POWER SYSTEMS OF NC, INC.  
3252 SAINT DELIGHT'S CH. RD.  
NEW BERN, NC 28560

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

Vendor Instructions: ELECTRIC DEPT, ED PRUDEN 252-975-9365

Quantity	Description	Job Number	Unit Price	Extended
1	LEVEL 1 PREVENTIVE MAINTENANCE CONTRACT FOR PEAK SHAVING GENERATORS		\$5,252.00	\$5,252.00
1	LEVEL 2 PREVENTIVE MAINTENANCE CONTRACT FOR PEAK SHAVING GENERATORS		\$26,254.97	\$26,254.97
11	FUEL TANK SUPPLY FOOT VALVE REMOVAL, CLEANING AND RE-INSTALLATION, 11 FUEL TANKS		\$110.00	\$1,210.00
<b>Sub Total</b>				<b>\$32,716.97</b>
<b>Total Tax</b>				<b>\$0.00</b>
<b>Total</b>				<b>\$32,716.97</b>

Account Number	Account Description	Amount
35-90-8370-1600	MAINT/REPAIR EQUIP	\$32,716.97
<b>Total</b>		<b>\$32,716.97</b>

## Approval List

Dept Level Approval: \_\_\_\_\_  
Department Head: \_\_\_\_\_  
PO Level Approval: \_\_\_\_\_  
Purchase Order Prep: \_\_\_\_\_



City of Washington

**REQUEST FOR COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Bianca Gentile & John Rodman, Planning and Community Development  
**Date:** July 1, 2011  
**Subject:** Public Hearing: To consider grant application submission for the Talent Enhancement Grant Program and adopt all supporting compliance policies  
**Applicant Presentation:** N/A  
**Staff Presentation:** As requested

**RECOMMENDATION:**

I move that Council approve the submission of an application to the Talent Enhance Grant Program sponsored by the NC Department of Commerce, Rural Development Division, for \$50,000 and adopt all supporting compliance policies: fair housing, flood plain certification and environmental review record.

**BACKGROUND AND FINDINGS:**

The N.C. Department of Commerce, Rural Development Division announced the availability of \$700,000 in funds for Talent Enhancement Capacity Building Grant. A workshop was conducted in Raleigh, NC on June 29, 2011 at 11:00 am.

Staff attended this workshop and learned that these grants will be awarded through competitive process as part of a collaborative with East Carolina University's Office of Engagement, Innovation and Economic Development. These grants are intended to address the challenge of developing talent in smaller, rural economies in North Carolina. The goal of TECBG grant is to provide for local units of government opportunity to build capacity in areas to develop appropriate and competitive CDBG grants, administer CDBG grants, grant writing, grant administration, economic impact analyses, community survey research and design, and feasibility study preparation. It is anticipated that fourteen (14) grants will be awarded in the amount of \$50,000 each with duration of 15 months. These TECBG grants will follow all Community Development Block Grant Rules, regulations, and policies.

Applications due: July 22, 2011. No local match required.

**PREVIOUS LEGISLATIVE ACTION:**

**FISCAL IMPACT:**

Currently Budgeted  Requires Additional Appropriation  No Fiscal Impact

**SUPPORTING DOCUMENTS:**

- Fair Housing Plan
- Environmental Review Record
- Floodplain Certification

A copy of the CDBG housing development grant guideline are available in the Planning Department.

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** 7/13/11 Date [Signature] Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation

**CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER  
RESPONSIBILITY MATTERS**

Applicants should refer to the regulations cited below. Applicants should also review the instructions for certification included in the regulations before completing this form, signature on this form provides for compliance with certification requirements implementing Federal Executive Order 12549 and guidance issued in the *Federal Register*, Volume 70, No. 168, pages 51863 through 51880 for "Governmentwide Debarment and Suspension (Nonprocurement)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant or cooperative agreement.

**1. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

As required by Executive Order 12549, Debarment and Suspension, for prospective participants in primary covered transactions.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

**B. Disclosure of Civil Rights Complaints/Lawsuits**

The **City/County/Town** of \_\_\_\_\_ hereby assures and certifies that there are no open, unresolved or pending civil rights complaints or lawsuits against the participating local governments in this Talent Enhancement Capacity Building Grant project. Furthermore, if there are any liens that have been placed on the **City/County/Town**, this fact must be disclosed and the circumstances of the lien must be described below.

\_\_\_\_\_  
**Signature of CEO**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
**Title**

July 5, 2011

\_\_\_\_\_  
**Date**

**4. STATEMENT OF CERTIFICATION  
FOR  
FUTURE APPLICATION AND BENEFIT**

We, the undersigned, do certify that if this Talent Enhancement Capacity Building Grant application is funded, the Talent Enhancement Capacity Building Grant funds will be used to produce a Small Cities Community Development Block Grant (CDBG) application within 15 months of the Talent Enhancement Capacity Building Grant award. Any project developed and funded in the future CDBG application as a result of the Talent Enhancement Capacity Building Grant will benefit at least 51% low and moderate-income people.

***Signature of Chief Elected Official***

✓ \_\_\_\_\_  
Name

\_\_\_\_\_  
Mayor  
Title

\_\_\_\_\_  
July 5, 2011  
Date

**(If applicable)**

***Signature of Authorized Official of Non-Profit Partner***

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

### 3. PROGRAM COMPLIANCE CERTIFICATION

As chief elected official, I certify that, if funded, we will comply with all applicable federal and state Talent Enhancement Capacity Building Grant (TECBG) program requirements (same as CDBG) concerning the Talent Enhancement Capacity Building Grant application/grant and any future CDBG application/grant resulting from this application.

I also certify that a public hearing was held by the local governing board to inform the public about submitting an application to the Rural Development Division.

*Signature of Chief Elected Official*

✓

\_\_\_\_\_  
Name

\_\_\_\_\_  
July 5, 2011

Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Title

**1. Application Summary**  
**Talent Enhancement Capacity Building Grant**

<b>1. Applicant's name</b>			<b>2. Date</b>
<b>a. Mailing Address</b>			Original, dated:  Amendment, dated:
<b>b. City and Zip Code</b>			
<b>c. County</b>			
<b>d. Contact Person</b>			
<b>e. Telephone Number</b>			
<b>f. Fax Number</b>			
<b>g. e-mail address</b>			
<b>3. Preparer's Name</b>			<b>c. Telephone Number</b>
<b>a. Firm's Name</b>			
<b>b. Mailing Address</b>			
<b>c. City and Zip Code</b>			<b>f. Fax Number</b>
<b>d. e-mail address</b>			
<b>4. Program Category</b>	<b>5. Project Number</b>	<b>6. Project Name</b>	<b>7. TECPG Funds Requested</b>
C	1		\$
			Total \$
<b>10. Certification by the Chief Elected Official</b>			
<p>a) I certify that to the best of my knowledge and belief:</p> <p>(1) Data in this application is true and correct,</p> <p>(2) Opportunities have been provided for citizen participation and access to information concerning the proposed activities,</p> <p>(3) This document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached certifications and state Standards if the assistance is approved.</p> <p>b) I acknowledge that, if funded, this application is part of the Grant Agreement.</p>			
<b>c) Typed Name of Chief Elected Official &gt;</b>		N. Archie Jennings, III	
<b>d) Typed Title &gt;</b>		Mayor	
<b>e) Signature &gt;</b>			
<b>f) Typed Date &gt;</b>		July 5, 2011	
<b>For RDD Use Only</b>		<b>Date Received:</b>	<b>Application Number:</b>

**Environmental Review at the Community Level**  
**North Carolina Department of Commerce**  
**Small Cities Community Development Block Grant Program (CDBG)**

**Cover Page**

<b>1. Project Name and Location: (City and/or County)</b>  <b>Talent Enhancement Capacity Building Grant: City of Washington</b>	<b>2. Grantee Name and Mailing Address:</b> City of Washington 102 East 2 <sup>nd</sup> Street Washington, NC 27889	
<b>3. Grant Category: (Check one)</b> <input checked="" type="checkbox"/> Capacity Building <input type="checkbox"/> Community Revitalization <input type="checkbox"/> Economic Development <input type="checkbox"/> Housing Development <input type="checkbox"/> Homeownership <input type="checkbox"/> Individual Development Account <input type="checkbox"/> Rental Housing <input type="checkbox"/> Infrastructure <input type="checkbox"/> Infrastructure Hook-Up <input type="checkbox"/> Scattered Site Housing <input type="checkbox"/> Small Business and Entrepreneurial Assistance <input type="checkbox"/> Urgent Needs	<b>4. Level of Environmental Review Required: (Check one)</b> <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Categorical exclusion <input type="checkbox"/> Environmental Assessment <input type="checkbox"/> Environmental Impact Statement  <b>5. Chief Elected Official Signature (stamps and electronic signatures are not accepted):</b>  <b>Title: Mayor</b>  <b>Date: July 18<sup>th</sup>, 2011</b>	
<b>6. Project Description: (Briefly describe the project. Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25] )</b> Funds will be used to expand the capacity of the City of Washington's existing planning staff in order to more effectively managed CDBG funds, administer grants and develop competitive programs.		
<b>7. Project Activities:</b>	<b>CDBG Funds Budgeted</b>	<b>Other Funds Budgeted</b>
Planning	33,000	
Education	12,000	
Administration	5,000	
<b>Total:</b>	<b>50,000</b>	
<b>8. Preparer Contact Information</b> Name: Bianca Gentile Organization: City of Washington Address: 102 East 2 <sup>nd</sup> Street City: Washington State: NC Zip: 27889 Phone: 252.402.6888 E-mail: bgentile@washingtonnc.gov	<b>9. Preparer Signature:</b>	
	<b>Date: July 5, 2011</b>	
<b>10. Comments by/ Signature of DCA Approving Officer:</b>		
<b>11. DCA Assistant Director Signature:</b>		<b>Date:</b>

**CITY OF WASHINGTON  
FY2011 COMMUNITY DEVELOPMENT BLOCK GRANT  
TALENT ENHANCEMENT GRANT PROGRAM**

**FAIR HOUSING POLICY**

WHEREAS, the City of Washington desires that the citizens of the city be afforded the opportunity to attain the national objective of a decent, safe and sound living environment; and

WHEREAS, the City of Washington deplores discrimination in the provision of housing on the basis of race, religion, color, creed, sex, national origin, young children in a family, or handicapping conditions; and

WHEREAS, the City of Washington desires that every citizen be afforded the opportunity to select a home of his or her choice; and

WHEREAS, the City of Washington wishes to ensure that programs and activities undertaken by the city relating to housing and urban development be administered in a manner to affirmatively further fair housing as required by Title VIII of the Civil Rights Act of 1968, as amended; 24 CFR 107, Nondiscrimination and Equal Opportunity in Housing under Executive Order 11063; and the North Carolina State Fair Housing Act, NCGS, Chapter 41A;

NOW, THEREFORE, to accomplish the above, the City of Washington does adopt the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the City of Washington may do so by informing the City of Washington Planning Department at (252) 975-9317, or NC Human Relations Commission (919) 807-4420, Toll-Free (866) 324-7474, TDD# (919) 807-4420 (or Relay North Carolina TTY# 1-800-735-2962) of the facts and circumstances of the alleged discriminatory act or practice;
2. Upon receiving a housing discrimination complaint, the City of Washington Planning Department shall acknowledge the complaint with ten (10) days in writing and inform the North Carolina Human Relations Commission about the complaint. The city shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. The City of Washington shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based upon events occurring in the city.
4. The City of Washington shall publicize within the city that the City of Washington Planning Department is the local office to contact with housing discrimination complaints.

Adopted this 18 day of July, 2011.

\_\_\_\_\_  
Archie Jennings, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RECIPIENT'S PLAN TO FURTHER FAIR HOUSING**

City of Washington

**GRANTEE**

102 E. Second Street, Washington, North Carolina 27889

**RECIPIENT'S ADDRESS**

John Rodman, AICP, Planning Director (252) 975-9383 jrodman@ci.washington.nc.us

**CONTACT PERSON**

**CONTACT PHONE #**

**CONTACT EMAIL**

**TDD# (Relay North Carolina TT# 1-800-735-2962 or 7-1-1)**

**I. INDICATE IF THE GRANTEE WILL BE AFFIRMATIVELY FURTHERING FAIR HOUSING FOR THE FIRST TIME OR HAS IMPLEMENTED SPECIFIC ACTIVITIES IN THE PAST.**

**FIRST TIME** \_\_\_\_

**PAST ACTIVITIES**  X

**II. IDENTIFY AND ANALYZE OBSTACLES TO AFFIRMATIVELY FURTHERING FAIR HOUSING IN GRANTEE'S COMMUNITY. (USE ADDITIONAL PAGES AS NECESSARY.)**

1. Citizens of Washington may not be aware of current federal and state fair housing law or what constitutes an unfair housing practice.
2. Lack of coordination among housing-related groups and organizations in the public and private sector. Local housing-related businesses may not be aware of their responsibilities to comply with provisions of fair housing law; or may not be aware of opportunities to participate in agreements to affirmatively further fair housing.
3. Low-income families may not be aware of housing assistance available to them in Washington.
4. Citizens and housing-related businesses may be unaware of Title VIII requirements included in the Fair Housing Amendments Act of 1988.
5. A significant portion of the housing stock in Washington is substandard.
6. Housing ownership opportunities are limited for low- and moderate-income persons. Where housing opportunities exist, extensive credit counseling and homeownership classes are required to prepare them for ownership eligibility.
7. Insufficient inventories of standard, affordable housing units to provide LMI persons, protected under Title VIII, reasonable numbers of housing choices in locations outside traditional areas of LMI and/or minority concentrations.

**III. WILL THE ABOVE ACTIVITIES APPLY TO THE TOTAL MUNICIPALITY OR CITY?**

YES   X                        NO       

**IV. BRIEFLY DESCRIBE THE ACTIVITIES THAT THE GRANTEE WILL UNDERTAKE OVER THE ACTIVE PERIOD OF THE GRANT TO AFFIRMATIVELY FURTHER FAIR HOUSING IN THEIR COMMUNITY. A TIME SCHEDULE AND ESTIMATED COST FOR IMPLEMENTATION OF THESE ACTIVITIES MUST BE INCLUDED. ACTIVITIES MUST BE SCHEDULED FOR IMPLEMENTATION AT LEAST ON A QUARTERLY BASIS. (USE ATTACHED TABLE)**

<b>Quarterly Fair Housing Activity</b>	<b>Months</b>	<b>Year</b>	<b>Est. Cost</b>	<b>Act. Cost</b>
Conduct Fair Housing/Housing Counseling Forum.	Apr-Jun	2011	\$150	\$150
Restock FH materials in Washington Housing Authority Building and JobLink Center.	Jul-Sep	2011	\$20	\$0.00
Publish FH Notice (Policy & Complaint Procedure) in <u>The Daily News</u> .	Oct-Dec	2011	\$150	\$0.00
Contact local churches; provide posters and FH materials.	Jan-Mar	2012	\$25	\$0.00
Update the City's <u>Housing Resource Manual</u> .	Apr-Jun	2012	\$25	\$0.00
Contact local banks & lenders; provide posters and FH materials.	Jul-Sep	2012	\$25	\$0.00
Post FH Policy & Complaint Procedure on City govt. website.	Oct-Dec	2012	\$5	\$0.00
Re-publish FH Notice (Policy & Complaint Proc.) in local newspaper.	Jan-Mar	2013	\$150	\$0.00

**V. DESCRIBE RECIPIENT'S METHOD FOR RECEIVING AND RESOLVING HOUSING DISCRIMINATION COMPLAINTS. THIS MAY BE EITHER A PROCEDURE CURRENTLY BEING IMPLEMENTED OR ONE TO BE IMPLEMENTED UNDER THIS CDBG GRANT. INCLUDE A DESCRIPTION OF HOW THE GRANTEE INFORMS THE PUBLIC ABOUT THE COMPLAINT PROCEDURE. (USE ADDITIONAL PAGES IF NECESSARY.)**

1. Any person or persons wishing to file a complaint of housing discrimination in the City of Washington may do so by informing the Washington City Manager at (252) 975-9300, or the N.C. Human Relations Commission (919) 807-4420, Fax (919) 807-4435, Toll-Free 1-866-324-7474, of the facts and circumstances of the alleged discriminatory act or practice;
  
2. Upon receiving a housing discrimination complaint, the City Manager shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The City shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.

3. The City shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the City.

4. The Washington City Manager shall publicize within the City that he is the local official to contact with housing discrimination complaints.

**APPROVED BY:**

Archie Jennings

---

**NAME OF MAYOR**

---

**SIGNATURE OF MAYOR**

Mayor, City of Washington

---

**TITLE**

---

**DATE**



# City of Washington

## REQUEST FOR CITY COUNCIL ACTION

---

**To:** Mayor Jennings & Members of the City Council  
**From:** G. Mitchell Reed, Chief of Police  
**Date:** June 30, 2011  
**Subject:** Public Hearing: To Consider Grant Application Submission for 2011 Edward Byrne Memorial Justice Assistance Grant  
**Staff Presentation:** N/A

**RECOMMENDATION:**

I move that Council approve the submission of a grant application to the Bureau of Justice through the Edward Byrne Memorial Justice Grant opportunity, local solicitation direct appropriations.

**BACKGROUND AND FINDINGS:**

- \$11,252 is available to the City of Washington in non-competitive, direct appropriation funds through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to the City of Washington.
- These grants are designed to assist local governments in all components of the criminal justice system
- The City proposes to use the funds to purchase essential evidence room storage, evidence room ventilation, and evidence receive/track software.
- Participation in the program requires no local match.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

Currently Budgeted  Requires additional appropriation  No Fiscal Impact

**SUPPORTING DOCUMENTS**

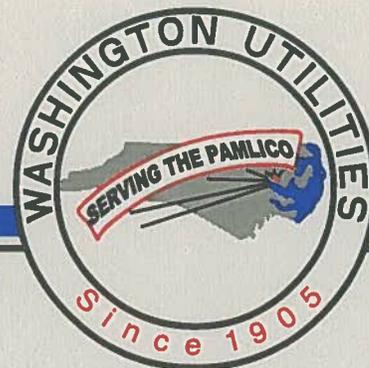
Program narrative

---

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** *MM* Date 7/13/11 Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation

# Washington Electric Utilities

A City of Washington Enterprise



Post Office Box 1988 • Washington, North Carolina 27889-1988

Office of the Director

## MEMORANDUM

To: Matt Rauschenbach, Acting City Manager  
From: Keith Hardt, P.E., Electric Utilities Director  
Ref: Load Management Device Report  
Date: 1 July 2011

Listed herein is the load management switch installation project (by our contractor) activity through June 2011.

---

Total Load Management Switch Installations	588
--	-----

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Air Conditioner/Heat Pump Control Installations	490
---	-----

Auxiliary Heat Strip Control Installations	357
--	-----

Water Heater Control Installations	381
------------------------------------	-----

Total Appliance Control Installations for Project	1,228
---	-------

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July 18, 2011  
Page 76 of 182



102 East Second Street • Telephone (252) 975-9300

TDD 1-800-735-2962 • 24-Hour Emergency (252) 975-9320 • Fax (252) 946-1965



City of Washington  
**MEMORANDUM**

---

**To:** Mayor Jennings & Members of the City Council  
**From:** Bianca Gentile and John Rodman, Planning and Community Development  
**Date:** July 5, 2011  
**Subject:** Sprout Renewable Energy Kiosk

Unused funds from the Main Street Energy Fund will be used to install the Sprout Kiosk on property outside of the NC Estuarium, 223 Water Street.

