

The Washington City Council met in a regular session on Monday, July 9, 2007 at the Municipal Building at 4:30 p.m. Present were: Judy Jennette, Mayor; Ed Gibson, Councilman; Richard Brooks, Councilman; Archie Jennings, Councilman; Mickey Gahagan, Councilman; James Smith, City Manager; Franz Holscher, City Attorney; and Rita A. Thompson, City Clerk. Darwin Woolard, Mayor Pro tem was absent.

Also present were: Jimmy Davis, Fire Chief; Mitch Reed, Police Chief; Bobby Roberson, Community Development Planning Director; Keith Hardt, Electric Director; Allen Lewis, Public Works Director; Gloria Moore, Brown Library Director; Susan Hodges, Human Resources Director; Rob Trescott, DWOV Director; Patty Trujillo, Pamlico News, and Mike Voss, of the Washington Daily News.

Mayor Jennette called the meeting to order, and Councilman Gibson delivered the invocation.

AMENDMENTS TO AGENDA

Mayor Jennette asked that the presentation on the GFOA Award be postponed until August. Item D. was moved to Old Business, VI.A.1, and appointments to the Recreation Advisory Committee be removed since no applications have been received.

On motion of Councilman Jennings, seconded by Councilman Jennings, seconded by Councilman Gibson, Council unanimously approved the agenda, as amended.

APPROVAL OF MINUTES

On motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously approved the minutes of June 4, June 11 and June 25, 2007 (Breakfast meeting).

SWEARING IN OF NEW POLICE CHIEF

Mayor Jennette swore in new Police Chief, Glenn Mitchell Reed.

CONSENT AGENDA

- A. Award – Service weapon to Sgt. David Alan Curtis
- B. Award – Service weapon to Officer Michael A. Herbert
- C. Accept – Contribution from WalMart and Adopt a budget ordinance amendment in the amount of (\$1,000)

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2007-2008

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

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$1,000 in the account Contributions, Fire/Rescue/EMS account number 10-10-3434-8400.

Section 2. The account number 10-10-4340-5601, Materials Public Education, Fire Department portion of the General Fund appropriations budget

be increased in the amount of \$1,000 to provide funds for Contribution by Wal-Mart.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 9th day of July, 2007.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

- D. **MOVED TO VI.A. 1. Adopt** – Resolution of Preliminary Assessment for the paving of Pamlico Street
- E. Acknowledgement – of reallocation of funding in the sewer fund (\$8,600)
- F. Authorize – Repurchase of cemetery lot P-53 Plots 1 & 2 in Oakdale Cemetery for \$225.00

DALE HOLLAND – HOLLAND PLANNERS, CAMA LAND USE PLAN

Mr. Dale Holland, of Holland Consultant Planners, stated that the CAMA Land Use Plan has to be certified by the Coastal Resources Commission to be accepted as the official CAMA Land Use Plan. Prior to submitting a document, the plan must be adopted at the local level which requires a public hearing. The public hearing has to be advertised a minimum of thirty days in advance, twice with the second ad not less than 10 days prior to the public hearing. A schedule was enclosed in the agenda package, which schedules the public hearing for August 27 which allows the CRC certification at their September meeting. The City was working under a two year grant cycle when the process began in 2004, and takes a minimum of two years. The Plan was originally submitted to CRC for state and federal review in May, 2006. Comments were received from them in September, 2006 and subsequent comments in December, 2006. Final comments were received in February, 2007. The length of this process is not an unusual process.

A current draft of the Plan as recommended by the Planning Board was passed out to Council. Mr. Smith pointed out that the CAMA Land Use Plan impacts the use of every piece of property in the City and is critical to the growth of this community in the future.

On motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously accepted the recommendation of the Planning Board to follow the Coastal Resources Commission's schedule for the September 27th and 28th, 2007 meeting on the adoption of the City of Washington's CAMA Plan.

ECONOMIC DEVELOPMENT COMMISSION

Councilman Gahagan did not attend the last EDC meeting.

TOURISM DEVELOPMENT AUTHORITY

Mayor Jennette stated that the TDA adopted the budget at their last meeting and are starting a full year of management of the Civic Center. She stated that Lynn Lewis has talked to the board members about their goals.

HUMAN RELATIONS COUNCIL

Mayor Jennette stated that a number of parents attended the last HRC Meeting to express concerns about not being able to attend the P.S. Jones graduation. People have been contacted about new ways of doing things. Other items noted:

- Co-sponsored Gospel Concert on July 4th
- Sheriff Jordan attends HRC meetings now
- Held reception for Gerald Galloway and Police Chief Reed

DOWNTOWN WASHINGTON ON THE WATERFRONT

Bob Trescott, new DWOW Director, was introduced. Mr. Trescott stated he is very excited to be here. The people are terrific and the resources we have to work with are exceptional. He feels his experience and background are a match for what we have to do and work on together.

PARKING COMMITTEE

Councilman Jennings stated that the Parking Committee will not meet until DWOW submits the report.

