

The Washington City Council met in a regular session on Monday, June 9, 2008 at 4:30 p.m. in the Council Chambers at the Municipal Building. Present were: Judy Jennette, Mayor; Doug Mercer, Mayor Pro tem; Richard Brooks, Councilman; Archie Jennings, Councilman; Darwin Woolard, Councilman; Gil Davis, Councilman; Jim Smith, City Manager; Reatha B. Johnson, Acting City Clerk; and Franz Holscher, City Attorney.

Also present were: Anita Radcliffe, Acting Finance Director; Jimmy Davis, Fire Chief; Allen Lewis, Public Works Director; Bobby Roberson, Planning and Community Development Director; Philip Mobley, Parks & Recreation Director; Mick Reed, Police Chief; Keith Hardt, Electric Director, Susan Hodges, Human Resources Director; Gloria Moore, Library Director; and Mike Voss, of the Washington Daily News.

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

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennette added a scheduled public appearance by A. G. Swanner to discuss The Spirit of Washington on the Pamlico River and under City Manager's New Business V1.B.6. - Resolution for Rain Gage changing Closed Session to V1. B.7. Mayor Jennette changed under City Manager's Old Business VI. A. 1. None to VI. A. 1. Update on the Clean Water Trust Grant.

Mayor Pro tem Mercer moved I. E. under consent agenda to old business V1. A. 2.

Councilman Jennings changed V1. B. 7. To Right Flight Funds (as a budget item) and changed Closed Session to V1. B. 8.

Jim Smith, City Manager, added V1. A. 3. – School Board request for Harvey Street Property.

Councilman Davis added under Closed Session G.S. 143-318.11 (a)(6) Personnel Matter.

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

APPROVAL OF MINUTES

On May 12, 2008, minutes, page 14, first paragraph, "Don Wilkerson" should be "Richard Miller". On motion of Councilman Jennings, seconded by Mayor Pro tem Mercer, Council unanimously approved the minutes of May 5, May 12, May 19, May 27, and June 2 as amended.

APPROVAL OF CONSENT AGENDA

On motion of Councilman Jennings, seconded by Councilman Woolard, Council unanimously approved the Consent Agenda, as amended.

- A. FYI – System Wide Electrical Outage
- B. Authorize – Mayor to execute a Grant in Aid Agreement with NCDOT Division of Aviation – Rural Airport Development Program Grant (\$200,000)
- C. Adopt – Budget Ordinance Amendment to provide funds for public infrastructure improvements at Moss Landing

**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 \$240,000 in the account Sale of Fixed Assets, account number 10-00-3835-8200.

Section 2. That account number 10-00-4400-3500, Transfer to Electric Fund, Miscellaneous Non-Departmental portion of the General Fund appropriations budget be increased in the amount of \$240,000 from the sale of the Moss property.

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 30th day of June, 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

D. Accept – Cornerstones of Science Grant and Adopt Budget Ordinance Amendment (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 Library Grant-Cornerstone, account number 10-40-3611-3302.

Section 2. That account number 10-40-6110-5600, Materials portion of the General Fund appropriations budget be increased in the amount of \$1,000 to provide funds for books and audiovisuals for children.

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 June, 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

- E. **Moved to Old Business - V1. A. 2. Adopt** – Budget Ordinance Amendment for Police Dept. (\$14,750)
- F. **Adopt** – Budget Ordinance Amendment for E-911 Surcharge Fund (\$3,601) **and** General Fund (\$3,601)

**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 account number 14-70-4310-4501, Contract Services portion of the E-911 System appropriations budget be decreased in the amount of \$3,601 to provide funds for transfer to the General Fund.

Section 2. That account number 14-70-4310-9210, Transfer to General Fund, portion of the E-911 System appropriations budget be increased in the amount of \$3,601 to provide funds to close out E-911 fund.

Section 3. That the Estimated Revenues in the General Fund be increased in the amount of \$3,601 in the account Transfer from E-911, account number 10-00-3980-1400 to close out E-911 fund.

Section 4. That account number 10-10-4311-1100, Telephone, E-911 Communications Division portion of the General Fund appropriations budget be increased in the amount of \$3,601 to provide funds for the close out of the E-911 Fund.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall become effective upon its adoption.

Adopted this the 9th day of June, 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

PRESENTATION – MR. JESSE TILTON, CEO OF ELECTRICITIES

Mr. Jesse Tilton, CEO of ElectriCities, addressed Council with a presentation on Public Power Grassroots Network (PPGA). Accompanying Mr. Tilton was Carmon Hembly, a member of his staff, and Mr. Ron Elks, Head of Greenville Utilities Commission. The PPGA is a political effort that Mr. Tilton is encouraging City Council to make. Mr. Tilton key point was to make Council aware of activity on a political level for the North Carolina Legislature and the US Congress will have real impact on the cost to our citizens.

Mr. Tilton stated that Progress Energy had just filed for a 16.2% increase in their retail rates. Both gas utilities have received approval from the North Carolina Utility Commission. Mr. Tilton feels we are in a new decade similar to the 1970's. The rising cost that Progress Energy faced are similar market forces that will impact Eastern Power Agency and will result in increased wholesale cost coming to the City of Washington. Electricity increases will not just be wholesale, but what we will also see, increase cost for the things it will take to keep electricity going in Washington.

Mr. Tilton called Council attention to the series of slides on the right hand side of the package he handed out. The key things Mr. Tilton discussed were on page 4 - #8 slide (slide # 8 covers three different bills that were passed by the NC Legislature) and page 5 - #10 slide.