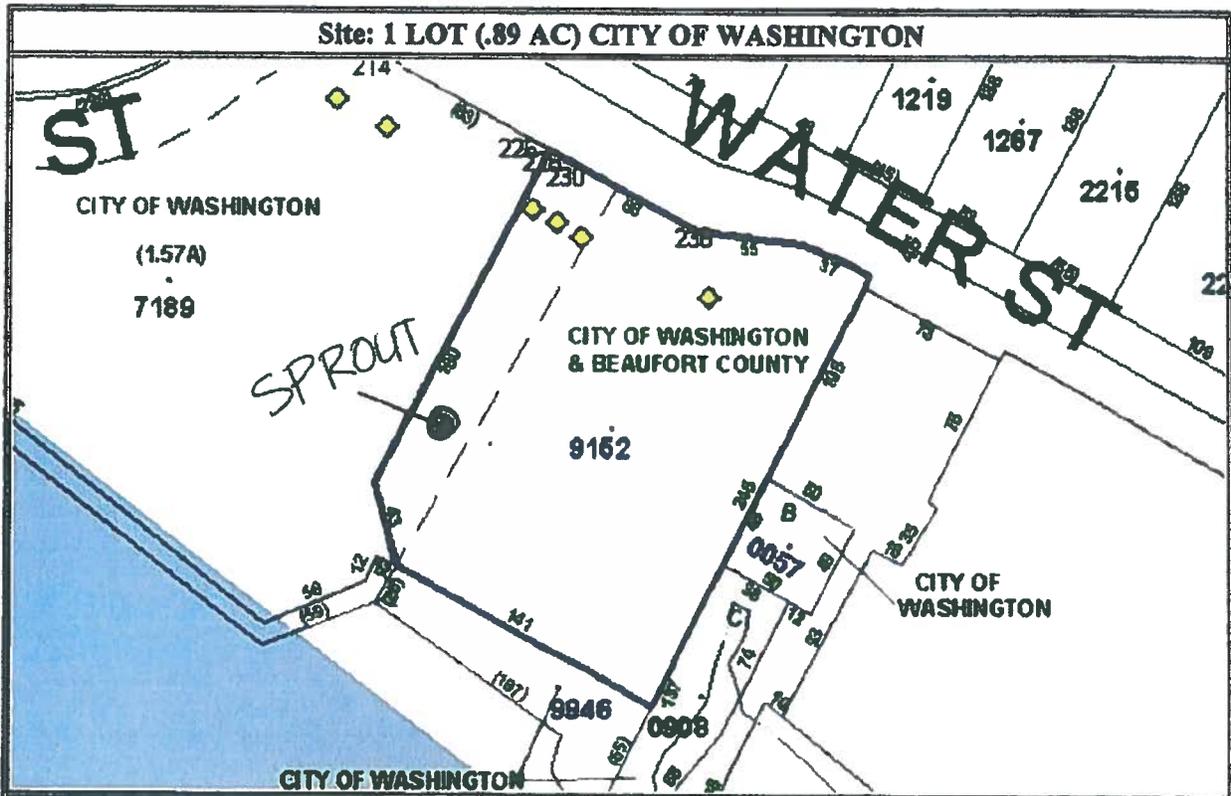
This renewable energy kiosk showcases solar panels, a wind turbine, and weather station. The data generated from all three components serves an exhibit to educate students and the general public. The integrated information appears on an intuitive dashboard to help connect weather to the renewable energy it can produce. The stand-alone kiosk is powered by its energy systems to go anywhere with minimal infrastructure coordination. The Sprout kiosk connects technology and information seamlessly transforming the process for learning about clean energy. The full size components are easy to see and Sprout displays real time data on its screen and through a web-interface to any location.

Matching funds have been raised by corporate sponsors including Potash Corporation, an anonymous donor, and Electricities. This activity requires no match from the City.

The Sprout Kiosk is a 30' tall device, resting on a 5x5 structurally engineered concrete slab. It is designed to withstand winds of up to 130MPH and was invented by a team of architects, boat builders and engineers from eastern North Carolina, two of which live in Washington.

Preliminary approval to install the kiosk has been granted by the Washington Harbor District Alliance and the Historic Preservation Commission. Additionally, the City will work with NC Partnership for the Sounds to develop a maintenance agreement.

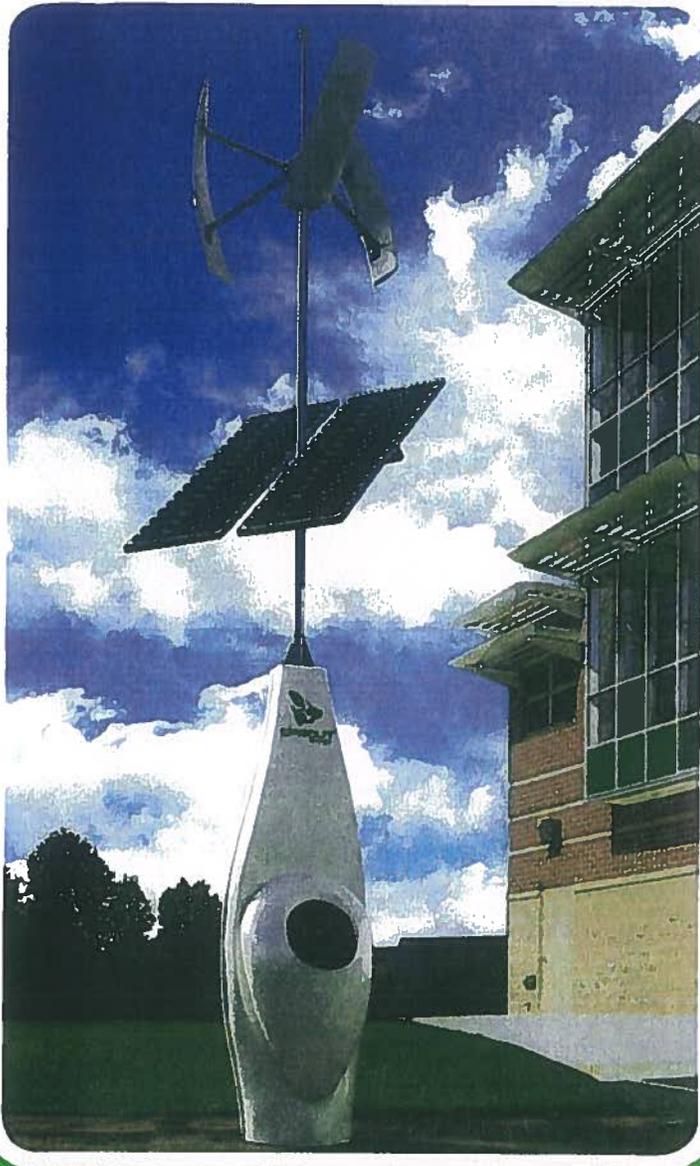
Please see attached brochure and site map.



**Property Details:**

PIN	15010374	GPIN	5675-87-9162
GPINLONG	5675-87-9162	NAME1	BEAUFORT COUNTY
NAME2	CITY OF WASHINGTON	ADDR1	PO BOX 1027
ADDR2	112 WEST SECOND STREET	CITY	WASHINGTON
STATE	NC	ZIP	27889
PROP_ROAD	WATER ST	ACRES	0
ACCT_NBR	12014	MAP_SHEET	567512
NBR_BLDG	1	DATE	7/15/1996
DB_PG	10520121	LAND_VAL	341260
BLDG_VAL	2733343	DEFR_VAL	0
TOT_VAL	3074603	NBHD_CDE	HW
NBHD_DESC	HISTORICAL WA	SUB_CDE	
SUB_DESC		STAMPS	0
SALE_PRICE	0	ZONE	B1H
LAND_USE		DISTRICT	01
PROP_DESC	1 LOT (.89 AC) CITY OF WASHINGTON	MBL	56751252
EXMPT_PROP		EXMPT_AMT	0
ROAD_TYPE			
CENSUS_BLK			
PREVIOUS	0		

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



# SPROUT



Sprout creates impact, and makes renewable energy a part of your daily **experience**.

Showcasing solar panels, a wind turbine, and weather station, Sprout produces real data for education and powers itself to go in anywhere.

The Sprout kiosk connects technology and information seamlessly, transforming how we **learn** about clean energy. The integrated components are easily seen, and the screen displays intuitive graphics on energy and weather, plus additional information relevant to your programs and projects.

For organizations promoting environmental education or sustainability initiatives, Sprout offers an exciting and affordable solution that can capture the imagination and power you to **think**.



**SPROUT**  
energy

www.sprout-energy.com  
info@sprout-energy.com  
252-721-8822

# SPROUT

## KEY ADVANTAGES:

See data from all 3 technologies - wind turbine, solar panels, and weather station - combined into one integrated dashboard

View real-time and historical data on the web, or live on Sprout's own intuitive display

Include information from other solar panels or renewable energy systems

Place the self-powered Sprout kiosk in any off-grid location

POWER THE  
IMAGINATION  
to learn about  
clean energy



## SPROUT SPECIFICATIONS

### Solar Panels

**Vertical-Axis Wind Turbine;** hub height at 20'

**Research-grade weather station** - ultrasonic, with no moving parts for low maintenance; mounted at 30'

**Display screen** - 12.1" LCD; sunlight viewable

**Proprietary web interface, graphics software and data collection**

### Energy and Weather data displayed:

- Wind and Solar Energy Watts / kWh
- Wind speed and direction
- Radiance, Solar Altitude, Solar Azimuth
- Temperature and Barometric Pressure
- Location / GPS

**Data logging and Wi-Fi "N" capabilities to server**

**Deep cycle AGM battery; marine-grade electronics and wiring**

**Fiberglass Enclosure** - Nema4x-rated marine finish; waterproof, dust-tight, corrosion resistant

**Easy installation** - flexible foundation options with minimal infrastructure requirements

July 18, 2011

www.sprout-energy.com

info@sprout-energy.com

252-721-8822



## MEMORANDUM

DATE: July 11, 2011  
TO: Mayor Jennings & Members of City Council  
FROM: John Rodman, Planning & Development  
RE: Civic Center Deck Repair

Ms. Lynn Lewis, Director of the Washington Tourism Development Authority, has requested that the decking boards on the deck surrounding the Washington Civic Center be replaced due to the poor condition. Lynn asked Wayne Harrell, Chief Building Official, to inspect the existing deck to make sure the project could be done per current building code and where possible, ADA standards be applied.

The Inspections Office inspected the deck in June and has developed a report on the existing conditions and the problems that exist with the current deck. A report on the findings of that inspection will be presented to Council during the July 18<sup>th</sup> meeting.

In the meantime if you have any questions or I may assist you in any way please don't hesitate to let me know.



**G. Mitchell Reed**  
Chief of Police

# Washington City Police

201 W. 3<sup>rd</sup> Street, Washington, NC 27889  
Telephone: (252) 946-1444 Fax: (252) 948-9448  
www.washingtonnc.gov



**Sandy Blizzard**  
Deputy Chief of Police

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: G.M. Reed, Chief of Police 

DATE: July 1, 2011

SUBJECT: BULLETPROOF VEST PARTNERSHIP GRANT – UPDATE

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The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement in purchasing bulletproof vests for officers.

In May of 2011, the Washington Police Department applied for a two (2) year grant to assist in the purchase of twenty (20) replacement vests over the next two (2) fiscal years.

During the FY 2011-2012 budget process, the police department budgeted funds to purchase ten (10) ballistic vests, with the anticipation of 50% reimbursement, if the grant application is approved. No grant award has been announced as of this date.

This grant is a reimbursement grant that requires no City matching funds. This memo requires no action at this time. For informational purposes only.



**G. Mitchell Reed**  
Chief of Police

# Washington City Police

201 W. 3<sup>rd</sup> Street, Washington, NC 27889  
Telephone: (252) 946-1444 Fax: (252) 948-9448  
www.washingtonnc.gov



**Sandy Blizzard**  
Deputy Chief of Police

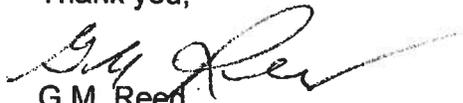
To: City Council  
From: G.M. Reed, Chief of Police  
Date: July 28, 2011  
Grant Information

During the April 11, 2011 Council session, Council authorized the Chief of Police to proceed with a full application to North Carolina Governor's Crime Commission. The application involved a proposed use for overtime for law enforcement to continue the efforts of combating illegal drug activity within the City.

On June 14, 2011, the Washington Police Department was officially notified that our application had been approved (see attached). The funding of the project, Washington-Disruption of Street Drug Sales has been authorized in the amount of \$9409.69

This memo is to advise Council of the formal approval of our grant request. This memo requires no Council action at this time, and is provided for informational purposes only.

Thank you,

  
G.M. Reed  
Chief of Police



STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAIL SERVICE CENTER • RALEIGH, NC 27699-0301

BEVERLY EAVES PERDUE  
GOVERNOR

June 14, 2011

Mrs. Angela Flowers  
Washington Police Department  
201 West 3rd Street  
Washington, North Carolina 27889

Dear Mrs. Flowers:

The Governor's Crime Commission has completed another successful grant awards process. I am pleased to inform you that your application has been approved and that your agency has been selected to receive a grant award. Funding for your project, *Washington- Disruption of Street Drug Sales - 2011*, has been authorized in the amount of \$ 9,409.69.

We commend you for your dedication, hard work and commitment to safer communities for families across North Carolina.

Sincerely,

  
Beverly Eaves Perdue

July 18, 2011

Page 84 of 182

LOCATION: 116 WEST JONES STREET • RALEIGH, NC • TELEPHONE: (919) 733-5811

WWW.GOVERNOR.STATE.NC.US





# City of Washington

Department of Parks & Recreation



## MEMORANDUM

DATE: July 18, 2011

TO: Mayor and City Council

FROM: Philip Mobley, Director Parks and Recreation *pwm*

SUBJ: SeaTow Pamlico Press Release

On May 20, 2011 Sea tow Pamlico launched a "first of its kind" public service for the safety of boaters in the Pamlico/Tar River area. Upon requesting a "radio check" a boater will then hear a message from the Washington Waterfront Docks, letting them know exactly how well their radio is working. Messages from the Waterfront Docks using this service can be heard as far East as the Intracoastal Waterway. Following is the Press Release from SeaTow Pamlico:

Sea Tow Pamlico is pleased to announce a first of its kind public service for the safety of boaters in Pamlico/Tar River area. Boaters are now able to conduct 24/7, automated radio checks on VHF channel 27. The service is unique in that it does not require the response of other boaters or watch-standers in order to work, nor does it require special equipment. This free service is available through Sea Tow's ongoing partnership with MariTEL.

To conduct an automated radio check, turn a VHF radio to channel 27, key the mic, and ask for a radio check, just as you would on channel 09. The system will respond with an automated reply and replay your original radio transmission, letting you know exactly how well your radio is working.

"Typically, radio checks should be conducted on VHF channel 09," said Capt. Larry Williams, owner of Sea Tow Pamlico. "Most boaters do them on channel 16 – the hailing and distress channel – which leads to reminders from the Coast Guard that the checks are improper use of the channel. By offering the automated radio check service, we hope to help reduce unnecessary traffic on VHF 16 and encourage safe boating in the Pamlico/Tar River area."

The antenna hosting this service is located near the Washington Waterfront Docks In Washington NC.

July 18, 2011

310 West Main Street ♦ P.O. Box 182 Washington, NC 27889-1988

Telephone 252-975-9367 ♦ Fax 252-946-8433 ♦ TDD 1-800-735-2962

www.washington.nc.us ♦ recreation@washingtonnc.gov

**About Sea Tow:**

Sea Tow Services International, Inc. is the nation's leading marine assistance provider. Founded in 1983 by Chairman & CEO Capt. Joe Frohnhoefer, Sea Tow services are available in approximately 106 locations throughout the United States, Europe, Australia, the U.S. Virgin Islands and Puerto Rico. For a full list of membership benefits, or to inquire about becoming a Sea Tow franchisee, please visit [seatow.com](http://seatow.com).

**About Sea Tow Pamlico**

Established in Oct 2007, Sea Tow Pamlico is owned by Capt. Larry Williams and serves boaters in the Pamlico/Pungo/Bay/Tar river and associated creeks. For more information, or to join, call (252) 964-3171



# City of Washington

Department of Parks & Recreation

## MEMORANDUM



**DATE:** July 18, 2011

**TO:** Mayor and City Council

**FROM:** Philip Mobley, Director Parks and Recreation *pwm*

**SUBJ:** N.C. Department of Environment and Natural Resources Press Release/ Clean Marina

The City of Washington's Waterfront Docks was presented the certification as a North Carolina Clean Marina by Pat Durrett, Clean Marina Program Coordinator. Attached is the NC Department of Environment and Natural Resources Press Release:



## N.C. Department of Environment and Natural Resources

Release: Immediate  
Date: July 6, 2011

Contact: Michele Walker  
Phone: 919-715-4074

### Washington Waterfront Docks Certified as a North Carolina Clean Marina

RALEIGH – The Washington Waterfront Docks in Washington, N.C. is the latest facility to be certified as a North Carolina Clean Marina, a designation given to marinas that go beyond minimum regulatory requirements.

The Clean Marina program illustrates how marina operators can help safeguard the environment by using management and operation techniques that exceed environmental requirements. To earn the certification, the marina's owners prepare spill prevention plans and conduct safety and emergency planning. Marina operators also control boat maintenance activities to protect water quality.

Clean Marina is a voluntary program that began in the summer of 2000. Marina operators who choose to participate must complete an evaluation form about their use of specific best management practices. If a marina meets criteria developed by the Division of Coastal Management, it will be designated as a Clean Marina. Such marinas are eligible to fly the Clean Marina flag and use the logo in their advertising. The flags signal to boaters that a marina cares about the cleanliness of area waterways.

Clean Marina is a nationwide program developed by the National Marine Environmental Education Foundation, a nonprofit organization that works to clean up waterways for better recreational boating. The foundation encourages states to adapt Clean Marina principles to fit their own needs.

The North Carolina program is a partnership between the Division of Coastal Management, N.C. Boating Industry Services, the N.C. Marine Trade Association, the Albemarle-Pamlico National Estuary Program, N.C. Sea Grant, the U.S. Power Squadron, U.S. Coast Guard Auxiliary and N.C. Big Sweep.

For more information, contact Pat Durrett with the Division of Coastal Management at 252-808-2808.

###



City of Washington  
**MEMORANDUM**

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**To:** Mayor Jennings & Members of the City Council  
**From:** Matt Rauschenbach, Acting City Manager  
**Date:** June 30, 2011  
**Subject:** Reporting of reallocation of funding – General Fund, Water Fund, Sewer Fund, Storm Water Fund, and Electric Fund.  
**Applicant Presentation:** N/A  
**Staff Presentation:** N/A

The following reallocations of funding between divisions within the General Fund, Water Fund, Sewer Fund, Storm Water Fund, and Electric Fund have been approved by the Acting City Manager in order to cover overspent departments with inter-departmental funds, thus avoiding additional appropriations:

**General Fund:**

- Decreased Billing Department by \$28,000
- Decreased Miscellaneous Department by \$65,000
- Decreased Police Department by \$108,000
- Decreased Fire Department by \$15,000
- Decreased Code Enforcement/Inspections by \$12,000
- Decreased Planning/Zoning by \$11,409

Total Departmental Decreases - General Fund \$239,409

- Increased Legal Services Department by \$20,000
- Increased Municipal Building Department by \$5,750
- Increased E-911 Communications Department by \$8,325
- Increased EMS Department by \$19,975
- Increased Street Maintenance Department by \$8,000
- Increased Recreation Administration Department \$9,715
- Increased Senior Programs Department \$16,200
- Increased Waterfront Docks Department by \$4,000
- Increased Civic Center Department by \$2,744
- Increased Debt Service Department by \$144,700

Total Departmental Increases General - Fund \$239,409

**Water Fund:**

- Decrease Miscellaneous Non-Departmental by \$4,600
- Increase Water Maintenance Department by \$4,600

**Sewer Fund:**

- Decrease Miscellaneous Non-Departmental by \$5,000
- Decrease Wastewater Construction Department by \$16,800

Total Departmental Decreases – Sewer Fund \$21,800

- Increase Debt Service Department by \$8,400
- Increase Lift Station Department by \$13,400

Total Departmental Increases Sewer Fund - \$21,800

**Storm Water Fund:**

- Decrease Nutrient Control Department by \$3,000
- Increase Debt Service Department by \$3,000

**Electric Fund:**

- Decrease Miscellaneous Non-Departmental by \$9,925
- Increase Electric Director Department by \$9,925



## HUMAN RELATIONS COUNCIL

*102 East 2nd Street*

*Washington, NC 27889*

*Phone: 252-975-1280*

*Fax: 252-974-6461*

### **Human Relations Council (HRC) Report for the month of June Monday July 18, 2011 City Council Meeting**

#### **MISSION STATEMENT**

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

#### **Scheduled Public Appearances: Lloyd May & Andrea McGhee**

Mr. May voiced a discussion he had with the Spanish population where they were not aware of the Load Management program. Mr. May is requesting assistance from the Human Relations Council in filling the void with getting the word out concerning the Load Management System. There are two Hispanic Board members on the Human Relations Council (Board members Castro and Barr) who agreed in assisting with the translation of documents.

