

The Washington City Council met in a continued session on Monday, July 23, 2007 at the Municipal Building at 4:30 p.m. Present were: Judy Jennette, Mayor; Ed Gibson, Councilman; Richard Brooks, Councilman; Archie Jennings, Councilman; Darwin Woolard, Mayor Pro tem; James Smith, City Manager; Franz Holscher, City Attorney; and Rita A. Thompson, City Clerk. Councilman Gahagan was absent.

Also present were: Finance Director; Jimmy Davis, Fire Chief; Mick Reed; Police Chief; Bobby Roberson, Community Development Planning Director; Allen Lewis, Public Works Director; Bob Trescott, DWOW Director; Patty Trujillo of the Pamlico News, and Mike Voss, of the Washington Daily News.

JOINT MEETING WITH WASHINGTON PARK COUNCIL TO DISCUSS RUNYON CREEK BRIDGE

Mayor Richter called the Washington Park Town Council meeting to order.

Mayor Jennette called the Washington City Council meeting to order.

Mayor Richter began the "brainstorming session" to look at revamping the plans to replace the Runyon Creek Bridge at Washington Park. Mr. Richter passed out a hand sketched map showing three proposed designs of the bridge. Mr. Richter pointed out that a lesser slope would lessen the safety hazards for residents turning left out of Washington Park. Also, if the bridge could be redesigned and moved a bit upstream, it would mean an improved boat launch and less of a slope in the bridge.

Mayor Jennette pointed out that this proposal basically takes out two successful businesses there.

Town Councilman Zane Buckman stated that this is a significant project for their town and what this could do for the community. There are ways to address those businesses. There is a time for that discussion. There are options out there and moving those two businesses are minimal.

Councilman Jennings stated it is easy to talk about someone else's businesses and something to be discussed later is flippant.

Mr. Richter stated if we take the middle alignment, it would impact those businesses.

Mr. Greg Purvis, Project Engineer with DOT, passed out a proposal similar to the one Mr. Richter passed out. Mr. Purvis pointed out that the design would start and go east to Highway 32, then takes a left, goes across Runyon Creek and the three lanes taper to two lanes across the bridge and goes back to three lanes. The only time it would be closed is to tie into it. It does not have to be as high as the existing bridge which is nine feet now.

Councilman Jennings asked if they take a blank canvass approach or do they take into account the existing property owners, etc? Mr. Purvis answered that they try to. Councilman Jennings asked about the possibility of moving the route further south. Mr. Purvis stated that you have the wetlands and environmental problem.

Mayor Jennette stated if we keep the current route we would not have to move the boat ramps, and we had talked about a ramp on the other side. Mr. Purvis commented that he is here to get feedback from the group. Mayor Jennette asked that the redesign be reviewed by the Fish and Wildlife Commission.

Washington Park Town Councilman Horace Cowell stated he recently took pictures and counted 61 boat trailers on July 8th at 2:30 p.m., and unloading the boat and crossing back across the road, that would be a total of 122 crossings which could be hazardous. He stated that the boat ramp needs to be on the same side of the bridge.

A redesign of the bridge could delay construction of a new bridge by as long as two years. The Washington Park bridge currently rates at 47 on the DOT grading scale. When a bridge structure hits a grade of 50, DOT looks at bridge replacement.

Washington Park Town Councilman Buckman stated that he wanted to clarify that he never wanted to suggest to do anything to Beaufort County or the City of Washington's economics that would be detrimental to a business and that was not his intention.

On motion of Councilman Buckman, seconded by Councilman Cowell, Washington Park Council unanimously agreed to explore an alternative between these two routes that exist that will minimize the impact of the businesses.

On motion of Councilman Jennings, seconded by Councilman Brooks, Council unanimously agreed that the path be moved so that it absolutely does not interfere with any commercial enterprise on the Washington side of the bridge. Councilman Jennings amended the motion to include "but not to the detrimental safety of the public welfare." The amended motion was seconded by Councilman Brooks.