WARREN FIELD AIRPORT

Mr. Smith stated that the fencing project is complete and should help with the intrusion of wildlife and unauthorized motor vehicles. There has been a lot of activity at the Airport over the last year, ranging from the new management team, new lighting systems, and new hangar under construction. There is an anticipated increase in business now.

APPOINTMENTS – WASHINGTON HOUSING AUTHORITY AND RECREATION ADVISORY COMMITTEE

Councilman Gibson made a motion to reappoint John Morgan to the Washington Housing Authority, term to expire June 30, 2012. Councilman Gahagan seconded the motion, which carried unanimously.

Councilman Gibson made a motion to appoint Redden Leggett to the Washington Housing Authority to fill the unexpired term of Swanson Graves, term to expire June 30, 2008. Councilman Gahagan seconded the motion, which carried unanimously.

Councilman Gibson made a motion to appoint Fritz Newsom to the Washington Housing Authority to fill the expired term of Rosa A. Beamon, term to expire June 30, 2012. Councilman Gahagan asked that Council receive a report on Mr. Newsom's experience in public housing and that this appointment be postponed until next month. Councilman Jennings seconded the motion and asked that it be set aside until the next meeting with the idea that Mr. Gibson can give some clarification on it.

This will be brought back at the August meeting.

PAMLICO STREET PAVING PROJECT

Mayor Jennette stated that the Resolution does not match the actual petition that was signed.

Allen Lewis, Public Works Director, stated that the Petition describes a portion of Pamlico Street from E. 12th Street to Hodges Avenue. The original certificate of sufficiency in the assessment Resolution was for Pamlico Street from E. 12th Street to Carolina Avenue. Some of the signatures were included in that additional section. Procedurally, the best thing is to go back and start with the section described in the original petition. Mr. Lewis pointed out that it will be less expensive to do it all at one time if Council desires.

Mr. Holscher stated that the statute does not allow us to enlarge the area in the petition at this stage. At the hearing in August it would allow us to enlarge the project area and you could pass another preliminary resolution to make this a larger project.

The \$130,000 included in the budget was for the whole project. Councilman Jennings stated that the better way to do it is to pave it in one piece. Mr. Holscher stated if the same people signed the petition for East 12 Street to Carolina Avenue you could move forward on that petition. Councilman Jennings stated that if these folks decided to pave that additional section, then we will have to have a public hearing for that petition. Mr. Holscher stated the Resolution can be passed tonight and give you the option to move forward with the Hodges Avenue-East 12th Street block, but in the meantime, if you could obtain a petition for the expanded project to Carolina Avenue, that is an additional option.

Mayor Jennette and Councilman Gibson expressed concern about delaying the project.

Mr. Smith suggested we have two petitions covered by the same Resolution. Mr. Holscher pointed out that we cannot do that.

Councilman Brooks suggested we delay action on this and obtain signatures in one petition and one Resolution and do it simultaneously and it would still be done this fiscal year.

Councilman Jennings stated that it took a while for the residents to decide to have the road paved. Waiting another two weeks should not hurt anybody's feelings.

After discussion, it was agreed that Mr. Lewis will try to obtain signatures on a petition for the additional area.

**AUTHORIZE – MAYOR TO SIGN LETTER OF ASSURANCE TO NC
TOBACCO TRUST FUND COMMISSION FOR GRANT IN THE AMOUNT OF
\$300,000**

Philip Mobley, Parks & Recreation Director, stated that there is no cash contribution from the City, only in-kind. One volunteer vendor fell out on Friday so we will have to use city forces (at least half). In-mates will also be used. Mr. Mobley passed revised budget pages in the grant request.

Mayor Jennette asked if Allen Lewis had seen this grant request. Mr. Lewis answered yes.

On motion of Councilman Brooks, seconded by Councilman Gahagan, Council unanimously authorized the Mayor to sign and instructed City Staff to send a Letter of Assurance to the North Carolina Tobacco Trust Fund Commission for the Tobacco Trust Fund Grant in the amount of \$300,000.

**ACCEPT – FUNDING FROM FLATIRON/UNITED AND ADOPT A BUDGET
ORDINANCE AMENDMENT**

Jimmy Davis, Fire Chief, stated that Flatiron approached the City to make sure we are equipped and ready to provide rescue services during the construction of the bridge. This will impose a height restriction where we will have to ensure that our employees have body harnesses for fall protection, flotation devices, etc. Chief Davis told Flatiron we would need some assistance in purchasing the equipment, which totals \$5,887. We would also enter into an agreement because 40% is in Chocowinity Fire District. Chocowinity does not have the personnel trained to do this so we will be assisting them in a mutual aid agreement to provide this rescue.

On motion of Councilman Gahagan, seconded by Councilman Gibson, Council unanimously accepted the funding from Flatiron United to provide the technical rescue equipment and adopted the budget ordinance amendment.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2007-2008**

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

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$4,595 in the account Contributions, Fire/Rescue/EMS account number 10-10-3434-8400.

Section 2. The account number 10-10-4340-7400, Capital Outlay, Fire Department portion of the General Fund appropriations budget be increased in the amount of \$4,595 to provide funds for Contribution by Flatiron.