Mr. Connet suggested that Board members Castro and Barr may wish to consider having community meetings in which staff could attend and present documents addressing the issues Mr. May is referring to.

Ms. McGhee shared the following avenues the City uses for advertising:

- WITN
- Partnering with ECU
- Video's – both summer and winter months
- Pursuing Spanish edition of both video's
- City Peg channel
- City Website (Mr. Connet inquired as to the Latino access to the web)

Ms. McGhee requested assistance in translating the print ad, flyers and posters for the Latino community.

Suggested strategies' that could be implemented suggested by Board member Castro

- Stores

- Churches – Board member Castro emphasized this is where you can reach the majority of the Latino population and Councilman Mercer stated we need to be in their church where someone can translate.
- Presentations
- Word of mouth

Ms. Castro stated that the City may wish to invest in an answering machine that would include both English and Spanish.

Chair Roberson concluded the discussion and made the following suggestion - short term we can assist by initially translating the documents and getting those out to the churches. Long term, develop the program as we go along.

**Amending – By-Laws Page 4 – Section 6**

Addendum to the by-laws to be added to page 4 – Section 6 reads:

... Nor shall they use their membership on the Human Relations Council as a means of promotion for personal gain, their private business or vocation. Violation of this provision shall be grounds for removal from the Human Relations Council.

This action item shall be presented to City Council at their July meeting by Council Liaison, William Pitt for Council's approval.

**Agenda Format - discussion:**

**Update – Multicultural Festival:**

- Posters, flyers and programs
- Sponsorship letter

**Fair Housing Forum Discussion** – Rescheduled for June 21, 2011 and on target.

**Plaque Presentations:**

Pete Connet – Appreciation of all the support offered as Ex-officio to the Board  
 Betty Randolph – Excessive contributions to the success of HRC projects  
 Reverend David Moore – Excessive contributions to the success of HRC projects

**\*Resignation letter of Board member Zapata**

**\*Budget Allocation of \$400 plus**

**Discuss – All reminders**



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

---

**To:** Mayor Jennings & Members of the City Council  
**From:** Cynthia S. Bennett, City Clerk  
**Date:** June 30, 2011  
**Subject:** Appointments to Various Boards, Commissions, and Committees  
**Applicant Presentation:** N/A  
**Staff Presentation:** N/A

**RECOMMENDATION:**

**See attached recommended motions**

**BACKGROUND AND FINDINGS:**

Block advertisements were run in the Washington Daily News on three separate occasions for vacancies for expiring terms on various boards, commissions, and committees, with the application deadline being May 20, 2011 at 5:00 p.m. Copies of all applications received were distributed to department heads to allow them time to meet with their Council liaison.

Recommendations will be made by the Council Liaisons at the Council meeting.

**PREVIOUS LEGISLATIVE ACTION**

Continued from June 13 and June 27, 2011 meetings

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Board Applications

---

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
**City Manager Review:** *2/12/11* Date *2/12/11* By *[Signature]* Recommend Denial \_\_\_\_\_ No recommendation \_\_\_\_\_

**ACTIONS SUGGESTED:**

**A. Planning Board – To fill expiring term of Jane Alligood**

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Planning Board, to fill the expiring term of **Jane Alligood** term to expire June 30, 2014.

**B. Enlarged Planning Board – To fill expiring term of Robert Henkel**

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Enlarged Planning Board, to fill the expiring term of **Robert Henkel** term to expire June 30, 2014.

**C. Historic Preservation Commission - To fill the expiring term of Jerry Creech, Scott Sipprell and Chris Collier**

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Historic Preservation Commission to fill the expiring term of **Jerry Creech** term to expire June 30, 2014.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Historic Preservation Commission to fill the expiring term of **Scott Sipprell**, term to expire June 30, 2014.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Historic Preservation Commission to fill the expiring term of **Chris Collier**, term to expire June 30, 2014.

**D. Human Relations Council – To fill the expiring term of Evelyne Roberson, Rick Gagliano, Ann Cherry and Florence Lodge**

I move that the City Council appoint \_\_\_\_\_ to the Human Relations Council, to fill the expiring term of **Evelyne Roberson**, term to expire June 30, 2014.

I move that the City Council appoint \_\_\_\_\_ to the Human Relations Council, to fill the expiring term of **Rick Gagliano**, term to expire June 30, 2014.

I move that the City Council appoint \_\_\_\_\_ to the Human Relations Council, to fill the expiring term of **Florence Lodge**, term to expire June 30, 2014.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Human Relations Council, to fill the expiring term of **Ann Barbee Cherry**, term to expire June 30, 2014.

**E. Animal Control Appeal Board – To fill the expiring term of Dee Congelton and Tucker Talley**

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Animal Control Appeal Board, to fill the expiring term of **Dee Congelton**, term to expire June 30, 2014.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Animal Control Board, to fill the expiring term of **Tucker Talley** with a term to expire June 30, 2014.

**F. Washington Electric Utilities Advisory Commission – To fill the expiring term of Don Wilkinson(Washington Park), Ric Miller(Bath) and Dallas Congelton(inside)**

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Washington Electric Utilities Advisory Commission to fill the expiring term of **Dallas Congelton(inside)**, term to expire June 30, 2014.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Washington Electric Utilities Advisory Commission to fill the expiring term of **Don Wilkinson(Washington Park)** term to expire June 30, 2014, subject to the concurrence of the Washington Park Board.

I move that the City Council appoint/reappoint \_\_\_\_\_ to the Washington Electric Utilities Advisory Commission to fill the expiring term of **Ric Miller(Bath)**, term to expire June 30, 2014, subject to the concurrence of the Bath Town Board.

**G. Mayor’s Certificate of Appointment of Tim Ware as Commissioner to the Washington Housing Authority**

Pursuant to state law, I hereby appoint Tim Ware as a member of the Washington Housing Authority. As provided by law, this appointment is subject to Council approval. Tim Ware’s term will expire June 30, 2016.

Primary Board Planning Other Boards \_\_\_\_\_

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

NAME Jane L Alligood  
(Please Print)

ADDRESS 220 Simmons St Wash NC

PHONE NO. <sup>cell</sup> (BUSINESS) 258-6076 (HOME) 946-8840

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 63 YEARS

YEARS OF EDUCATION MLS from ECU

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

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

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

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

Have served before  
Lifelong resident of Washington  
Have attended Planning Conferences

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

Jane L Alligood  
Signature

7-1-2011  
Date

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

Primary Board PLANNING BOARD Other Boards \_\_\_\_\_

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

NAME Ron Price  
(Please Print)

ADDRESS 924 Isabella Ave Ext. Washington, D.C.

PHONE NO. (BUSINESS) Cell 252 902 7014 (HOME) 252-833-4584

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

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

YEARS OF EDUCATION 15-16 plus

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO ( )  
IF YES, PLEASE INDICATE CURRENTLY ON BOARD OF ADJUSTMENT

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed  
2 YEARS ON Pitt County PLANNING BOARD  
2 YRS ON Pitt County Development Comm  
Current Member BOARD OF Adjustment

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

See Also Resume attached  
Signature Ronald Price

Date 5-1-11

NOTE: Application will remain on file for six (6) months Expiration Date: \_\_\_\_\_  
July 18, 2011

## Ronald (Ron) Forbes Price

The following consists of my business, service organizations and community involvement, past and present.

### BUSINESS – Currently

- President for Partners for Profit Investment Club
- Semi-retired
- Expert witness in insurance
- Insurance Consultant and consultant in purchasing and selling insurance agencies
- Licensed Real Estate Broker, North Carolina (inactive)
- Real Estate Investor

### BUSINESS – Previously

- Principal and Vice President of Cypress Insurance Group, Ft. Lauderdale, Florida
- President of Culbreth Insurance Inc., Ft. Lauderdale, Florida
- President of Roberts-Price Insurance Agency, Rocky Mount, North Carolina
- President of Admiral Insurance Agency, Ft. Lauderdale, Florida
- Sr. Vice President of D.R. Mead & Company, Miami and Ft. Lauderdale, Florida (Mortgage Bankers and Insurance Agents)

### ORGANIZATIONS

- Former member of Pitt County Planning Board
- Former member of Pitt County Development Commission
- U.S. Army Veteran
- Insurance Instructor
- Past Vice President and Director of The Business Forum of Broward and Palm Beach Counties, Florida
- Past President and Director of Independent Insurance Agents of Broward County, Florida
- Education Committee for the N.C. Independent Insurance Agents Association
- Insurance Agent of Record for cities of Oakland Park, Lazy Lakes, Tamarac, Lauderdale-by-the-Sea, and Broward County, Florida

### COMMUNITY INVOLVEMENT (Past)

- Board Member-Fraternal Order of Police Auxiliary (FOPA), Rocky Mount, NC
- Board Member-Rotary International, Ft. Lauderdale, Florida
- Board Member-United Hearing and Deaf Services, Ft. Lauderdale, Florida
- Rotary Club Member, Bethel, N.C. (Past)  
Co-Founder of Down East Pig Cook-Off (Festival of the Arts), Rocky Mount, NC
- Cluster Director of Boundbrook Condo Assoc., West Palm Beach, Florida
- Sponsor and Organizer of Charity Benefits
- Other community projects

Primary Board Historic Preservation Commission Other Boards \_\_\_\_\_

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

NAME Jerry Creech  
(Please Print)

ADDRESS 527 w. 2nd St., Washington, N. C. 27889

PHONE NO. (BUSINESS) 252.714.3564 (HOME) 252.946.7839

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 28 YEARS

YEARS OF EDUCATION 15

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

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed  
Was appointed to fill a former member and would like to continue with a full term on the board

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

Jerry Creech  
Signature

5.13.2011  
Date

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

Primary Board Historic Preservation Commission Other Boards \_\_\_\_\_

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

NAME Virginia M. Finnerty  
(Please Print)

ADDRESS 400 East Main St.

PHONE NO. (BUSINESS) 252-946-5001 (HOME) 252-946-5001

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 1 1/2 YEARS

YEARS OF EDUCATION 19

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

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

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

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

I live and own a business in the historic district  
and therefore have a vested interest in its preservation.

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

Virginia M. Finnerty  
Signature

5/12/11  
Date

NOTE: Application will remain on file for six (6) months Expiration Date: \_\_\_\_\_  
July 18, 2011

HPC

Primary Board Historic Preservation Commission Other Boards \_\_\_\_\_

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

NAME Monica Ferrari  
(Please Print)

ADDRESS 604 West 2nd St., Washington, NC 27889

PHONE NO. (BUSINESS) (cell) 910-297-0582 (HOME) 252-975-1698

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 3 YEARS

YEARS OF EDUCATION 16 B.S. Elementary Ed.

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO   
IF YES, PLEASE INDICATE Animal Control Appeals Board

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed

I currently reside in a 100 yr. old home in the Historic District of Washington. We renovated this house while keeping everything in its original character. I feel

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

Monica Ferrari  
Signature

5-18-11  
Date

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

strongly that owners of historically significant homes and businesses should be responsible to keep the integrity of our local architecture.

I will be Fair and diligent in my research and decisions according to our Guidelines For Property Owners.

Primary Board Historic Preservation Commission Other Boards \_\_\_\_\_

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

NAME Edward M. Hodges, Jr.  
(Please Print)

ADDRESS 101 E. 10<sup>th</sup> Street

PHONE NO. (BUSINESS) \_\_\_\_\_ (HOME) 252-946-4638

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 58 YEARS

YEARS OF EDUCATION college grad.

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

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed

I am a retired history teacher. I am very interested  
in local history. I grew up on East Main Street.  
Historic preservation in Washington is a primary  
concern of mine. I live in the proposed Market St.  
Historic District.

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

Edward M. Hodges Jr.  
Signature

5/27/11  
Date

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

Primary Board HPC Other Boards \_\_\_\_\_

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

NAME JUDITH T. HICKSON  
(Please Print)

ADDRESS 627 WEST 2ND STREET

PHONE NO. (BUSINESS) CELL 516-972-2599 (HOME) 974-1033

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 3 YEARS

YEARS OF EDUCATION MA plus

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

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed  
I LIVE IN THE HISTORIC DISTRICT (WILLIAMSHOUSE 1857)  
WANT TO SEE OUR HISTORIC BUILDINGS  
PRESERVED AND ENHANCED.

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

J. Hickson  
Signature

May 31, 2011  
Date

NOTE: Application will remain on file for six (6) months Expiration Date: \_\_\_\_\_  
July 18, 2011

**City of Washington Human Relations Council Application Form**

Please submit your completed form to the office of the City Clerk, PO Box 1988,  
Washington, NC 27889 or by email [cbennett@washingtonnc.gov](mailto:cbennett@washingtonnc.gov)

Name Ann Barbee Cherry

Address 208 Ellison Road, Washington, NC 27889

Phone Numbers \_\_\_\_\_ (Business) 252.945.1666 (home, cell or both)

Email Address AnnCherry2009@gmail.com

Do you live within the corporate limits of Washington?  yes ( ) no

Have you ever served, or do you currently serve, on a board or commission for the City of Washington?  yes ( ) no

If yes, please indicate the board or commission on which you serve(d).

Human Relations Council

Do you anticipate a conflict of interest by serving as a member of the Human Relations Council? ( ) yes  no

If yes, please explain. \_\_\_\_\_

Please state the reasons why you feel qualified for this appointment.

I am currently serving on the board and trying hard to be a contributing member.

Please note that this information will be used by the City Council in making their appointments to the Human Relations Council. If you are appointed, this information may be used in a news release. It will remain on file for one year after its submission.

Ann Barbee Cherry  
(Signature)

5/10/2011

(Date)

## City of Washington Human Relations Council Application

In the interest of enhancing communication and relationships between all people in the City of Washington, the Washington City Council seeks citizens to serve on the Human Relations Council. Ideal candidates will have a sincere desire to work with all segments of the community to mediate tension and conflict and work to find resourceful solutions to problems.

NAME: L O R E N C E E L O D G E  
(please print)

ADDRESS: 855 Magnolia School Rd Wash DC 27889

PHONE NUMBER (work) \_\_\_\_\_ (home) 946-2167

Do you live within the corporate limits of Washington? ( ) yes (  ) no

Have you ever served, or do you currently serve, on a board or commission for the City of Washington? ( ) yes (  ) no

If yes, please indicate the board or commission on which you serve(d).

\_\_\_\_\_

Do you anticipate a conflict of interest by serving as a member of the Human Relations Council? ( ) yes (  ) no

If yes, please explain. \_\_\_\_\_

Please state the reasons why you feel qualified for this appointment. (Use the back of this form if you need additional space.)

I am interested in my County & my community. I love to serve wherever is needed in helping others. We might not solve all the problems but we can provide a listening ear & hopefully solve as many as possible.

Please note that this information will be used by the City Council in making their appointments to the Human Relations Council. If you are appointed, this information may be used in a news release. It will remain on file for one year after its submission.

Lore E Dodge  
(signature)

5 - 20 - 2011  
(date)

City of Washington Human Relations Council Application

In the interest of enhancing communication and relationships between all people in the City of Washington, the Washington City Council seeks citizens to serve on the Human Relations Council. Ideal candidates will have a sincere desire to work with all segments of the community to mediate tension and conflict and work to find resourceful solutions to problems.

NAME: Sandra Albritton  
(please print)

ADDRESS: 40 Camel Dr.

PHONE NUMBER (work) \_\_\_\_\_ (home) 252-975-3742

e-mail address \_\_\_\_\_

Do you live within the corporate limits of Washington? () yes () no

Have you ever served, or do you currently serve, on a board or commission for the City of Washington? () yes () no

If yes, please indicate the board or commission on which you serve(d).

Do you anticipate a conflict of interest by serving as a member of the Human Relations Council? () yes () no

If yes, please explain. \_\_\_\_\_

Please state the reasons why you fell qualified for this appointment. (Use the back of this form if you need additional space.)

I live in this community and have a deep love and concern for it. What goes on here affects and concerns others as well as myself. I feel that I could add to my community

Please note that this information will be used by the City Council in making their appointments to the Human Relations Council. If you are appointed, this information may be used in a news release. It will be remain on file for one year after its submission.

Sandra Albritton  
July 18, 2011  
Page 107 of 182

(signature)

6-13-2011

**City of Washington Human Relations Council Application**

In the interest of enhancing communication and relationships between all people in the City of Washington, the Washington City Council seeks citizens to serve on the Human Relations Council. Ideal candidates will have a sincere desire to work with all segments of the community to mediate tension and conflict and work to find resourceful solutions to problems.

NAME: Valerie L. Bannister

(please print)

ADDRESS: 821 W. 2nd Street Washington NC 27889

PHONE NUMBER (work) 252-975-1500 x409 (home) 252-833-4547

Do you live within the corporate limits of Washington?  yes  no

Have you ever served, or do you currently serve, on a board or commission for the City of Washington?  yes  no

If yes, please indicate the board or commission on which you serve(d).

Do you anticipate a conflict of interest by serving as a member of the Human Relations Council?  
 yes  no

If yes, please explain. \_\_\_\_\_

Please state the reasons why you fell qualified for this appointment. (Use the back of this form if you need additional space.)

My experiences the last 30 plus years as a relationship builder and advocate for adoptive children, elder care, home ownership, education of and women's rights, chamber of commerce for minority business, inter-cultural exchange, real estate political action, and a M.S.M. degree in Leadership make me a viable candidate.

Please note that this information will be used by the City Council in making their appointments to the Human Relations Council. If you are appointed, this information may be used in a news release. It will remain on file for one year after its submission.

Valerie L. Bannister  
\_\_\_\_\_  
(signature)  
6/8/11  
\_\_\_\_\_  
(date)

## **Valerie Bannister**

Valerie Bannister, a resident of Beaufort and Brunswick County NC, is a native New Yorker. She spent her adult life in Baltimore Maryland where she received her B.A. degree in Sociology from Morgan State University. While in Baltimore she married her husband of 38 years Jerome. They have 1 son, 2 adopted daughters, and 9 grandchildren. In Baltimore, Valerie an active advocate for adoptive families, was awarded, along with her husband, the state Adoptive Family of the Year award for 1991.

Arriving in Lehigh Valley PA in 1995, Valerie sat on the boards of the Home Ownership Council, Lehigh Valley Council on Aging, American Association of University Women – Allentown and the Tri-City African American Chamber of Commerce. She also worked with others to form the Lehigh Valley Aging in Place Coalition.

Since arriving in North Carolina, in 2006, Valerie and her husband built their home on Holden Beach mainland. Valerie volunteered with Brunswick Community Colleges annual Inter-cultural Festival, and was a founding member of the SW Brunswick County Newcomers. As a licensed NC Real Estate Broker she was appointed member of the Brunswick County Realtors Association's Political Action Committee. Arriving in Beaufort County in 2011 she participated in several workshops with Reemployment Services of the Employment Security Commission of North Carolina.