Bobby Roberson, Planning and Development Director, stated that we do have a Thoroughfare Plan that dictates and we would have to go thorough a public hearing process for any amendments.

ADOPT PRELIMINARY ASSESSMENT RESOLUTION TO PAVE PAMLICO STREET

Allen Lewis, Public Works Director, stated that the preliminary assessment resolution is to pave Pamlico Street between East 12th Street and the Hodges Avenue. The other portion that had been considered at the July 9th meeting will not be paved with this section because there is no need at this point.

The estimated cost of the project is \$95,000, with \$109,797 in the FY 07-08 budget.

On motion of Mayor Pro tem Woolard, seconded by Councilman Brooks, Council unanimously adopted the Preliminary Assessment Resolution to pave Pamlico Street.

PRELIMINARY ASSESSMENT RESOLUTION

WHEREAS, in 2005, the property owners on that portion of Pamlico Street lying between East 12th Street and the Hodges Avenue filed with the City of Washington a petition for improving said street for the purpose of paving the same; with curb and gutter; and

WHEREAS, the Assistant City Clerk has certified to the City Council that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of street hereinabove described;

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WASHINGTON:

That the above mentioned petition is found to be sufficient in all respects;

That it is the intent that part of Pamlico Street lying between East 12th Street and the Hodges Avenue be improved by curb and gutter and paving said street;

That sixty (60) percent of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed

upon the property receiving the improvements (according to the assessment basis set out in the petition);

That the assessments herein provided for shall be payable in cash or if any property owner shall so elect, such owner shall have the option of paying the assessment in ten (10) equal annual installments, said installments to bear interest at the rate of eight (8) percent per annum;

That a public hearing on all matters covered by this resolution shall be held at 6:00 pm on the 27th day of August, 2007, in the City Council Chambers in the City of Washington for the purpose of hearing all interested persons who appear with respect to any matter covered by this resolution.

Adopted this the 23rd day of July, 2007, in the City of Washington, North Carolina.

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

APPROVAL OF ALCOHOLIC BEVERAGES AT 2ND ANNUAL PICKIN' ON THE PAMLICO

On motion of Mayor Pro tem Woolard, seconded by Councilman Jennings, Council unanimously approved alcoholic beverages at the 2nd Annual Pickin' on the Pamlico.

Committee of the Whole:

Councilman Jennings asked that only those items that had to be handled tonight be on the agenda and postpone the other items, as this meeting is supposed to adjourn at 6:00 p.m.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennette asked that a Home Land Security Grant, a Resolution against House Bill 1587, and a Closed Session be added to the Agenda.

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

HOMELAND SECURITY GRANT

Jimmy Davis, Fire Chief, stated that the City has received a Homeland Security Grant in the amount of \$161,000 from the federal government with a \$8,500 match from the City, totaling \$170,000.

On motion of Mayor Pro tem Woolard, seconded by Councilman Brooks, Council unanimously accepted the Homeland Security Grant.

RESOLUTION AGAINST HOUSE BILL 1587 – THE LOCAL GOVERNMENT FAIR COMPETITION ACT

On motion of Mayor Pro tem Woolard, seconded by Councilman Gibson, Council unanimously adopted a Resolution of the City of Washington against House Bill 1587 – The Local Government Fair Competition Act.