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 9th day of July, 2007.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

APPOINTMENT OF NEW LIBRARY DIRECTOR

Mr. Smith announced the official appointment of Gloria Moore as the new Brown Library Director who has been with the City for 18 years.

CLOSED SESSION – UNDER G. S. 143-318.11 (A)(3) ATTORNEY/CLIENT

At 5:40 p.m., on motion of Councilman Brooks, seconded by Councilman Gahagan, Council unanimously agreed to go into closed session under G.S. 143-318.11(a)(3) Attorney/Client Privilege.

At 6:05 p.m., on motion of Councilman Jennings, seconded by Councilman Gibson, Council unanimously agreed to come out of closed session.

Councilman Gibson left this meeting at this point.

**PUBLIC HEARING - REZONE – APPROXIMATELY 2.44 ACRES OF
PROPERTY LOCATED AT THE INTERSECTION OF US 17 NORTH AND
MASON LANE (SAMUEL ADAMS)**

Ms. Dot Moate stated that the Planning Board unanimously recommended the rezoning of Mr. Samuel Adams' property and it is not inconsistent with the Land Use Plan.

Mayor Jennette opened the public hearing.

Mr. Samuel Adams was present for the request.

Mayor Jennette closed the public hearing.

On motion of Councilman Gahagan, seconded by Councilman Brooks, Council unanimously accepted the recommendation of the Planning Board and approved the rezoning change of the property, located at the intersection of NC Highway 17 North and the Mason Lane containing 2.44 acres of property, from RA-20 (Residential Agriculture) to O&I Office and Institutional and by approving the zoning petition has found the zoning change not to be inconsistent with the Land Use Plan by allowing office and institutional land uses along this highway corridor by discouraging "strip commercial" development; is not detrimental to the public health, safety, and welfare of its citizens and is adjacent to existing office and institutional zoned property.

**PUBLIC HEARING – REVOCATION – OF DERRICK MEADE’S CERTIFICATE
OF CONVENIENCE AND NECESSITY D/B/A EXCEL CABS**

Mayor Jennette opened the public hearing.

There was no one present to speak.

Mayor Jennette closed the public hearing.

On motion of Councilman Jennings, seconded by Councilman Gahagan, Council unanimously revoked the Certificate of Convenience and Necessity issued to Derrick Meade to operate one taxicab in the City of Washington.

**COMMENTS FROM THE PUBLIC: (IMMEDIATELY FOLLOWING
PUBLIC HEARINGS)**

Mr. Mayhue Wallace asked Council when Brown Street was closed and when will it be opened? Council explained to Mr. Wallace that the City does not have the money at this time to fix it. Mr. Wallace stated that the closing of Brown Street is causing a safety hazard for people trying to get across town to the doctor's complex and hospital area. Mr. Wallace felt that the Council has not put the Brown Street Bridge as a high priority and wanted to know why.

Mr. Wallace stated that the bridge could be fixed for \$150,000, and should not take \$700,000. The Mayor asked Mr. Wallace to get a bid of \$150,000 and she would see if DOT would accept the structure. Mr. Smith stated that DOT reduced the tonnage and now has basically told us it had to be closed. Mr. Smith stated that the underpinnings are slipping away.

Mayor Jennette stated she has personally talked to Marvin Blount, of DOT; Representative Arthur Williams, as well as sending letters to them and

Governor Easley, DOT and Senator Marc Basnight asking for money to get the Brown Street Bridge fixed. A grant has been applied for. The Hospital Board has adopted a Resolution of Support for replacing the bridge.

Mr. Wallace stated that if it affected the road to the Country Club or was a pot hole in front of the Courthouse, it would be fixed. Councilman Gahagan stated that these same people that say they want it fixed until we say we will have to raise your taxes to fix it. He stated we are trying to get some state help to repair this bridge and the Mayor and Manager have been working diligently to get this done.

Mr. Wallace stated that every effort needs to be made to get contractors to look at this bridge vs waiting for the federal government rather than making it functional. He stated he has been in maintenance all his life and he has a real problem that it will take \$700,000 to repair it. He stated we have time to argue how high a building will be and where to build a sidewalk to the Airport.

Councilman Jennings stated that if we are going to ask these entities for a grant, we ought to have done the leg work on the front end to find out exactly how much it will cost to fix it.

Mr. Wallace stated that if someone gets hurt, Council has a real responsibility to the people to make Brown Street accessible.

Mr. Smith stated that the hydraulics are deficient. The new bridge needs to work with the hydraulics of Jacks Creek.

Mr. Gary Tomosulo appeared before Council to thank Council for the July 4th festivities. He stated that the public bathrooms were not open for the event and he received a lot of complaints. He stated we need to get the grant money that we gave up a few years ago that was for the bathrooms.

Mr. Smith stated that we are aware of the bathroom situation and it will be Mr. Trescott's priority to work on finding a permanent location for bathrooms.

CONTINUE MEETING

On motion of Councilman Brooks, seconded by Councilman Jennings, Council unanimously adjourned the meeting until Monday, July 23, 2007 at 4:30 p.m.

**Rita A. Thompson, CMC
City Clerk**