Valerie is a graduate of Rosemont College Master of Science in Management (MSM) program, with a major in Leadership. This degree aligns with her focus on the behavioral, psychological and sociological aspects of business. As Rosemont's program states "all business regardless of fiduciary responsibility and organizational structure, is based upon relationships."

Dear Councilpersons,

Thank you for the review and consideration of my application for membership on the Human Relations Council. My professional, community experiences and education prepare me for this position. As a board member of the Home Ownership Council of Lehigh Valley, American Association of University Women – Allentown, and the Tri-City African American Chamber of Commerce I am prepared to,

- To promote social and economic equality in the community, working with Local Government and other resources.

As a volunteer with the Brunswick Community College's Inter-cultural Festival since 2006 I am prepared,

- To appreciate the cultural and ethnic diversity of the citizens of Washington and Beaufort County.

Finally as a graduate of Rosemont College Master of Science in Management (M.S.M.) program, with a major in Leadership I am educated in relationship development and strategies that enhance and sustain respect among people,

- To encourage citizens to live and work together in harmony and mutual respect.

Thank you again for the opportunity to apply.

Respectfully, a new Washingtonian,

  
Valerie L. Bannister

**City of Washington Human Relations Council Application Form**

Please submit your completed form to the office of the City Clerk, PO Box 1988, Washington, NC 27889 or by email [cbennett@washingtonnc.gov](mailto:cbennett@washingtonnc.gov)

Name DR. F. SUSAN MUIZRELL

Address 1610 VAN NORDEN STREET, WASHINGTON, N.C. 27889

Phone Numbers (252) 946-3417 (Business) \_\_\_\_\_ (home, cell or both)

Email Address \_\_\_\_\_

Do you live within the corporate limits of Washington? () yes ( ) no

Have you ever served, or do you currently serve, on a board or commission for the City of Washington? () yes ( ) no

If yes, please indicate the board or commission on which you serve(d).

BROWN LIBRARY BOARD OF TRUSTEES (12 years)  
my term expires 6 June 11

Do you anticipate a conflict of interest by serving as a member of the Human Relations Council? ( ) yes () no

If yes, please explain. \_\_\_\_\_

Please state the reasons why you feel qualified for this appointment.

I have accomplished a Bachelor of Arts, Master of Arts, and Doctoral degrees in Administration and Counseling. I have had the opportunity to be selected and serve on the City Planning Board, Salvation Army Board, Boys & Girls Club, and past president for the Key Women of America, Inc.

Please note that this information will be used by the City Council in making their appointments to the Human Relations Council. If you are appointed, this information may be used in a news release. It will remain on file for one year after its submission.

Also, 1st Lt. in the U.S. Army

Dr. F. Susan Muizrell  
(Signature)

2 May 11  
(Date)

Primary Board Animal Control Appeals Board Other Boards \_\_\_\_\_

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

NAME Dee Congleton  
(Please Print)

ADDRESS 210 E Water Street, Washington NC

PHONE NO. (BUSINESS) \_\_\_\_\_ (HOME) 252-946-6896

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

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

YEARS OF EDUCATION 16

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO   
IF YES, PLEASE INDICATE Animal Control Appeals Board

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed  
Pet lover, own two cats

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

Dee Congleton  
Signature

May 24-011  
Date

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

Primary Board Beaufort County Humane Society Other Boards Shepard Cancer Foundation  
Animal Control Appeal Board

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

NAME Mary Tucker Talley  
(Please Print)

ADDRESS 420 Riverside Drive

PHONE NO. (BUSINESS) 252/946-7177 (HOME) 252/946-9915

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 59 YEARS

YEARS OF EDUCATION 14

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO   
IF YES, PLEASE INDICATE Animal Control Appeal Board

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed  
Have served on this board since 2005.

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

Mary Tucker Talley  
Signature

may 26, 2011  
Date

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

Primary Board Washington Electric Utilities Advisory Commission Other Boards \_\_\_\_\_

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

NAME Don Wilkinson  
(Please Print)

ADDRESS 323 Isabella Avenue

PHONE NO. (BUSINESS) 252-947-0118 (HOME) 252-946-1702

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 53 YEARS

YEARS OF EDUCATION \_\_\_\_\_

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO   
IF YES, PLEASE INDICATE Washington Electric Utilities Advisory Board

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed

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

Don Wilkinson  
Signature

5/4/11  
Date

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

Thomas B. Richter, Mayor

**TOWN OF WASHINGTON PARK**  
**P O BOX 632**  
**WASHINGTON, NC 27889**

Denise D. Dale, Clerk

**COMMISSIONERS**

Lee Bowen  
Patrick Nash  
James Pagnani  
Jeff Peacock  
Don Wilkinson

May 4, 2011

Cynthia Bennett, City Clerk  
City of Washington  
102 East Second Street  
Washington, NC 27889

Dear Cynthia:

The Town of Washington Park re-appoints Don Wilkinson to serve as the representative from Washington Park to the Washington Electric Utilities Advisory Commission.

Sincerely,



Denise D. Dale

Primary Board Electric Adv. Other Boards \_\_\_\_\_

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

NAME Reid Brodie, III  
(Please Print)

ADDRESS 607 Northwood Rd., Washington, NC

PHONE NO. (BUSINESS) 944-7641 (HOME) 946-8690

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 3 1/2 YEARS

YEARS OF EDUCATION 17

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES ( ) NO ()  
IF YES, PLEASE INDICATE \_\_\_\_\_

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed

I have interest and knowledge of electric generation & transmission (OVER)

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

Reid Brodie  
Signature

5/18/2011  
Date

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

I also have worked with commercial developers as they reviewed options for electric utility ~~the~~ provider.

Primary Board Washington Housing Authority Other Boards Recreation Advisory Board

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

NAME Timothy G Ware  
(Please Print)

ADDRESS 104 Salem Rd Washington, NC 27889

PHONE NO. (BUSINESS) 252-974-1825 (HOME) 252-975-4548

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

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 18 YEARS

YEARS OF EDUCATION 16

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES  NO   
IF YES, PLEASE INDICATE Washington Housing, Recreation Advisory

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

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)  
(OPTIONAL): Use back of sheet if additional space is needed

I have past professional experience as an employee of the Federal national Mortgage Association. I have also been serving on the Washington Housing Authority Board.

Finally I have a great passion to assist all citizens in having adequate and affordable housing.

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

  
Signature

5/25/11  
Date

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



# WASHINGTON HOUSING AUTHORITY

P.O. Box 1046 • 809 Pennsylvania Avenue • Washington, NC 27889

(252) 946-0061 • Fax (252) 975-1279

[www.whamerha.com](http://www.whamerha.com)

April 20, 2011

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

RE: WHA Board of Commissioners

Dear Mayor Jennings:

Mr. Tim Ware's term as Commissioner of the Washington Housing Authority will expire on June 30, 2011.

Mr. Ware is dedicated to the work of the Washington Housing Authority and his attendance is outstanding. Currently, he is serving as Vice-Chairman to the Board. He has indicated a willingness to serve again, if reappointed.

Thank you for your consideration.

Sincerely

Marc A. Recko  
Executive Director

cc: Tim Ware



Handicapped  
Accessible

July 18, 2011  
Page 119 of 182



Equal Housing  
Opportunity



# City of Washington REQUEST FOR CITY COUNCIL ACTION

**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning & Development  
**Date:** June 30, 2011  
**Subject:** City Code: Adopt an ordinance to amend Chapter 20, Offenses and Miscellaneous, Article I, In General, of the Code or Ordinances of the City of Washington.

**Applicant Presentation:** Department of Planning and Development  
**Staff Presentation:** John Rodman, Planning and Development

**RECOMMENDATION:**

I move that the City Council accept the recommendation of the Planning Board and adopt the Ordinance to amend Chapter 20, Article I, of the City Code by adding **Sec. 20-17 Graffiti** as provided.

**BACKGROUND AND FINDINGS:**

The City Manager, the Police Department and the Department of Planning & Development felt the need to develop and implement an ordinance on the abatement of graffiti. The purpose is to establish a program for the removal of graffiti from public and private property. Graffiti has been found to be a public nuisance and is destructive of the rights and value of property owners as well as the entire community.

**PREVIOUS LEGISLATIVE ACTION**

Staff meeting  
Planning Board – June 28, 2011

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Ordinance

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** *CYMC* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No  
 Recommendation \_\_\_\_\_ Date *2/13/11* July 18, 2011  
 Page 120 of 182

**ORDINANCE AMENDING CHAPTER 20, OFFENSES AND MISCELLANEOUS  
PROVISIONS, ARTICLE I, IN GENERAL, OF THE CODE  
OF ORDINANCES OF THE CITY OF WASHINGTON**

WHEREAS, NCGS 160A-174 authorizes local governments by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city, and may define and abate nuisances; 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 graffiti as a public nuisance.

BE IT ORDAINED by the City Council of the City of Washington that:

Section 1: That the Code of the City of Washington, North Carolina, Chapter 20, Article I, is hereby amended by adding the section, inserted as follows:

**Sec. 20-17 Graffiti.**

(a) *Prohibited.* It shall be unlawful for any person to write, paint, inscribe, scratch, scrawl, spray, place or draw graffiti of any type on any public or private building, streets, sidewalks, structure or any other real or personal property. The existence of graffiti on public or private property in violation of this section is hereby declared to be a public nuisance and dangerous to the public safety and welfare, and is therefore subject to removal and abatement provisions specified in this section.

(b) *Graffiti defined.* Graffiti shall mean writings, drawings, inscriptions, figures, or marks of paint, ink, chalk, dye or other similar substances on public or private building, sidewalks, streets, structures, or places which are not authorized or permitted by the property owner or possessor. However, it shall not be construed to prohibit temporary, easily removable chalk or other water soluble markings on public or private sidewalks, streets or other paved surfaces which are used in connection with traditional children's activities, such as drawings, or bases for stickball, kickball, handball, hopscotch or similar activities, nor shall it be construed to prohibit temporary, easily removable chalk or other water soluble markings used in connection with any lawful business or public purpose or activity.

(c) *Penalty for violation.* Violation of this section is a misdemeanor. It shall be a misdemeanor for any person to do any act forbidden in this section or to fail to do or perform any act required by this section. Any violation of this section shall be punished as specified herein.

(d) *Removal of graffiti.* It shall be unlawful for any person owning property, acting as manager or agent, or in possession or control of property to fail to remove or effectively obscure any graffiti upon such property.

(1) *Notice to remove.* Upon determination that graffiti is present, the City shall deliver to the perpetrator of the graffiti, if known, or to the property owner

or person in possession a *Notice to Remove*. A *Notice to Remove* shall include:

- a. the street address or description of the property sufficient for property identification;
- b. a description and general location of the graffiti;
- c. a statement that the graffiti is a public nuisance due to the existence of the graffiti;
- d. a statement that the graffiti must be removed or effectively obscured within ten (10) working days and that if the nuisance is not so abated within that time the City will abate the public nuisance at the cost of the property owner as set forth; and
- e. information concerning procedures for appeal of the notice.

(2) *Removal by perpetrator*. It shall be unlawful for any person placing graffiti on public or private property to fail to remove such graffiti within forty-eight (48) hours after a *Notice to Remove* is delivered by the City. The removal by the person placing the graffiti shall only be completed with the permission of the property owner or person in possession.

(3) *Removal by the City*. If the City has delivered a *Notice to Remove* to the property owner or person in possession and that person fails or refuses to remove or effectively obscure graffiti upon their property as directed in the *Notice*, the City is authorized to remove the graffiti and the cost to remove same shall be charged to the property owner or other person in charge. If the expenses of removing or obscuring the graffiti is not paid within thirty (30) days of receipt of a statement for the cost of such removal, the expense of the abatement actions by the City shall become a lien upon the property and shall be collected as unpaid taxes.

(4) *Appeal*. Any property owner who receives a *Notice to Remove* or obscure the graffiti may appeal to the Washington Board of Adjustment within seven (7) days of receipt of the *Notice*. The appeal notice shall state the reasons for the appeal. The Board of Adjustment shall set a hearing for their next regularly scheduled meeting after the receipt of the notice of appeal. If, on appeal, the Board of Adjustment determines that the graffiti is a public nuisance and must be removed, the Planning & Development Department shall establish a new date for removing or obscuring the graffiti.

(e) *Enforcement*. The City Manager shall designate staff person(s) who shall enforce this section. The City reserves the right to seek penalties and/or remedies through civil and/or criminal means.

(1) *Civil penalties*. The following penalties shall apply for violations of this section by the placement of or by failure to remove graffiti by perpetrator.

- a. first violation – a fine not to exceed one hundred dollars (\$100) for each offense.
- b. second violation – a fine not to exceed two hundred fifty dollars (\$250) for each offense.
- c. each subsequent violation – a fine not to exceed five hundred dollars (\$500).

(2) *Criminal penalty.* In addition to, or in lieu of civil penalties or other remedies, violation of this section shall constitute a criminal infraction.

**Sec. 20-18 – 20-35. Reserved.**

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

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

Adopted this \_\_\_\_\_ 18<sup>th</sup> \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 2011.

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

ATTEST:

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



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Philip Mobley, Recreation Director *PMM*  
**Date:** July 18, 2011  
**Subject:** Approve and authorize the Acting City Manager to execute a change order for Phase I Festival Park to WIMCO for a new contract amount of \$128,074.53

**Applicant Presentation:** N/A  
**Staff Presentation:** Philip Mobley

**RECOMMENDATION:**

I move City Council approve and authorize the Acting City Manager to execute Change Order # 2 in the amount of \$1,164.08 to WIMCO for a new contract amount of \$128,074.53.

**BACKGROUND AND FINDINGS:**

The Festival Park Planning Committee asked Mark Smith, Project Architect, to review the need for an upgrade to one electrical 50 Amp outlet for the stage. This change is now being recommended at a cost of \$603.90. A second review showed a need for the adding of (5) 4" PVC pipes under the walk/driveway for future needs. The recommended cost is \$560.18. We believe that the \$1,164.08 cost of these two change orders can be absorbed in the current project budget.

Original Contract Price	\$ 126,910.45
Change Order # 2	<u>1,164.08</u>
New Contract Price	\$ 128,074.53

**PREVIOUS LEGISLATIVE ACTION**

Contract approved      April 11, 2011.  
Change Order # 1      June 13, 2011

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

- Change Order
- Budget Comparison Packet

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
**City Manager Review:** *MM* Concur \_\_\_\_\_ Resonmend Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date \_\_\_\_\_  
*7/13/11*

**CHANGE  
ORDER**

AIA DOCUMENT G701

OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER

PROJECT: Festival Park Phase 1  
(name, address) Water Street  
Washington, N C

CHANGE ORDER NUMBER: G-2  
DATE: 7-6-2011  
ARCHITECT'S PROJECT NO:  
CONTRACT DATE:  
CONTRACT FOR: General Construction

TO CONTRACTOR: WIMCO Inc  
(name, address) P O Box 121  
Washington, NC 27889

The Contract is changed as follows:

- 1. Add sleeves for future irrigation \$ 560.18
- 2. Add 50 amp electrical outlet at stage \$ 603.90

TOTAL ADD \$1,164.08

**Not valid until signed by the Owner, Architect and Contractor.**

The original (Contract Sum) (~~Guaranteed Maximum Price~~) was \$ 125,700.00  
 Net change by previously authorized Change Orders \$ 1,210.45  
 The (Contract Sum) (~~Guaranteed Maximum Price~~) prior to this Change Order was \$ 126,910.45  
 The (Contract Sum) (~~Guaranteed Maximum Price~~) will be (increased) (~~decreased~~)  
 (~~unchanged~~) by this Change Order in the amount of \$ 1,164.08  
 The new (Contract Sum) (~~Guaranteed Maximum Price~~) including this Change Order will be \$ 128,074.53  
 The Contract Time will be (~~increased~~) (~~decreased~~) (~~unchanged~~) by ( ) days.  
 The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

Mark Smith Architect ARCHITECT	WIMCO Inc OWNER	City of Washington
CONTRACTOR		
2020-A Cambria Dr Address	P O Box 121 Address	PO Box 1988 Address
Greenville, NC 27834	Washington, NC 27889	Washington, N C 27889
BY 	BY _____	BY _____
DATE 7-10-11	DATE _____	DATE _____

July 18, 2011

**Festival Park**  
**Budget Comparison Packet**  
(As of July 18, 2011)

- Project Cost (Page from PARTF Grant Application)
  
- Project Cost (Start up and New Projections)
  
- Total Spent or Estimated to Date for:
  - ) Planning & Design Cost Sheet
  - ) Construction Cost
  - ) Contingency Funds
  
- Total Funds spent or estimated to date:
  - ) Phase 1
  - ) Phase 2
  - ) Playground
  - ) Planning & Design

## Project Costs

Use the format below to show the costs of your project. Include the title of the project, the name of the local government and the date the document was prepared.

### Project Costs Festival Park – City of Washington December 2009

Project Elements (Include specific units - sizes, numbers, lengths, etc. - for each item.)	Unit	Unit Cost	Total Item Cost
<b>Building and/or Renovating Costs</b>			
Event Stage ( 1 ) 20' x 24'	Lump Sum	120,000	120,000
Tot Lot (, accessible surfacing) Maritime Theme	Lump Sum	25,000	25,000
Picnic Shelter- (1) 28' dia. round	Lump Sum	90,000	90,000
(3) Benches, (4) Trash Receptacles Landscaping & Irrigation	Lump Sum	31,000	31,000
Rest Rooms (1) 20' x 22'	Lump Sum	170,000	170,000
Accessible Routes, multi-paved walkways w/turf supp	6 ft.	450 /ft.	29,000
Site Preparation (clearing, grading, and erosion control)	.5 acres	20,000	20,000
(Water and Sewer) and Electric Utilities New/Relocation New Service	Lump Sum	40,000	40,000
<b>Costs to Develop the Project</b>			525,000
<b>Contingency for the Cost of Building / Renovating</b>			
Contingency (not to exceed 5% of the cost to develop the project)	5%		26,250
<b>Value of Land to be Purchased or Donated</b>			
N/A			
<b>Costs Related to Building, Renovating and Planning</b>			
Planning / Incidental Land Costs- Construction management, site planning, preliminary design, survey and appraisals, or the cost of preparing the application (not to exceed 20% of the cost of the project)	7.7%		39,000
<b>Total Project Cost</b>			590,250
<b>Total PARTF Grant Request</b>			295,125
<b>Total Local Match</b>			295,125

Festival Park Budget \$ 590,250.  
50/50 Grant

	Start Budget Sep 2010	New Projections Jul/18/2011
Planning & Design (Max 20%)	\$ 39,000. (8%)	\$ 75,000. (13%)
Construction	525,000.	489,000.
Contingency Max 5%	26,250.	26,250.
<hr/>		
Totals:	\$ 590,250.	\$ 590,250.
 <hr/>		
Donations To Project:		\$ 33,700.