**RESOLUTION OF CITY OF WASHINGTON AGAINST HOUSE
BILL 1587 “The Local Government Fair Competition Act”**

WHEREAS, House Bill 1587, “The Local Government Fair Competition Act,” has been entered into the 2007 of the General Assembly of North Carolina, and has passed from the House Public Utilities Committee to the House Finance Committee for consideration;

WHEREAS, the purpose of House Bill 1587 is to greatly hinder local governments from providing needed communications services, in particular advanced high-speed broadband services, where such services are non-existent;

WHEREAS, private companies, despite having received favorable regulatory and tax treatment to enable broadband investment, have chosen not to make the investment necessary to provide such top quality services but rather to offer lesser quality service available to less than all municipal residents;

WHEREAS, while private companies declare top quality service is cost prohibitive in our country and spare no expense in legislative lobbying campaigns against private-public partnerships, the United States continues to fall in world-wide standings of broadband capability;

WHEREAS, U.S. broadband capability has fallen behind the United Kingdom, Korea, France, Japan and Canada to name a few, and Japan has internet access that is at least 500 times faster than what is considered high-speed in the United States;

WHEREAS, broadband internet is a new public utility necessary to compete in the global economy of the 21st century, the deployment of true high-speed broadband systems in all our local communities is of vital importance to future economic development and community growth in North Carolina to replace lost textile, tobacco, furniture and manufacturing jobs;

WHEREAS, The General Assembly has already established the 1) rules for Public Enterprise (NCGS §160 A Article 16), 2) regulations through the Budget and Fiscal Control Act (NCGS § 159 Article 3), and oversight by the Local Government Commission (NCGS § Article 2) in which a local government must abide in order to undertake providing and enterprise service to its community;

WHEREAS, House Bill 1587 is counter to the Local Development Act of 1925 as established NCGS §158 that allows local governments to aid and encourage economic development in communities throughout North Carolina;

WHEREAS, North Carolina law has long permitted local governments to engage in public enterprises and where there is no justification for treating communications enterprises any differently from other public enterprises;

WHEREAS, historically it was government that funded much of the current corporate telecommunications infrastructure in the United States and government paid for and developed the Internet;

WHEREAS, the re-combining of telecommunications companies (such as AT & T) and the “baby Bells”) continues to result in planned layoffs, the inability to meet the demands of new and re-locating businesses for true high-speed broadband results in such businesses locating elsewhere, and the fact that there are telecommunications designers and equipment manufactures and suppliers located in North Carolina who will be negatively impacted if local government is not allowed to provide needed communications services mean that **North Carolina will stand to lose more jobs by not investing** in top-quality broadband infrastructure than it will lose due to government provision of such services.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF WASHINGTON is against the passage of House Bill 1587 and urges all members of the North Carolina General Assembly to vote "NO" in Committee and if necessary on the floor of the General Assembly.

The foregoing resolution was adopted by the City of Washington, North Carolina on July 23, 2007.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

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

PROPOSED CONSENT AGREEMENT AND FINAL ORDER

Mr. Smith stated that the penalty from EPA for not filing the sludge removal report, even though there was no sludge removal, has been reduced to \$1750.

On motion of Mayor Pro tem Woolard, seconded by Councilman Gibson, Council unanimously authorized the City Manager to execute the proposed Consent Agreement and Final Order.

**SET PUBLIC HEARING TO AMEND HISTORIC PRESERVATION GUIDELINES TO
INCLUDE GUIDELINES ON ANY ROOFTOP DEVELOPMENT PROPOSED FOR
THE B1-H (BUSINESS HISTORIC) ZONING DISTRICT**

Mr. Michael Overton, a member of the Historic Preservation Commission asked that the Council accept the recommendation of the Historic Preservation Commission fixing the date for a public hearing to amend the Historic Preservation Guidelines to include guidelines on rooftop additions and alterations located in the B-1H (business Historic) District.

CLOSED SESSION – ATTORNEY/CLIENT

On motion of Mayor Pro tem Woolard, seconded by Councilman Gibson, Council unanimously agreed to go into closed session at 5:50 p.m. under G. S. 143-318.11(a)(3) Attorney/Client Privilege.

At 6:00 p.m., on motion of Mayor Pro tem Woolard, seconded by Councilman Jennings, Council unanimously agreed to come out of closed session.

On motion of Councilman Jennings, seconded by Councilman Gibson, Council unanimously adjourned the meeting.

Rita A. Thompson, CMC
City Clerk