Festival Park  
**Planning & Design Cost to date**

12/08/09	Coastal Planning & Design (Susan Suggs)	PO 44646	\$3,895.00
12/31/09	Office Depot Printing PARTF Applications		\$328.43
1/05/10	Legal Notice Public PARTF Meeting (WDN)		\$14.40
1/10/10	Legal Notice City Council Public Meeting (WDN)		\$108.00
1/11/10	Public Notice Festival Park Meeting (WDN)		\$12.07
1/25/10	Waters Surveying	PO 44735	\$1,000.00
2/17/10	Coastal Planning & Design (Susan Suggs)	PO 44763	\$1,762.00
6/22/10	Waters Surveying	PO 45407	\$1,200.00
7/09/10	Litho Graphix Printing/ Prints (Enlarge)		\$14.95
7/13/10	Litho Graphix	Inv. 14137	\$5.87
7/22/10	Michele Oros (grant writer) Contract Svs Pay Sheet		\$580.00
8/13/10	Litho Graphix	Inv. 14256	\$58.42
8/19/10	Mitchel R. Woolard	PO 45751	\$1,000.00
8/25/10	Waters Surveying	PO 45767	\$900.00
9/16/10	Mitchel R. Woolard	PO 45858 (addendum)	\$352.18
9/16/10	Litho Graphix Printing/ Print (enlargement)		\$20.70
10/07/10	Waters Surveying	PO 45928	\$1,700.00
10/20/10	Litho Graphix	Inv. 14537	\$27.63
11/02/10	Litho Graphix	Inv. 14633	\$29.20
11/02/10	Waters Surveying	PO 46014	\$1,275.00
11/02/10	Terracon GEO TECH Study	PO 46019	\$2,410.00
12/06/10	Waters Surveying	PO 46129	\$2,500.00
12/21/10	Mark Smith Arch. Phase 1	PO 46206	\$19,350.00
2/14/11	Waters Surveying	PO 46400	\$1,150.00
2/25/11	Litho Graphix Prints enlargement		\$9.13
3/07/11	Waters Surveying For Closing Street	PO 46484	\$2,375.00
3/13/11	Legal Notice Closing & Abandoning portion S. Parkway		\$443.52
4/12/11	Mark Smith Arch (Phase 2)	PO 46685	\$24,950.00
4/12/11	HC Harris, Jr. Surveying (Phase 2)	PO 46691	\$2,340.00
6/18/11	Advertise Phase 2 (WDN)		\$32.40
	<b>SUB Total</b>		<b>\$69,843.90</b>

Missing/Future Cost

Attorney fees Closing Street in the park	estimate	\$1,500.00
Attorney fees The PARTF Application Legal Info	estimate	\$1,500.00
Mark Smith Arch. Change Orders (Phase 1)		\$1,057.75
Mark Smith Arch. Change Orders Phase 2)		\$588.29
		<b>\$4,646.04</b>

**Planning & Design Budget: \$ 75,000. \$74,489.94**

**Construction Cost to date**

2/15/11	Kompan, Inc (two shelters)	PO 46403	\$132,500.00
4/06/11	GameTime (playground/totlot)	PO 46632	\$13,682.19
4/12/11	WIMCO (Phase 1) Contractor	PO 46673	12 \$125,700.00
6/13/11	Change Order # 1		\$1,210.45
5/12/11	Beaufort Co. Monument (playground)	PO 46939	\$2,520.00
5/26/11	Cunningham Asso. (playground)	PO 47050	\$4,063.70
5/26/11	Brooks (install playground)	PO 47051	\$4,000.00
6/01/11	Edwards Tree Svs. (playground)	PO 47085	\$400.00
6/22/11	Porter Corp. (Shelter 9'' Ribs)	PO 47292	\$2,150.00
6/29/11	Beaufort Co. Monument (Playground)	PO 47375	<u>\$519.20</u>
SUB Total			\$286,745.54

Future Cost

Future Cost

WIMCO Change Order # 2 (Jul. 18)		\$1,164.08
WIMCO Change Order # 3 (Aug. 15)	estimate	\$2,500.00
Stocks & Taylor (Phase 2)		\$145,750.00
Contingency for Stocks & Taylor (Phase 2)		\$7,300.00
Aluminum (Wrought Iron Type) Fence & Labor (Playground)		\$12,000.00
Washed Sand (5 Trucks loads) (Playground)		\$1,000.00
Washington Electric Utilities	(To date estimates)	\$12,937.00
Public Works	(To date estimates)	\$14,292.00
Four Park Benches	estimate	\$5,100.00
Sod Bermuda Grass (Great Lawn)	estimate	\$9,000.00
Cunningham Asso. (playground)	estimate	<u>\$750.00</u>
SUB Total		\$211,793.08

**Construction Budget \$ 489,000.**

**Total to Date: \$498,538.62**

**Contingency Funds \$ 26,250.**

**Total to Date: \$0.00**

**Total Project Budget**

**\$ 590,250.**

**Total Spent or Estimated to date**

**\$573,028.56**

**Total Funds Spent or Estimated to date**

Phase 1		
	Mark Smith *	\$19,350.00
	CO Msmith *	\$1,057.75
	(2) Shelters	\$132,500.00
	WIMCO	\$125,700.00
	CO WIMCO (1)	\$1,210.45
	Shelters Ribs 9"	\$2,150.00
	CO WIMCO (2)	\$1,164.08
	CO WIMCO (3)	<u>\$2,500.00</u>
	Sub Total	\$285,632.28
Phase 2	Mark Smith *	\$24,950.00
	CO Msmith *	\$588.29
	Stocks & Taylor	\$145,750.00
	5% Contingency S & T	\$7,300.00
	Wash. Elec. Util.	\$12,937.00
	Public Works	\$14,292.00
	Four Benches	\$5,100.00
	Sod Grass Great Lawn	<u>\$9,000.00</u>
	Sub Total	\$219,917.29
Playground GameTime		\$13,682.19
	Beaufort Monument	\$2,520.00
	Cunningham Assoc.	\$4,063.70
	Edward's Tree Service	\$400.00
	Brooks Installer	\$4,000.00
	Beaufort Monument	\$519.20
	Aluminum Fence & Labor	\$12,000.00
	Wood Chips	\$1,000.00
	Cunningham Assoc.	<u>\$750.00</u>
	Sub Total	\$38,935.09
Phase 1		\$285,632.28
Phase 2		\$219,917.29
Playground		<u>\$38,935.09</u>
	Sub Total	<b>\$544,484.66</b>
* Planning and Design		<u>\$28,543.90</u>
	<b>Grand Total</b>	<b>\$573,028.56</b>



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

To: Mayor Jennings & Members of the City Council  
From: Philip Mobley, Director Parks and Recreation *pwm*  
Date: July 18, 2011  
Subject: Approve and Authorize the Acting City Manager to execute a change order for Phase 1 Festival Park to Mark Smith, Architect for a new contract amount of \$20,417.75.  
Applicant Presentation: N/A  
Staff Presentation: Philip Mobley

**RECOMMENDATION:**

I move City Council approve and Authorize the Acting City Manager to execute a change order for Phase 1, in the amount of \$1,057.75 to Mark Smith Architect for a new contract amount of \$20,417.75.

**BACKGROUND AND FINDINGS:**

The Festival Park Planning Committee asked Mr. Smith, Project Architect, to design a change for the added light bar attachment, \$367.50 and to design a change for elevation/roof alternates, \$262.50. The printing cost for the changes, \$220.00, reflects his cost plus 10% for handling. The extra trips to Washington incurred travel costs totaling \$207.75. These change orders can be absorbed in the current project budget.

Original Contract Price \$19,360.00  
Change Order 1,057.75  
New Contract Price \$20,417.75

**PREVIOUS LEGISLATIVE ACTION**

Contract approved 12/21/10

**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: *MM* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date  
*7/13/11*



# City of Washington REQUEST FOR CITY COUNCIL ACTION

**To:** Mayor Jennings & Members of the City Council  
**From:** Philip Mobley, Director Parks and Recreation *PWM*  
**Date:** July 18, 2011  
**Subject:** Approve and Authorize the Acting City Manager to execute a change order for Phase 2 Festival Park to Mark Smith, Architect for a new contract amount of \$25,538.29

**Applicant Presentation:** N/A  
**Staff Presentation:** Philip Mobley

**RECOMMENDATION:**

I move City Council approve and Authorize the Acting City Manager to execute a change order for Phase 2, in the amount of \$588.29 to Mark Smith Architect for a new contract amount of \$25,538.29.

**BACKGROUND AND FINDINGS:**

This change order is for printing cost associated with Phase 2, Festival Park, \$588.29. These costs reflect the Architect's cost plus 10% for handling. This change orders can be absorbed in the current project budget.

Original Contract Price	\$24,950.00
Change Order	<u>588.29</u>
New Contract Price	\$25,538.29

**PREVIOUS LEGISLATIVE ACTION**

Contract approved 4/12/11

**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:** *PWM* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date *7/13/11*



# INVOICE

Mark Smith Architect  
 2020A Cambria Drive  
 Greenville, NC 27834

DATE INVOICE #  
 6/16/2011 723

**BILL TO**

Philip Mobley  
 PO Box 1988  
 310 W Main St  
 Suite 200, Peterson Bldg  
 Washington, NC 27889-1988

PROJECT				TERMS
Festival Park Phase 2 Additional Services				Due on receipt
ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Reimb Group	Reimbursable printing costs for Bidding and permit sets			
	CD issue		395.07	395.07
	CD issue		98.07	98.07
	CD issue		41.67	41.67
	Total Reimbursable Expenses			534.81
	Markup		10.00%	53.48
	Total Reimbursable Expenses			588.29
EIN 95-4896996 Mark Smith Architect		<b>Total</b>		\$588.29



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

To: Mayor Jennings & Members of the City Council  
From: John Rodman, Planning and Development  
Date: July 5, 2011  
Subject: Approval to allow Type V Construction in Washington's Primary Fire District  
Applicant Presentation: N/A  
Staff Presentation: John Rodman, Planning and Development  
Wayne Harrell, Chief Building Official

**RECOMMENDATION:**

I move that the City Council approve the construction of the Festival Park restroom facilities, rated as Type V construction, in the Primary Fire District.

**BACKGROUND AND FINDINGS:**

The proposed restroom facilities for Festival Park have been rated as Type V construction and are planned to be located within Washington's Primary Fire District, as defined by City Code. Type V construction is defined by the materials that are used in construction and are not 100% non-combustible materials. According to NC G.S. 160A-436 Type V construction is not permitted within the primary fire district of any city except upon the permit of the local inspection department, approved by the City Council and by the Commissioner of Insurance.

**PREVIOUS LEGISLATIVE ACTION**

The Department of Insurance and the Office of the State Fire Marshal approved the construction of the facilities on June 15, 2011 based on the open space and the separation of the facilities from the adjacent buildings.

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Site Plan

City Attorney Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
City Manager Review: 7/13/11 TML Concur July 18, 2011 Recommend Denial  
Page 135 of 182  
\_\_\_\_\_ No Recommendation \_\_\_\_\_ Date





City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Robbie Rose, Fire Chief *RR*  
**Date:** June 30, 2011  
**Subject:** Verification from Municipality Resolution  
**Applicant Presentation:** N/A  
**Staff Presentation:** N/A

**RECOMMENDATION:**

I move that the City Council approve and authorize the Mayor to execute the attached resolution as required by the North Carolina Department of Insurance for verification of service. This is part of the State 9S inspection for all Beaufort County fire departments. This inspection is not the regular insurance rating inspection for our individual department.

**BACKGROUND AND FINDINGS:**

Pursuant to G. S. 58-2-40, and G. S. 58-36-10 (3), the Insurance Commissioner authorized the standard known as Administrative Procedures Code Section .0500, **Initial Certification/Re-Inspection of Fire Departments**. The result of this action was the development of requirements by which all fire departments will be certified with a 9S rating (effective 1987) for insurance grading purposes. This provides for the eligibility of the department's personnel to participate in the Fireman's Pension Fund and the Firemen's Death Benefit Act and the fire department's participation in the Firemen's Relief Fund. The "S" attached to the 9 classification designates that fire department as having met the current, minimum standards for a rated class 9 or split 9 fire department in North Carolina, (Ref.: G.S. 86-25; G.S. 58-84-1; G.S. 143-166-1).

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Attached Resolution

City Attorney Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
 City Manager Review: *RR* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date *7/13/11*

# VERIFICATION FROM MUNICIPALITY RESOLUTION

- WHEREAS,** The Washington Fire-Rescue-EMS Department of the City of Washington serves as an Agency of the City; and
- WHEREAS,** The Washington Fire-Rescue-EMS Department of the City of Washington has requested confirmation of this Agency relationship; and
- WHEREAS,** This Agency's relationship is long-standing and generally acknowledged.
- NOW, THEREFORE,** Be it resolved, that the City of Washington does hereby confirm this Agency's relationship and does verify by this Resolution that relationship.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**ATTEST:**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor



# City of Washington REQUEST FOR CITY COUNCIL ACTION

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**To:** Mayor Jennings & Members of the City Council  
**From:** John Rodman, Planning and Development  
**Date:** July 5, 2011  
**Subject:** Adopt Resolution authorizing the designation of the Bowers-Tripp house to historic landmark status.  
**Applicant Presentation:** N/A  
**Staff Presentation:** John Rodman, Planning and Development

**RECOMMENDATION:**

I move that the City Council approve the resolution designating the Bowers-Tripp house as a local historic landmark.

**BACKGROUND AND FINDINGS:**

Local Landmark designations apply to individual buildings, structures, sites, areas, or objects which are studied by the Historic Commission and judged to have historical, architectural, archaeological, or cultural value. Designation is an honor, meaning the community believes the property deserves recognition and protection. Owners of landmarks are eligible to apply for an annual 50% property tax deferral as long as the property's important historic features are maintained. Recapture penalties may apply if the owner destroys the property or damages its historic value.

**PREVIOUS LEGISLATIVE ACTION**

Since the state enabling legislation requires that a designation report be prepared before a local landmark is designated, some local preservation commissions use a National Register nomination as the basis for the local designation report. The Bowers-Trip house was placed in the National Register of Historic Places in 1998.

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Site Plan

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**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** *JML* Page 189 of 182 Recommend Denial  
\_\_\_\_\_ No Recommendation   7/13/11   Date

## 6

### Designation of Historic Landmarks

Historic landmark designation applies to individual properties, which may be buildings, structures, sites, areas, or objects. State law specifies the procedure for designation of landmarks. The historic preservation (or historic landmarks) commission recommends designation, and the local governing board designates the landmark by adopting a designation ordinance.

Landmark designation is an honor. It signifies recognition that the property is important to the heritage and character of the community and that its protection enriches all the community's residents.

It is important for the commission and local governing board to follow the procedures required by law. Should designations be challenged in court, they are much more likely to be set aside on procedural grounds than on substantive grounds. If a commission has followed the required procedures, the court usually defers to the commission's decision on whether the property is worthy of designation.

### Types of Historic Landmarks

---

The following types of properties can be designated as historic landmarks:

- **Buildings.** A "building" is constructed mainly to shelter human activity. Examples are houses, churches, theaters, schools, government buildings, stores, office buildings, factories, stations, barns, stables, and sheds.
- **Structures.** The term "structure" refers to a construction with a main purpose other than shelter. Examples are vehicles, roads, bridges, tunnels, canals, dams, fences, prehistoric earthworks, lighthouses, kilns, silos, windmills, gazebos, and bandstands.
- **Sites.** A "site" is the location of a significant event, activity, building, or structure (even if the building or structure is in ruins or gone). To be proposed for designation, the site must have historical significance regardless of the value of any building or structure now existing there. Examples are battlefields, shipwrecks, cemeteries, ruins of buildings or structures, sites of villages or habitations, rock shelters, natural features, or designed landscapes.
- **Areas.** The term "area" can be used to refer to a portion of a large land parcel, when only that portion is designated. It may also refer to a designated property that consists of more than one tax parcel. For example, a designation might include one or more buildings on a large property plus an area surrounding them. Landmark areas are different from historic districts, which are groups of properties.



## North Carolina Department of Cultural Resources

James B. Hunt Jr., Governor  
Betty Ray McCain, Secretary

Division of Archives and History  
Jeffrey J. Crow, Director

May 20, 1999

Robert & Nita Byrum  
1040 North Market St.  
Washington, NC 27889

Re: Certificate of Entry in the National Register of Historic Places  
Bowers-Tripp House, Beaufort County  
April 1, 1999

Dear Mr. & Mrs. Byrum:

I am pleased to inform you that the above-referenced property has been entered in the National Register of Historic Places. An official certificate of listing is enclosed. Also enclosed for your information is a copy of the nomination. You are most fortunate to own and preserve a property that justly deserves this honor.

The National Register has been called "a roll call of the tangible reminders of the history of the United States." It is, therefore, a pleasure for the Division of Archives and History to participate in this program and thereby make our nation aware of North Carolina's rich cultural heritage.

In order that we may keep our records up to date, it would be very helpful if you would notify us of any changes in ownership or of any major alteration of the property, including moving, destruction, remodeling, or restoration. We appreciate your cooperation in preserving the best of our past for posterity.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey J. Crow".

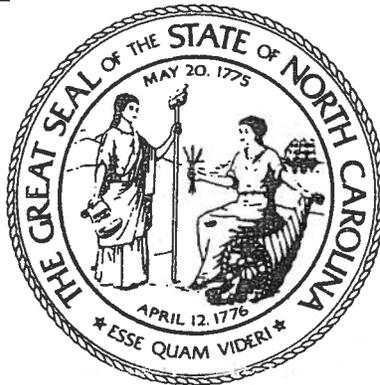
Jeffrey J. Crow  
State Historic Preservation Officer

JJC/hlb

enclosures

cc: The Honorable Jesse Helms  
The Honorable John Edwards  
The Honorable Eva Clayton  
The Honorable L. Stewart Rumley  
Shelby Powell

COPY



State of North Carolina  
Department of Cultural Resources  
Division of Archives and History

This is to certify that

**BOWERS-TRIPP HOUSE  
WASHINGTON**

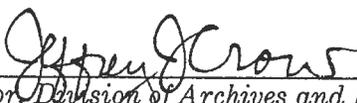
has been entered in

**THE NATIONAL REGISTER OF HISTORIC PLACES**

by the

United States Department of the Interior  
upon nomination by the State Historic Preservation Officer under  
provisions of the National Historic Preservation Act of 1966 (P.L. 89-665).

The National Register is a list of properties "significant in American history, architecture, archaeology, and culture — a comprehensive index of the significant physical evidences of our national patrimony." Properties listed therein deserve to be preserved by their owners as a part of the cultural heritage of our nation.

  
\_\_\_\_\_  
*Director, Division of Archives and History  
and  
State Historic Preservation Officer*

**April 1, 1999**

*Date Entered*



Bowers-Tripp House  
July 18, 2011  
1040 North Market Street



RESOLUTION  
LOCAL LANDMARK DESIGNATION  
BOWERS-TRIPP HOUSE

WHEREAS, local landmark designations apply to individual buildings, structures, sites, areas, or objects which are studied by the Historic Commission and judged to have historical, architectural, archaeological, or cultural value; and,

WHEREAS, landmark designation is an honor, meaning the community believes the property deserves recognition and protection; and,

WHEREAS, the Bowers-Tripp House has been placed in the National Register of Historic Places by the Division of Archives and History; and,

WHEREAS, the Washington Historic Preservation Commission during their regular scheduled meeting on July 5<sup>th</sup>, 2011 held a public hearing on the proposed designation; and,

WHEREAS, the Washington Historic Preservation Commission voted in favor of the landmark designation and to forward a favorable recommendation on the designation to City Council for the purpose of reviewing the designation; and,

WHEREAS, after review and consideration of the landmark designation the City Council of the City of Washington has no opposition to the designation of the Bowers-Tripp House as a local historic landmark;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Washington hereby authorizes the Mayor to certify that the property meets the criteria for listing as a local historic landmark as established by North Carolina G.S. 160A-400.5.

Adopted this the 18<sup>th</sup> day of July, 2011.

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N. Archie Jennings, Mayor

Attest:

---

Cynthia S. Bennett, City clerk



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Allen Lewis, Public Works Director *Allen Lewis*  
**Date:** 06-30-11  
**Subject:** Award Contract to W. O. White, LLC in the Amount of \$134,985 for Exterior Fire Protection System Improvements at Impressions.

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

**RECOMMENDATION:**

I move that Council authorize the Manager to sign a contract with W. O. White, LLC, in the amount of \$134,985 for exterior fire protection system improvements at Impressions, as well as the corresponding purchase order.

**BACKGROUND AND FINDINGS:**

Council approved a lease agreement with Impressions Marketing at the March 14, 2011 Council meeting which included several maintenance items to be performed. One of these items was exterior fire protection system improvements. On June 9, bids were received for the work. A bid tab is attached. It is recommended that W. O. White, LLC be awarded this work in the amount of \$134,985.

**PREVIOUS LEGISLATIVE ACTION**

03-14-11 – lease agreement, 06-13-11 – award roofing contract

**FISCAL IMPACT**

X Currently Budgeted (56-60-4930-4500) \_\_\_ Requires additional appropriation \_\_\_ No Fiscal Impact

**SUPPORTING DOCUMENTS**

Bid Tabulation Sheet

City Attorney Review: \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
 Finance Dept Review: \_\_\_\_\_ Date By: Page 145 of 182 if applicable)  
 City Manager Review: *ML* Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation 7/13/11 Date

Impressions  
Fire Main Impr.

CITY OF WASHINGTON  
BID SUMMARY SHEET

PROJECT: City of Washington  
Impressions Fire Main Improvements

OWNER: City of Washington  
BID OPENING: June 9, 2011 @ 2:00pm  
LOCATION: City of Washington  
Public Works

**Bid Summary Sheet as read at the Bid Opening. This is not a certified Bid Tab or Summary.**

<u>CONTRACTOR</u>	<u>LICENSE NO.</u>	<u>ADD. RECEIVED</u>	<u>TOTAL BASE BID</u>	<u>BID ALTERNATE</u>
T.A. Loving Company	325	X	\$135,000.00	\$ 30,000.00
James Cayton	29341	X	\$124,000.00	\$ 28,000.00
Cieszko Construction	2775			
Hendrix-Barnhill Co., Inc.	4883			
W.O. White	37896	X	\$104,210.00	\$ 34,775.00



# City of Washington REQUEST FOR CITY COUNCIL ACTION

**To:** Mayor Jennings & Members of the City Council  
**From:** Philip Mobley, Director Parks and Recreation  
**Date:** July 18, 2011  
**Subject:** Accept Bid, Award Contract to Stocks & Taylor, Authorize Acting City Manager to sign contract in the amount of \$145,750 and with an additional \$7,300 as a 5% contingency for Phase 2 in the "Festival" Park PARTF Project

**Applicant Presentation:** None  
**Staff Presentation:** Philip Mobley

**RECOMMENDATION:**

I move City council accept the Bid and Authorize the Acting City Manager to sign a contract with Stocks & Taylor in the amount of \$145,750 and with an additional \$7,300 as a 5% contingency for Phase 2.

**BACKGROUND AND FINDINGS:**

The "Festival" Park Planning Team continues to work on the scope of recommendations from the Land Design's Plan. Phase will consist of the construction of the restrooms, walkway, landscaping and irrigation. We met with Washington Historic Preservation Committee and have been approved with a Certificate of Appropriateness to construct restroom facilities for Phase 2 of the Festival Park.

**PREVIOUS LEGISLATIVE ACTION**

1/19/20 10	Public Hearing to adopt Addendum to Parks and Recreation Master Plan
9/13/2010	Council Accepted PARTF Grant and Adopted Budget Ord. Amendment \$295,125.
12/13/2010	Contract with Mark Smith Architect to design Phase I
6/23/2011	Contract with Mark Smith Architect to design Phase 2

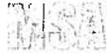
**FISCAL IMPACT**

Currently Budgeted (Account 62-40-6120-8000 )  Requires additional appropriation  No Fiscal Impact

**SUPPORTING DOCUMENTS**

**Bid Tabulation Sheet**  
**Contract with Stocks & Taylor with Negotiated Changes to Contract**  
**Site Plan with sketch, floor plans, Southern and Western Views**

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
**City Manager Review:** *PM* Concur *7/13/11* Recommendation \_\_\_\_\_ Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date \_\_\_\_\_  
Page 147 of 182



# BID TABULATION

Mark Smith Architect

PROJECT: Washington Festival Park Phase 2  
 BID DATE: June 28, 2011  
 BID TIME: 4:00 PM  
 BID LOCATION : Washington Parks & Recreation Dept  
 310 W Main St  
 Suite 200, Peterson Bldg  
 Washington, NC 27889-1988

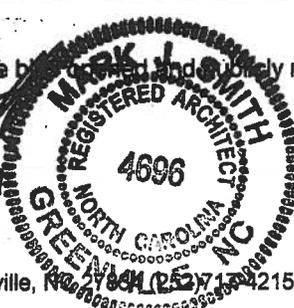
CONTRACTOR	BASE BID	ALT 1	ALT 2	ALT 3	ALT 4	BOND	6 ADDENDA
American Builders	\$ 149,500	\$ 8,000	\$ 10,000	\$ 2,800	\$ 16,000	5%	6
A R Chesson	\$ 133,272	\$ 2,295	\$ 3,799	\$ 2,700	\$ 10,658	5%	6
FASCO							
* Stocks & Taylor	\$ 130,000	\$ 3,000	\$ 1,500	\$ 3,300	\$ 10,800	5%	5
TD Goodwin	\$ 161,500	\$ 1,500	\$ 7,500	\$ 9,400	\$ 17,100	5%	6
WIMCO	\$ 149,700	\$ 4,000	\$ 3,500	\$ 3,500	\$ 11,000	5%	6

\* Apparent low bid

The above represents the bid as read and shall be read aloud for the referenced project at the time and place indicated.

Certified:

Mark J Smith  
 Mark Smith Architect



2020-A Cambria Dr. Greenville, NC 27834-1257 4215 msaia@embarqmail.com

# INFORMAL CONTRACT

REVISED 6-27-2011 - ADD ALTERNATE #4

## Festival Park Phase 2 City of Washington Parks and Recreation Washington, NC

### SCOPE OF WORK

Work includes but is not limited to: Site preparation / grading and seeding, walkways construction, restroom building construction, plumbing, electrical service, power and lighting. See schedule of Contract Drawings and specifications in the project manual.

### NOTICE TO BIDDERS

Sealed proposals for this work will be received by:

Mr. Philip Mobley  
310 W Main St  
Suite 200 Peterson Bldg  
Washington, NC 27889  
(252) 975-7224

up to 4:00 PM, on **June 28, 2011** and immediately thereafter publicly opened and read aloud. Complete plans and specification and contract documents can be obtained from

Mark Smith Architect  
2020-A Cambria Drive  
Greenville, NC 27834  
(252) 717-4215

Contractors are hereby notified that they must have proper license under the State laws governing their respective trades and that North Carolina General Statute 87 will be observed in receiving and awarding contracts. General Contractors must have general license classification for Unlimited Building.

Performance bond and payment bond in the full amount of the contract shall be required.

No bid may be withdrawn after the opening of bids for a period of 30 days. The Owner reserves the right to reject any or all bids and waive informalities. Proposals shall be made only on the form provided herein with all blank spaces for bids properly filled in and all signatures properly executed.

Please note on the envelope – **Bid Proposal: Attn: Mr. Philip Mobley**

Festival Park Phase 2  
Date  
Contractor Name  
Contractor License Number

**Pre-Bid** A pre Bid Conference will be held at the project site **June 20, 2011 at 1:00 pm**. Assemble at the project site.

# GENERAL CONDITIONS

## GENERAL

It is understood and agreed that by submitting a bid that the Contractor has examined these contract documents, drawings and specifications and has visited the site of the Work, and has satisfied himself relative to the Work to be performed.

## MATERIALS, EQUIPMENT AND EMPLOYEES

The contractor shall, unless otherwise specified, supply and pay for all labor, transportation, materials, tools, apparatus, lights, power, fuel, sanitary facilities and incidentals necessary for the completion of his work, and shall install, maintain and remove all equipment of the construction, other utensils or things, and be responsible for the safe, proper and lawful construction, maintenance and use of same, and shall construct in the best and most workmanlike manner, a complete job and everything incidental thereto, as shown on the plans, stated in the specifications, or reasonably implied there from, all in accordance with the contract documents.

All materials shall be new and of quality specified, except where reclaimed material is authorized herein and approved for use. Workmanship shall at all times be of a grade accepted as the best practice of the particular trade involved, and as stipulated in written standards of recognized organizations or institutes of the respective trades except as exceeded or qualified by the specifications.

No changes shall be made in the Work except upon written approval and change order of the Designer/Owner. Change orders shall be subject to provisions in the current North Carolina Construction Manual.

Products are generally specified by ASTM or other reference standard and/or by manufacturer's name and model number or trade name. When specified only by reference standard, the Contractor may select any product meeting this standard, by any manufacturer. When several products or manufacturers are specified as being equally acceptable, the Contractor has the option of using any product and manufacturer combination listed.

However, the contractor shall be aware that the cited examples are used only to denote the quality standard of product desired and that they do not restrict bidders to a specific brand, make, manufacturer or specific name; that they are used only to set forth and convey to bidders the general style, type, character and quality of product desired; and that equivalent products will be acceptable. Substitution of materials, items or equipment of equal or equivalent design shall be submitted to the architect or engineer for approval or disapproval; such approval or disapproval shall be made by the architect or engineer prior to the opening of bids.

If at any time during the construction and completion of the work covered by these contract documents, the conduct of any workman of the various crafts be adjudged a nuisance to the Owner or if any workman be considered detrimental to the work, the Contractor shall order such parties removed immediately from the site.

The contractor shall designate a foreman/superintendent who shall direct the work.

## CODES, PERMITS AND INSPECTIONS

The Contractor shall obtain the required permits, if required, give all notices, and comply with all laws, ordinances, codes, rules and regulations bearing on the conduct of the work under this contract. If the Contractor observes that the drawings and specifications are at variance therewith, he shall promptly notify the Designer in writing. If the Contractor performs any work knowing it to be contrary to such laws, ordinances, codes, rules and regulations, and without such notice to the Owner, he shall bear all cost arising there from.

All work under this contract shall conform to the current North Carolina Building Code and other state and national codes as are applicable

## SAFETY REQUIREMENTS

The Contractor shall be responsible for the entire site and the construction of the same and provide all the necessary protections as required by laws or ordinances governing such conditions and as required by the Owner or Designer. He shall be responsible for any damage to the Owner's property, or that of others on the job, by himself, his personnel or his subcontractors, and shall make good such damages. He shall be responsible for and pay for any claims against the Owner arising from such damages.

- Contractor is required to comply with all current NCOSHA Safety and Health Standards that are applicable to the work being performed by the contractor for the City of Washington and should be so stated in the contract.
- As a part of the bid process, contractor(s) shall submit to the Director of Recreation the following information for evaluation:
  1. OSHA 300 Log results for the past three years
  2. OSHA citations received for the past three years
  3. Experience Modification Factor (Workers' Compensation) for the past three years.
  4. Contractor's written safety program including fall protection policy, personal protective equipment including documentation of training for employees.
  5. Contractor's drug and alcohol misuse prevention program.
- The City of Washington shall have the right to stop work if a condition is observed that is considered to be immediately dangerous to the life or health of a contractor's employee. The job shall be closed until the situation is corrected. The City's representative shall attempt to first contact the person designated by the contractor to handle questions or situations concerning safety. However, the City does not have to allow this situation to persist to satisfy any requirement to contact this person. The City of Washington shall not be liable for any expense or damages incurred by the contractor due to job closure that is the result of a condition that is immediately dangerous to life and health.
- Prior to the start of any work performed by a contractor for the City of Washington, the City's Risk Manager or designated representative will conduct a pre-job safety review with the contractor's designated representative. The meeting will provide an opportunity for the City's Representative to discuss with the contractor's representative applicable safety rules including work zone protection and provide for an open line of communication between both parties.

## **TAXES**

North Carolina Sales Taxes and Use Tax do apply to materials entering into State Work (N.C. Sales and Use Tax Regulation No. 42, Paragraph A), and such costs shall be included in the bid proposal and contract sum.

Local Option Sales and Use Taxes do apply to materials entering into State work as applicable (Local Option Sales and Use Tax Act, Regulation No. 57), and such cost shall be included in the bid proposal and contract sum.

## **ACCOUNTING PROCEDURES FOR REFUND OF COUNTY SALES & USE TAX**

Contractors shall provide the owner a signed statement containing the information listed in G.S. 105-164.14(e) for all materials purchased for the project.

The Department of Revenue has agreed that in lieu of obtaining copies of sales receipts from contractors, an agency may obtain a certified statement from the contractor setting forth the date, the type of property and the cost of the property purchased from each vendor, the county in which the vendor made the sale and the amount of local sales and use taxes paid thereon. If the property was purchased out-of-state, the county in which the property was delivered should be listed. The contractor should also be notified that the certified statement may be subject to audit.

In the event the contractors make several purchases from the same vendor, such certified statement must indicate the invoice numbers, the inclusive dates of the invoices, the total amount of the invoices, the counties, and the county sales and use taxes paid thereon.

Name of taxing county: The position of a sale is the retailer's place of business located within a taxing county where the vendor becomes contractually obligated to make the sale. Therefore, it is important that the county tax be reported for the county of sale rather than the county of use.

When property is purchased from out-of-state vendors and the county tax is charged, the county should be identified where delivery is made when reporting the county tax.

Such statement must also include the cost of any tangible personal property withdrawn from the contractor's warehouse stock and the amount of county sales or use tax paid thereon by the contractor.

Similar certified statements by his subcontractors must be obtained by the general contractor and furnished to the claimant.

Contractors are not to include any tax paid on supplies, tools and equipment which they use to perform their contracts and should include only those building materials, supplies, fixtures and equipment which actually become a part of or annexed to the building or structure.

## **EQUAL OPPORTUNITY**

The non-discrimination clause contained in Section 202 (Federal) Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor, are incorporated herein.

The Contractors agree not to discriminate against any employees or applicant for employment because of physical or mental handicap in regard to any position for which the employees or applicant is qualified. The Contractor agrees to take affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices.

## **INSURANCE**

The Contractor shall not commence work until he has obtained all insurance required, and the Owner has approved such insurance, nor shall the Contractor allow any subcontractor to commence work on his subcontract until all similar insurance required of the subcontractor has been obtained.

Current, valid insurance policies meeting the requirements herein identified shall be maintained during the duration of this project. Contractor and subcontractors may not begin work until these insurance provisions have been obtained.

Workers' Compensation Insurance: Insurance covering all employees meeting statutory limits in compliance with the applicable state and federal laws. The coverage must include employer's liability with a limit of \$500,000 bodily injury by accident, \$500,000 bodily injury by disease, \$500,000 bodily injury by disease policy limit.

Commercial General Liability: Coverage shall have minimum limits of \$1,000,000 general aggregate, products/completed operations aggregate, personal and advertising injury and each occurrence.

Business Auto Liability: Coverage shall have minimum limits of \$500,000 per occurrence, combined single limit for bodily injury liability and property damage liability. This shall include owned vehicles, hired and non-owned vehicles and employee non – ownership.

Builder's Risk: Contractor shall have all risk coverage with limits of insurance equal to 100% of the completed value of the buildings being constructed for the City of Washington.

Umbrella/Excess Liability: At the option of the contractor, the limits of primary general liability, auto liability and employer's liability may be less than stipulated herein, with an excess policy providing the additional limits needed. This form of coverage will only be accepted when both primary and excess policies include the coverage and endorsements required herein.

## Special Requirements

- The City of Washington is to be included as an additional insured on the commercial general liability and business auto liability policies. If the contractor carries umbrella/excess coverage then the City shall also be named as an additional insured on this policy.
- Contractor shall deliver to the City, certificates of insurance for the insurance coverages contractor is required to maintain in compliance with this document.

- Coverage shall remain in effect at least until final payment and at all times thereafter when contractor may be correcting, removing or replacing defective work.
- Completed operations insurance shall remain in effect for at least two years after final payment, and contractor shall furnish the City evidence to show the continuation of such insurance.
- Renewal certificates shall be sent to the City 30 days prior to an expiration date. Policies shall contain a provision or endorsement that the coverage afforded will not be cancelled, materially changed, or renewal refused until at least 30 days prior written notice has been given to the City and contractor.
- It shall be the responsibility of the contractor to see that all subcontractors comply with these requirements.

### **INVOICES FOR PAYMENT**

a. Not later than the fifth day of the month, the contractor shall submit to the designer a request for payment for work done during the previous month. The request shall be in the form agreed upon between the contractor and the designer, but shall show substantially the value of work done and materials delivered to the site during the period since the last payment, and shall sum up the financial status of the contract with the following information:

1. Total of contract including change orders.
  2. Value of work completed to date.
  3. Less five percent (5%) retainage, provided however, that after fifty percent (50%) of the contractor's work has been satisfactorily completed on schedule, with approval of the owner and the State Construction Office and written consent of the surety, further requirements for retainage will be waived only so long as work continues to be completed satisfactorily and on schedule.
  4. Less previous payments.
  5. Current amount due.
- b. The contractor, upon request of the designer, shall substantiate the request with invoices of vouchers or payrolls or other evidence.
- c. Prior to submitting the first request, the contractor shall prepare for the designer a schedule showing a breakdown of the contract price into values of the various parts of the work, so arranged as to facilitate payments to subcontractors in accordance with Article 17, Contractor and Subcontractor Relationships. The contractor(s) shall list the value of each subcontractor and supplier, identifying each minority business subcontractor and supplier as listed in Affidavit C, if applicable.

Executed contract documents, insurance certifications and, upon completion and acceptance of the work, invoices and other information requested are to be sent to:

Mark Smith Architect  
2020-A Cambria Drive  
Greenville, NC 27834  
(252) 717-4215

It is imperative that contract documents, invoices, etc., be sent only to the above address in order to assure proper and timely delivery and handling.

### **CLEANING UP**

The Contractor shall keep the sites and surrounding area reasonably free from rubbish at all times and shall remove debris from the site from time to time or when directed to do so by the Owner. Before final inspection and acceptance of the project, the Contractor shall thoroughly clean the sites, and completely prepare the project and site for use by the Owner.

### **GUARANTEE**

The contractor shall unconditionally guarantee materials and workmanship against patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve (12) months following the final acceptance of the work and shall replace such defective materials or workmanship without cost to the owner.

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Where items of equipment or material carry a manufacturer's warranty for any period in excess of twelve (12) months, then the manufacturer's warranty shall apply for that particular piece of equipment or material. The contractor shall replace such defective equipment or materials, without cost to the owner, within the manufacturer's warranty period.

Additionally, the owner may bring an action for latent defects caused by the negligence of the contractor, which is hidden or not readily apparent to the owner at the time of beneficial occupancy or final acceptance, whichever occurred first, in accordance with applicable law.

Guarantees for roofing workmanship and materials shall be stipulated in the specifications sections governing such roof, equipment, materials, or supplies.

#### **CONTRACTOR-SUBCONTRACTOR RELATIONSHIPS**

The Contractor agrees that the terms of these contract documents shall apply equally to a subcontractor as to the Contractor, and that the subcontractor is bound by those terms as an employee of the Contractor.

## **SUPPLEMENTARY GENERAL CONDITIONS**

### **TIME OF COMPLETION**

The Contractor shall commence work to be performed under this Contract on a date to be specified in written order from the Designer and shall fully complete all work hereunder within **one hundred fifty (150)** consecutive calendar days from the Notice to Proceed for base bid contract. For each day in excess of the above number of days, the Contractor shall pay the Owner the amount of **two hundred Dollars (\$200.00)** as liquidated damages reasonably estimated in advance to cover the losses to be incurred by the Owner should the Contractor fail to complete the Work within the time specified.

If the Contractor is delayed at anytime in the progress of his work by any act or negligence of the Owner, his employees or his separate contractor, by changes ordered in the work; by abnormal weather conditions; by any causes beyond the Contractor's control or by other causes deemed justifiable by Owner, then the contract time may be reasonably extended in a written order from the Owner upon written request from the contractor within ten days following the cause for delay.

### **UTILITIES**

Contractor shall make arrangements for temporary utilities such as power and water, and pay utility charges.

### **PERFORMANCE AND PAYMENT BONDS**

Contractor shall furnish a Performance Bond and Payment Bond executed by a surety company authorized to do business in North Carolina. The bonds shall be in the full contract amount. An authorized agent of the bonding company who is licensed to do business in North Carolina shall countersign all bonds.

### **HOLD HARMLESS AGREEMENT**

Contractor agrees to protect, defend, indemnify and hold the City of Washington, its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlement costs, charges, professional fees or other expenses or liabilities of every kind and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of this agreement and/or the performance thereof that are due to the negligence of the contractor, its officers, employees, agents, subcontractors, or suppliers, not the result of the municipality's sole negligence. The contractor further agrees to investigate, handle, respond to, provide defense for and defend the same at its sole expense and agrees to bear all other costs and expenses related thereto.

# PROPOSAL AND CONTRACT

## Festival Park Phase 2, City of Washington Parks and Recreation

Work includes but is not limited to: Site preparation / grading and seeding, walkways construction, restroom building construction, plumbing, electrical service, power and lighting. See schedule of Contract Drawings and specifications in the project manual

The undersigned, as bidder, proposes and agrees if this proposal is accepted to contract with the City of Washington for the furnishing of all materials, equipment, and labor necessary to complete the construction of the work described in these documents in full and complete accordance with plans, specifications, and contract documents, and to the full and entire satisfaction of the City of Washington for the fixed sum of:

**BASE BID:** ONE HUNDRED THIRTY THOUSAND Dollars \$ 130,000<sup>00</sup>

**ADD**  
**ALTERNATE #1:** THREE THOUSAND Dollars \$ 3,000<sup>00</sup>  
Exposed aggregate concrete walkways

**ADD**  
**ALTERNATE #2:** ONE THOUSAND FIVE HUNDRED Dollars \$ 1,500<sup>00</sup>  
Grass paver walkways

**ADD**  
**ALTERNATE #3:** THREE THOUSAND THREE HUNDRED Dollars \$ 3,300<sup>00</sup>  
Swing frame and concrete

**ADD**  
**ALTERNATE #4:** TEN THOUSAND EIGHT HUNDRED Dollars \$ 10,800<sup>00</sup>  
Irrigation

Addenda received / work included in proposal:

Addendum #	<u>1</u>	date	<u>6/14/11</u>
Addendum #	<u>2</u>	date	<u>6/20/11</u>
Addendum #	<u>3</u>	date	<u>6/22/11</u>
Addendum #	<u>4</u>	date	<u>6/24/11</u>
Addendum #	<u>5</u>	date	<u>6/27/11</u>
Addendum #		date	

# NEGOTIATED CHANGES TO THE BID

Festival Park Phase 2  
City of Washington Parks and Recreation  
Washington, NC

After the bidding has completed the low bidder was requested to provide additional cost information for requested changes in the scope of work.

The following changes to the scope of work are incorporated into the Contract

1. Make sewer connection at the street in lieu of tapping existing sewer manhole on the property. City of Washington shall construct the tap in the street. Deduct 190 lineal feet of sewer line.

**Deduct \$2,660.00**

2. Change split face masonry foundation wall to Canyon Creek Brick with colored mortar and grapevine joint.

**Add \$750.00**

3. Change vinyl shutters to painted wood shutters.

**No change in price**

4. Provide "elevation certificate" by registered professional surveyor upon completion of project.

**Add \$560.00**

Total changes above = **Deduct \$1,350.00**

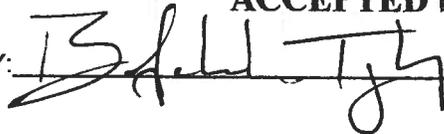
**Following is a summary of Contract Award**

Base Bid	\$ 130,000.00
Alternate #1	\$ 3,000.00
Alternate #2 not accepted	
Alternate #3	\$ 3,300.00
Alternate #4	\$ 10,800.00
Negotiated changes	<u>deduct (\$ 1,350.00)</u>
<b>Total Contract Award</b>	<b>\$ 145,750.00</b>

**ACCEPTED by**

Stocks and Taylor  
(Contractor)

BY:



DATE:

7/11/11

City of Washington  
(Agency/Institution)

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Respectively submitted this 28<sup>TH</sup> day of JUNE 2011

STOLUS & TAYLOR CONSTRUCTIONS, INC.  
(Contractor)

Federal ID#: [REDACTED]

By: [Signature]

Witness: N/A

Title: PRESIDENT  
(Owner, partner, corp. Pres. Or Vice President)

(Proprietorship or Partnership)

Address: 1825 CAROLINA AVE.  
WASHINGTON, NC 27889

Attest: (corporation)

(Corporate Seal)

By: [Signature] License #: 69066

Title: V. PRESIDENT / CORP. SECRETARY  
(Corporation Secretary / Ass't Secretary.)

ACCEPTED by

City of Washington  
(Agency/Institution)

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_ 20 \_\_\_\_\_

# THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

## Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we **Stocks & Taylor Construction, Inc.**  
1825 Carolina Avenue  
Washington, NC 27889  
as Principal, hereinafter called the Principal, and **Great American Insurance Company**  
580 Walnut Street  
Cincinnati, OH 45202  
a corporation duly organized under the laws of the State of Ohio  
as Surety, hereinafter called the Surety, are held and firmly bound unto  
**The City of Washington, NC c/o Parks & Recreation**  
310 W Main Street - Washington, NC 27889  
as Obligee, hereinafter called the Obligee, in the sum of

five percent of contract amount bid----- Dollars (\$ 5%-- ),  
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind  
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by  
these presents.

WHEREAS, the Principal has submitted a bid for  
Festival Park, Phase II

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract  
with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding  
or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt  
payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter  
such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty  
hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract  
with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain  
in full force and effect.

Signed and sealed this 23rd day of June, 2011

Kay F. Meier  
(Witness)

**Stocks & Taylor Construction, Inc.**

B. J. Taylor (Principal) (Seal)  
(Title) / PRESIDENT

Sherry J. Meier  
(Witness)

**Great American Insurance Company**

R. B. Nash Francis, Jr. (Surety) (Seal)

R.B. Nash Francis, Jr., attorney-in-fact

**GREAT AMERICAN INSURANCE COMPANY®**

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than SIX

No. 0 19985

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
CHARLES DILLARD BROOKS	GARDINER TYLER BROOKS, III	ALL
R. B. NASH FRANCIS, JR.	AMBER L. SUMMERER	\$10,000,000.
RICHARD VICK ROACH	JAMES P. BRADNER	

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 4TH day of MARCH 2010 .  
Attest GREAT AMERICAN INSURANCE COMPANY

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 4TH day of MARCH 2010, before me personally appeared DAVID C. KITCHIN (513-412-4602) duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

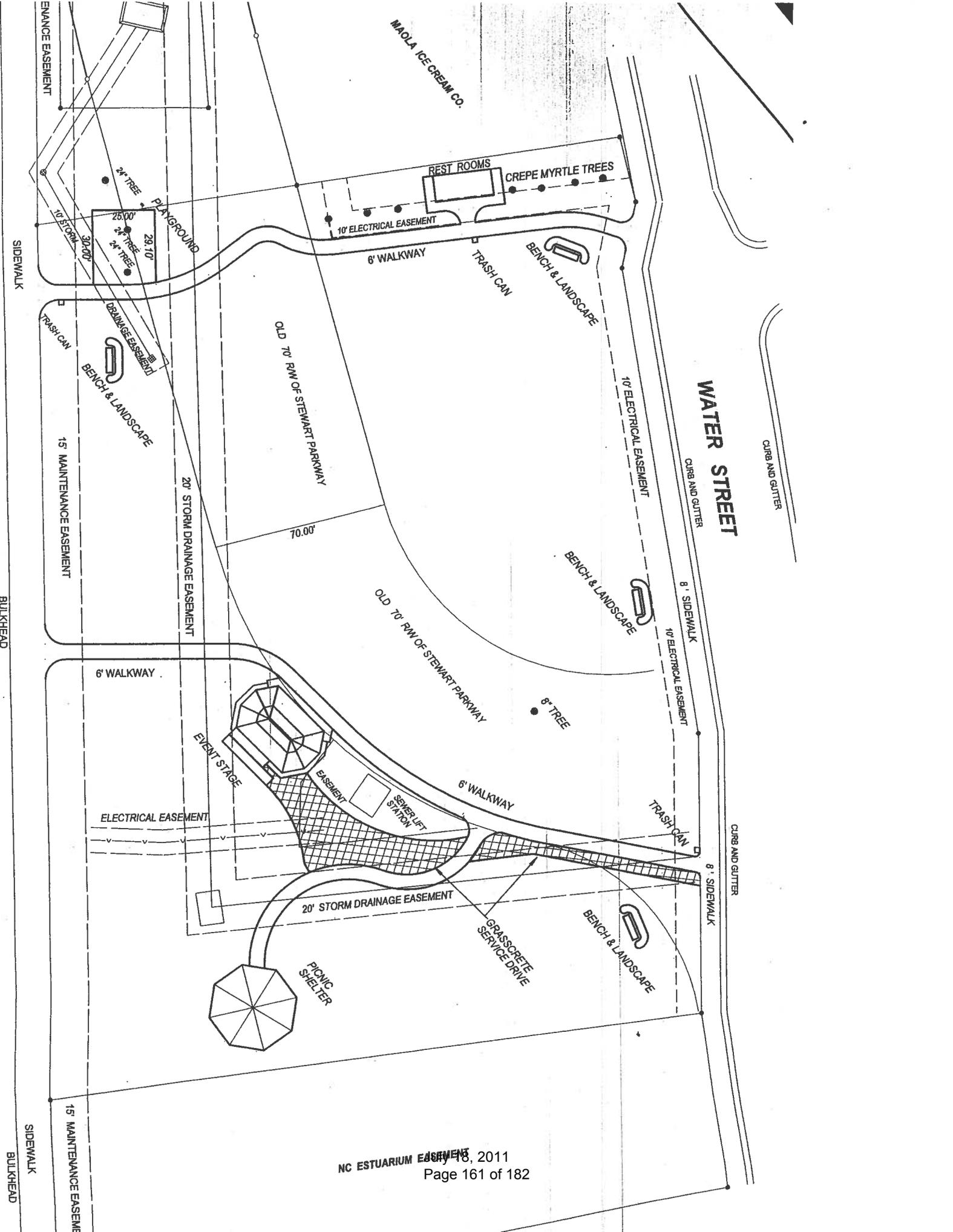
**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

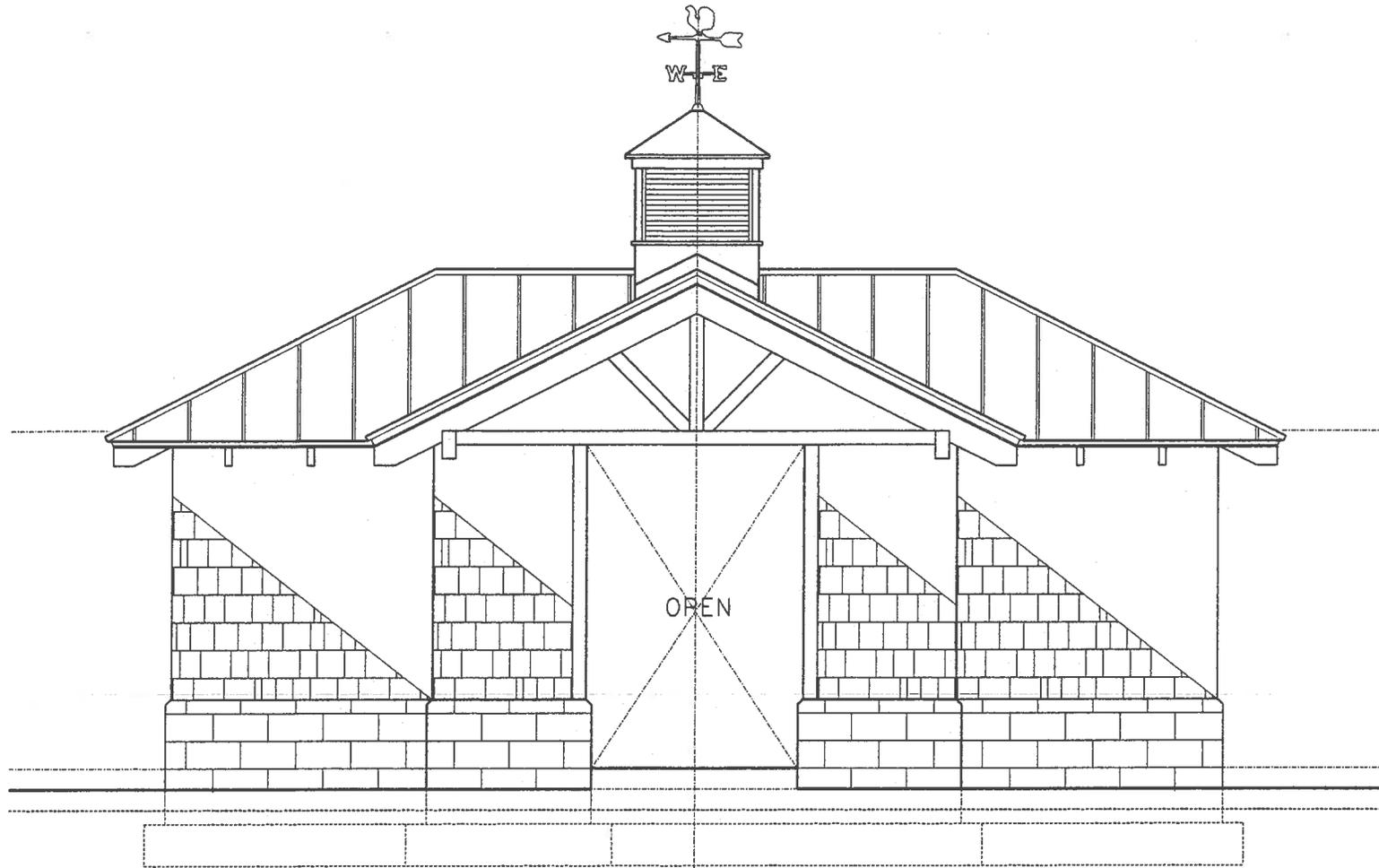
**CERTIFICATION**

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

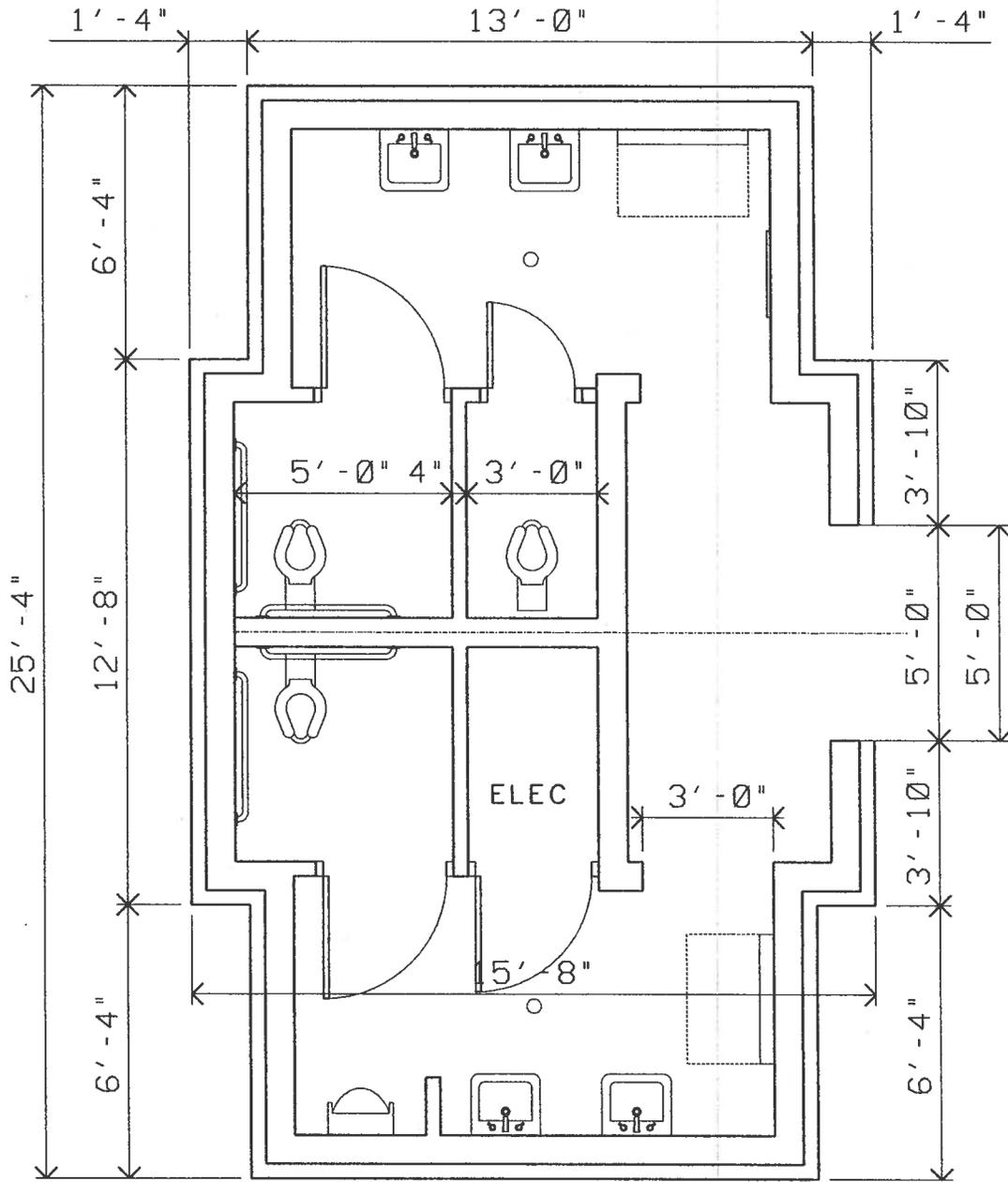
Signed and sealed this 23rd day of June, 2011



2011.07.18 - 1.0



## EAST ELEVATION



SCHEME 4



MARK SMITH ARCHITECT

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MARK SMITH ARCHITECT

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

**To:** Mayor Jennings & Members of the City Council  
**From:** Evelyne Roberson, Washington/Beaufort County Human Relations Council Chair  
**Date:** June 30, 2011  
**Subject:** Approve Amended By-Laws under Article III, Page 4-Section 6 of the Washington/Beaufort County Human Relations Council  
**Applicant Presentation:** N/A  
**Staff Presentation:** Councilman William Pitt, Council Liaison

**RECOMMENDATION:**

I move that Council accept the recommendation of the Washington/Beaufort County Human Relations Council and approve the amended By-Laws under Article III, Page 4-Section 6.

**BACKGROUND AND FINDINGS:**

The Washington/Beaufort County Human Relations Council at a regular meeting held Tuesday, May 10, 2011 discussed adding language to clarify the By-Laws addressing any issues that may arise regarding abuse or violation of appointments as a board member.

It is recommended that the following language be added to amend the By-Laws under Article III, Page 4-Section 6:

..... Nor shall they use their membership on the Human Relations Council as a means of promotion for personal gain, their private business or vocation. Violation of this provision shall be grounds for removal from the Human Relations Council.

**PREVIOUS LEGISLATIVE ACTION:**

None

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Adopted By-Laws

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**City Manager Review:** *ML* Concur \_\_\_\_\_ July 18, 2011 Recommend Denial \_\_\_\_\_ No Recommendation 7/13/11 Date

**BY-LAWS  
OF  
WASHINGTON/BEAUFORT COUNTY  
HUMAN RELATIONS COUNCIL**

**ARTICLE I**

Name, Service Area and Office

- Section 1. Name: The organization shall be named the Washington/Beaufort County Human Relations Council. (Hereinafter referred to as HRC)
- Section 2. Service Area:  
This organization=s membership shall be appointed by the Washington City Council. They shall serve the people residing, working or trading in Beaufort County.
- Section 3. Office:  
The principal office of the organization shall be in Washington, North Carolina.

**ARTICLE II**

Goal, Purpose/Objective, Duties and Authority of Council

- Section 1. Goal: It shall be the goal of the HRC to facilitate the prevention and or/ resolution of problems in areas affecting the human relations of all citizens residing, working or trading in Washington/Beaufort County.
- Section 2. Purpose and/or Objective:
- (A) To encourage understanding and good will between all citizens regardless of race, sex, religion, creed, nationality, or economic status, and thus promote the general welfare of our Community.
  - (B) To identify concerns within the Community which could jeopardize the welfare of the Community.
  - (C) To promote peace, understanding, respect, good will and harmony among all citizens.
  - (D) To act as an impartial public forum to the end that there will be better communications between all segments of our Community.

Section 3. Duties of Council (HRC):

- (A) To report to and recommend to the City Council measures designed to promote the welfare of the Community.
- (B) To act, as a public forum in hearing complaints involving racial tension or discrimination, and bring those concerned with these complaints together to discuss the facts and to assist in complaint resolution.
- (C) To develop an atmosphere conducive to the best possible human relations, and to conduct studies and suggest areas of concern such as problems related to senior citizens, youth, job opportunities, housing, recreation facilities, Police protection and other areas that may be developed as a consequence of action to the City Council it feels is necessary and may be lawfully taken to minimize areas of conflict and to promote harmonious relations.
- (D) To provide open channels of useful communication between and among various racial, religious, ethnic and economic groups, and between such groups whereby misunderstanding and wide differences leading to conflict may be resolved.
- (E) To institute and conduct educational programs to promote fairness and courtesy in dealings between all people, regardless of their economic background and status.
- (F) To sponsor meetings, forums, etc. concerning human relations to receive input from citizens of every class and group in order to obtain concerns of the citizens and to impart a clearer understanding of Council goals.
- (G) To impart through programs, meetings, forums, etc. the true meaning of responsible citizenship in our Community and the obligations inherent in being a good citizen; all this, with the end view of contributing in a helpful way to the reaching of a fair and just solution of the problems in the field of human relations.
- (H) To act as an impartial public forum to the end that there will be better communications between all segments of the Community.
- (I) The Council may sponsor meetings or forums intended to lead all citizens to a clearer understanding of the true meanings of responsible citizenship, of the obligations inherent in being a good citizen, and of the need for mutual understanding and respect by all citizens for each other.

- (J) The Council shall have the authority to create and devise plans for recommendations to the City Council.

Section 4. Authority of Council (HRC):

- (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, will not exceed the unexpended funds remaining in the respective line item of the Council=s budget, and will not be binding on the government. 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; but said funds shall not be commingled with any funds obtained from Beaufort County.
- (C) The Council shall cause a comprehensive annual report to be prepared describing the objectives, programs, activities and accomplishments of the Council. This report shall be prepared as of June 30<sup>th</sup> of each year for the previous year and shall be submitted to the City Council 1<sup>st</sup> of each year. The form and content of the report shall be determined by the Council, subject to the right of the City Council at any time to require a report containing any information on any subject in any format it may reasonably designate. Special reports and recommendations can be made to (or requested by) the City Council as the need arises in the judgement of the Council or at the specific request of the Beaufort County Commissioners.

**ARTICLE III**  
Membership

Section 1. The membership of the HRC shall be citizens officially appointed by the City Council.

Section 2. The appointments shall consist of no less than 7 or no more than 12 members.

Section 3. The initial Council members shall be appointed for the following terms:

3 members for one (1) year:

4 members for two (2) years:

4 members for three (3) years:

Thereafter members will be appointed for three (3) year terms.

Section 4. In the event any member shall fail to attend three consecutive meetings (without just cause), the same shall constitute an involuntary resignation by said member. The Council shall promptly notify the City Council of all resignations (whether voluntary or involuntary) and other vacancies on the Council, and such vacancy shall be filled for the unexpired term by recommendations submitted to the City Council by the HRC.

Section 5. No person shall serve more than 2 three year consecutive terms.

Section 6. Notwithstanding any of the language set out above, all members shall serve at the pleasure of the Washington City Council. Members of the Council shall receive no compensation for their services. ...Nor shall they use their membership on the Human Relations Council as a means of promotion for personal gain, their private business or vocation. Violation of this provision shall be grounds for removal from the Human Relations Council.

#### **ARTICLE IV** Meetings of Council (HRC)

Section 1. Regular Meetings:

The HRC shall hold regular meetings, usually on a monthly basis. The regular meeting shall be determined by the Council and all members will be notified in writing, at least five (5) days in advance. All meetings shall be open to the general public except those authorized by law to be in executive session (e.g., those considering action necessary to deal with a riot or civil disorder or with conditions that indicate that a riot or civil disorder is eminent).

Section 2. Special Meetings:

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 must be notified within 12 hours of

the scheduled meeting and no other business shall be transacted during the called meeting. Two (2) days notice to news media.

Section 3. Quorum:

A quorum of the HRC shall consist of a majority of the 51% members of the Council. No proxies shall be allowed.

Section 4. Format of Meeting:

All meetings shall be conducted in accordance with Suggested Rules of Procedure.

**ARTICLE V**  
Officers

Section 1. The officers of the HRC shall be a Chairman, Vice-Chairman, Secretary and Treasurer.

Section 2. Chairman:

The Chairman shall preside at all meetings of the HRC. He/she shall have and exercise general charge and supervision of the affairs of the HRC and shall perform such other duties as may be assigned by a majority vote of the HRC. The Chairman or his/her designate shall be an ex-officio member of all committees.

Section 3. Vice-Chairman:

The Vice-Chairman shall assist the Chairman in the execution of his/her duties as assigned; and in the absence of the Chairman, the Vice-Chairman shall assume the duties of the Chairman:

Section 4. Secretary:

The Secretary 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.

Section 5. Treasurer:

The 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 appointing board. A financial report shall be made at each regular meeting of HRC. The Treasurer shall in general perform all other duties associate with the office.

**ARTICLE VI**  
Election of Officers

Section 1. Officers Election:

The election of officers for the HRC shall be held annually at the last meeting of Council fiscal year.

Section 2. Eligibility:

Only members appointed by the City Council shall vote and hold office in the organization.

Section 3. Nominations:

The Chairman and/or Body shall appoint or elect a Nominating Committee. If Appointed the member shall be ratified by HRC in regular or special meetings. The Nominating Committee shall be composed of three (3) members. The Nominating Committee shall present a slate of officers one month prior to the election.

Section 4. Additional Nominations:

Additional nominations may be made upon petition from the floor after the Nominating Committee report, but before adopted for each officer presented.

**ARTICLE VII**  
Other Committees

Section 1. Committees:

The Chairman of HRC shall appoint such committees as deemed necessary by the Chairman or HRC to implement the goals, purposes, objectives and duties of HRC.

Section 2. Executive Committee:

There shall be an Executive Committee which shall consist of the officers of HRC between regular meetings of HRC, and such actions taken will be subject to the ratification by two-thirds of a quorum at its next meeting or a poll vote of two-thirds of HRC membership.

Section 3. The Executive Committee shall meet at the call of the Chairman or any two (2) officers of the committee.

### **ARTICLE VIII** General Provisions

Section 1. Limitations:

The HRC will act primarily in an advisory capacity to the City Council.

Section 2. Funding:

The Council may prepare and present to the Governing Body an estimate of its monetary requirements until the end of the current fiscal year showing in detail the various purposes for which the money will be needed. The Governing Body, after making such modifications as they see fit, may approve a final budget for the Council until the end of the current fiscal year and may appropriate funds sufficient to meet such budget. Thereafter the Council shall annually (on or before March 1<sup>st</sup>) file with the City an estimate of its requirements for the ensuing fiscal year, an annual financial report for the past year, and such other information as such official may need in connection with his presentation to the Governing Body of the budget estimate required by law.

Section 3. Auditing:

The Council shall keep accurate books and records in accordance with sound accounting procedures and in full compliance with the Fiscal Control Act. All books and records and documents relating to all funds received and/or spend by Council shall be subject to audit by the auditors of the City of Washington and any other independent auditor that the City Council may designate.

### **ARTICLE IX** Amendments

These by-laws may be amended by submission of the proposed amendment to the Chairman or Secretary at least ten (10) days prior to a regular meeting. The amendment shall be approved by a vote of two-thirds of a quorum.



City of Washington

**REQUEST FOR CITY COUNCIL ACTION**

**To:** Mayor Jennings & Members of the City Council  
**From:** Matt Rauschenbach, C.F.O.  
**Date:** July 18, 2011  
**Subject:** Uncollectible Accounts Receivable Write-off Policy  
**Applicant Presentation:** N/A  
**Staff Presentation:** Matt Rauschenbach

**RECOMMENDATION:**

I move that City Council approve the attached policy for the write-off of uncollectible accounts receivable.

**BACKGROUND AND FINDINGS:**

Although the City has established and implemented procedures to collect delinquent amounts due, there are occasions when amounts cannot be collected.

This policy's purpose is to establish uniform methods for collecting aged accounts as well as guidelines for determining when delinquent accounts receivable should be considered an uncollectible debt and establish proper authorization for removal or write-off of the receivable from the City's balance sheet. The desired result of this policy is to fairly state the value of accounts receivable on the City's financial statements.

**PREVIOUS LEGISLATIVE ACTION**

**FISCAL IMPACT**

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

**SUPPORTING DOCUMENTS**

Policy for Write-off of Uncollectible Accounts Receivable

**City Attorney Review:** \_\_\_\_\_ Date By: \_\_\_\_\_ (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
**City Manager Review:** *YML* Concur \_\_\_\_\_ Date 7/13/11  Recommendation  Denial  No Recommendation

# **City of Washington**

## **Policy for Write-off of Uncollectible Accounts Receivable**

### **Purpose:**

Although the City has established and implemented procedures to collect delinquent amounts due, there are occasions when amounts cannot be collected.

This policy's purpose is to establish uniform methods for collecting aged accounts as well as guidelines for determining when delinquent accounts receivable should be considered an uncollectible debt and establish proper authorization for removal or write-off of the receivable from the City's balance sheet. The desired result of this policy is to fairly state the value of accounts receivable on the City's financial statements.

### **Scope:**

This policy applies to all delinquent accounts owed to any department of the City of Washington including, but not limited to, utility charges, fees, fines, assessments, claims, damages, loans, taxes, penalties, interest, and other charges as authorized by law.

### **Procedure:**

All or some of the following actions, when practical or available as a remedy by law, will be taken to collect outstanding account balances:

- 1. Disconnection of services (utilities)**
- 2. Transfer of old balances to new accounts (utilities)**
- 3. Apply deposits to outstanding balances (utilities)**
- 4. Demand letters**
- 5. NC Debt Set Off Program**
- 6. Third party collection agency**
- 7. Attachment/Garnishment**
- 8. Small Claims Court**
- 9. Judgments**

**10. Liens**

**11. Foreclosure**

**12. Close business (privilege license)**

The finance department with the assistance from other departments will make every effort to collect delinquent accounts receivable amounts owed to the City. It is only after all reasonable avenues to collect the debt have been utilized and exhausted will the bad debt be considered uncollectible and qualify for write-off.

The Finance Director or his designee will identify, usually on an annual basis, delinquent accounts meeting one or more of the below criteria and produce a listing of accounts including name, account number, invoice date, delinquent amount due, and reason for write off.

**Criteria for determining uncollectible accounts for write-off:**

1. **Statute of Limitations:** The statute of limitations for collection of the debt has expired.
2. **Bankruptcy:** The account has been discharged through bankruptcy court.
3. **Deceased:** The debtor is deceased with no estate.
4. **Court Judgment Refused:** The debt cannot be substantiated in Court.
5. **Unjustifiable Cost:** The amount of the uncollectible account is less than \$50 or the cost of collection exceeds the recoverable amount.
6. **Untraceable:** The customer has provided false information, left the area, or cannot otherwise be located or identified.

The Finance Director shall have the authority to determine which accounts will be written off and direct the Finance staff to adjust the accounts receivable amounts accordingly. Write-offs are to be reported to the City Council in summary form and shall include the date of the write-off, the category or type of write-off (ie. sewer assessment, electric utility, water utility, lot mowing, etc.), and the amount of the write-off. This information shall be furnished no less than one time per year.

This policy in no way shall affect the City's ability to collect or accept payments once an account has been written off. Payments received on such accounts will be recorded as revenue in a bad debt recovered account.



**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE AND CAPITAL PROJECT/GRANT ORDINANCES OF THE CITY OF WASHINGTON, NC FOR THE FISCAL YEAR 2010-2011**

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

**General Fund**

Section 1. That the following account in the Miscellaneous Non-Departmental portion of the General Fund appropriations budget be increased in the amount shown to allow for a transfer to the Cemetery Fund:

10-00-4400-3900	Transfer to the Cemetery Fund	\$60,000
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Section 2. That the following account in the Miscellaneous Non-Departmental portion of the General Fund appropriations budget be decreased in the amount shown to partially cover the transfer to the Cemetery Fund:

10-00-4400-6200	Transfer to Capital Project Fund	\$(33,700)
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Section 3. That the following account in the Fire Department portion of the General Fund appropriations budget be decreased in the amount shown to partially cover the transfer to the Cemetery Fund:

10-10-4340-0200	Salaries	\$(26,300)
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**Cemetery Fund**

Section 4. That the following revenues in the Cemetery Fund be increased in the amounts shown to cover anticipated expenses for the remainder of FY 10/11:

39-90-3980-1000	Transfer from General Fund	\$3,025
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Section 5. That the following accounts in the Operations portion of the Cemetery Fund appropriations budget be increased in the amounts shown to cover anticipated expenses for the remainder of FY 10/11:

39-90-4740-0200	Salaries	\$500
39-90-4740-0800	Unemployment Compensation	2,300
39-90-4740-1300	Water & Electric Services	100
39-90-4740-1700	Maint/Repair Vehicles	100
39-90-4740-3300	Departmental Supplies	25
	Total	<u>\$3,025</u>

**Electric Fund**

Section 6. That the following accounts in the Electric Director portion of the Electric Fund appropriations budget be increased in the amounts shown to cover anticipated expenses for FY 10/11:

35-90-7220-0203	Salaries – Hwy 17 Reimbursable	\$36,750
35-90-7220-0407	Hwy 17 Bypass North	58,000
35-90-7220-0411	Hwy 17 Relocation – 2510C	400,000
35-90-7220-1401	Travel – Hwy 17 Reimbursable	2,300
		\$497,050

Section 7. That the following account in the Purchase Power portion of the Electric Fund appropriations budget be increased in the amount shown to cover the June, 2011 purchase power bill:

35-90-8320-4800	N.C. Eastern Power Agency	\$1,255,000
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Section 8. That the following revenues in the Electric Fund be increased in the amounts shown to cover anticipated expenses for the remainder of FY 10/11:

35-90-3500-3605	Highway 17 Reimbursements	\$497,050
35-90-3710-5100	Sale of Electricity	<u>1,255,000</u>
	Total	1,752,050

**Airport Fund**

Section 9. That the following account in the Airport Operations portion of the Airport Fund appropriations budget be increased in the amount shown to cover anticipated expenses for FY 10/11:

37-90-4530-3101	Fuel Purchases	\$10,000
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Section 10. That the following revenue in the Airport Fund be increased in the amount shown to cover anticipated expenses for the remainder of FY 10/11:

37-90-3453-0000	Fuel Sales	\$10,000
-----------------	------------	----------

**Storm Water RZEDB Project Fund**

Section 11. That the following line items in the Storm Water RZEDB Project Fund appropriations budget be increased or decreased in the amounts shown to cover expenses for FY 10/11:

58-90-5710-0400	Professional Services	\$1,000
58-90-5710-7100	Easement Acquisition	338
58-90-5710-4500	Construction	(1,338)
	Total	<u>\$0</u>

**Festival Park Project Fund**

Section 12. That the following line items in the Festival Park Project Fund appropriations budget be increased or decreased in the amounts shown to cover expenses for FY 10/11:

62-40-6120-0400	Planning & Design	\$36,000
62-40-6120-8000	Construction	(36,000)
	Total	<u>\$0</u>

**Police Station Project Fund**

Section 13. That the following line items in the Police Station Project Fund appropriations budget be increased or decreased in the amounts shown to cover expenses for FY 10/11:

64-10-4310-0400	Legal Fees	\$15,000
64-10-4310-9900	Contingency	(15,000)
	Total	<u>\$0</u>

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15. This ordinance shall become effective upon its adoption.

Adopted this the 18th day of July, 2011.

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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:** Allen Lewis, Public Works Director *ALW*  
**Date:** 07-13-11  
**Subject:** Award Contract for Labor and Equipment for the Lighting Retrofit Project and Approve Purchase Order for Same.  
**Applicant Presentation:** N/A  
**Staff Presentation:** Allen Lewis

**RECOMMENDATION:**

I move that Council award a contract for labor and equipment for the lighting retrofit project to \_\_\_\_\_, in the amount of \$\_\_\_\_\_ and approve a purchase order for this amount.

**BACKGROUND AND FINDINGS:**

This request is to award a contract for the labor, material and equipment to install energy efficiency upgrades in up to six (6) municipally owned buildings as well as approving the purchase order for the contract amount. The contractor, LPS Bowden Electric, whom you awarded the contract to at the May 23, 2011 council meeting, withdrew their bid the day before we were to have a pre-construction conference.

**PREVIOUS LEGISLATIVE ACTION**

Most recently 05-23-11, awarded contract to LPS Bowden Electric.

**FISCAL IMPACT**

X Currently Budgeted (61-60-4930-4500) \_\_\_ Requires additional appropriation \_\_\_ No Fiscal Impact

**SUPPORTING DOCUMENTS**

**City Attorney Review:** \_\_\_\_\_ Date By: July 18, 2011 (if applicable)  
**Finance Dept Review:** \_\_\_\_\_ Date By: Page 181 of 182 (if applicable)  
**City Manager Review:** \_\_\_\_\_ Concur \_\_\_\_\_ Recommend Denial \_\_\_\_\_ No Recommendation \_\_\_\_\_ Date

**RESOLUTION TO REJECT MERGING  
BEAUFORT COUNTY COMMUNITY COLLEGE  
WITH ANOTHER COMMUNITY COLLEGE**

**WHEREAS**, the State of North Carolina recently commissioned a study which recommends the merger of Beaufort County Community College with another community college within 30 miles of its campus; and

**WHEREAS**, Beaufort County Community College has faithfully served the citizens of Beaufort, Hyde, Tyrrell, and Washington Counties for 44 years; and

**WHEREAS**, Beaufort County Community College has a vital role within its service area, not only as an educational leader, but also as a partner in economic and community development; and

**WHEREAS**, Beaufort County Community College provides a separate benefit as a major economic engine for Beaufort County, and

**WHEREAS**, merging Beaufort County Community College with another community college will have a devastating impact and even further diminish the constituents of four Tier I counties through loss of priority for access to literacy, learning, and workforce development; and

**WHEREAS**, merging Beaufort County Community College with another community college would diminish the local support of and loyalty to the College and its Foundation; and

**WHEREAS**, merging Beaufort County Community College with another community college would decimate the ability of the citizens of Beaufort County to operate the College in a way that best meets the needs of their community; and

**WHEREAS**, the state's study ignored and utterly disregarded the aforementioned benefits of Beaufort County Community College to its service area and the loss thereof resulting from a merger; and

**WHEREAS**, the state's study failed to recognize and include the significant costs at the local level to implement a merger of Beaufort County Community College with another community college; and

**WHEREAS**, the state's study failed to consider and include the accreditation issues and possible legal ramifications resulting from a merger of Beaufort County Community College with another community college;

**NOW, THEREFORE, BE IT RESOLVED**, that the \_\_\_\_\_ do(es) hereby request that the NC legislature reject the state study's recommendation to merge Beaufort County Community College with another community college.

Adopted this the 18<sup>th</sup> day of July, 2011.

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

Attest:

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