Slide #8 – Why Your City Should Become Involved?

- SB 512 (S.L. 2005-150) – 2005 Long Session
- HB 1395 (S.L. 2007-419) – 2007 Long Session
- SB 3 (S.L. 2007-397) – 2007 Long Session
- Electric Cooperatives Antics
- Stop the “Chip-away” Cooperative Strategy
- Load Growth – Economic Development, Annexations

Slide #10 – Next Steps

- Identify Key Contact Person
- Updates in Transformations Newsletter
- Activity Level Determined by Your City

Mr. Tilton introduced Mr. Ron Elks, General Manager and CEO of Greenville Utilities. Mr. Elks were here representing North Carolina Eastern Municipal Power Agency a member of the ElectriCities Board in support of Mr. Tilton message to be active legislatively. The board stands willing and ready to help Council in any way.

Mayor Pro tem Mercer stated we had a representative here talking about Senate Bill #3, in the course of that presentation, Council asked if the requirement in that bill could be met through the ElectriCities application. Mayor Pro tem believed the answer Council received was “no”. Council asked if work was going on in the Legislature to modify Senate Bill #3 and again he thought the answer was “no”. Mayor Pro tem Mercer inquired if we are trying to produce anything in the legislature in the short term to that will address the shortcoming in Senate Bill #3. Mr. Tilton addressed this in two ways:

1. The answer given was a narrow legal answer. Legally under Senate Bill #3 it is the City that is required to reply.
2. However, the practical explanation is we don't think we need legislature to get Eastern Power Agency to step in and handle the compliance for the City if they sign the contractual contract.

A.G. SWANNER – REQUESTING CITY SUPPORT FOR THE SPIRIT OF WASHINGTON

Ms. Toni Cooley McCarter, representative for Mr. A.G. Swanner, spoke on the "Spirit of Washington" on the Pamlico River. Ms. McCarter was here tonight asking Council support for the river boat cruise. Mr. Swanner is requesting City Council allow them access to the City of Washington Waterfront not only for the loading and unloading of patrons of The Spirit of Washington but also for a location to dock the boat when not in use. During hurricane preparedness they would want to put a 2500 pound mooring buoy in the middle of the river, in accordance with State Laws. It could be used by other boaters during the year but would be guaranteed to The Spirit of Washington in the event of a hurricane.

Ms. McCarter stated this would add to the picturesque waterfront views that are already being used on many visitor and real estate websites to draw people to the area. Ms. Lynn Lewis, Tourism Development Authority Director, is in favor of this venture. The Visitor's Center receives many phone calls not only from individuals looking for similar activities but from corporations as well looking for locations/options for their corporate meetings, retreats, parties, etc.

Things to Expect:

Public Cruise Opportunities

- Saturday afternoon & Saturday evening and Sunday afternoon
- Other Theme Cruises
 - Historic Washington w/narration
 - Children Reading and Activity Afternoon
 - Art Show; work w/Beaufort Co. Art Council
 - Author / Poetry Reading
 - 4th July Fireworks Extravaganza (etc.)

Private Rental Opportunities

- Weddings, anniversary parties
- Corporate Retreat, Meeting or Holiday Party
- Family Reunion
- Just Because

Timeline (subject to change)

Boat Arrives	June 25
Boat Repairs/ Customization Complete	July 25
Open to Public	August 16
Maiden Voyage	August 23

Ms. McCarter stated that August 16 is the DWOW's 3rd Annual Pickin' on the Pamlico. They would like to dock next to the event and have it open for the first public tours.

Mr. Smith asked if there had been any discussions with the Coast Guard and Ms. McCarter stated they have a staff person working on it. Mayor Jennette

asked if the partners would be paying for the mooring and Ms. McCarter stated "yes".

Mayor Jennette was wondering if Mr. Swanner had seen the old agreement when the Pamlico Queen was here before and arrangements were made for the boat to be on the waterfront. Mayor Jennette asked Mr. Swanner if that was an acceptable agreement and would it work for this boat. Mr. Swanner said "yes".

Mayor Jennette advised Ms. McCarter and Mr. Swanner that the City had received a grant to add two additional docks on the waterfront and it may have an impact on the location.

Mayor Jennette poled Council to see if they were supportive of The Spirit of Washington. Council voted 5-0 in favor of The Spirit of Washington.

CONCERNS:

- Mooring Fields
- Where it will be located
- How long it will be there
- Free dock
- Contractual Arrangement/Agreement

Mayor Jennette suggested a starting point would be pulling out the old agreement and meeting with the Manager, and Mr. Mobley. The modified agreement should cover some of the concerns Council has. Mr. A.G. Swanner and Ms. McCarter will come back to City Council at the regular Council meeting in July with the proposed contract.

ECONOMIC DEVELOPMENT COMMISSION

Councilman Jennings attended his second meeting last Monday. Some of the things they discussed:

- Quick Start II – negotiating a contract for ownership of that project
- Expansion of that project
- Workforce Committee – grant funds (Bishop Jones)
- Folk looking at Chocowinity site
- Carver Project nearing completion

TOURISM DEVELOPMENT AUTHORITY

Mayor Jennette stated the Tourism Development Authority won the Gold Advertising Award for the promotion of the Civic Center and Lynn Lewis has been given a Scholarship to attend a Tourism Marketing College. Board meeting will be held this Wednesday.

HUMAN RELATIONS COUNCIL

Mayor Jennette informed Council that the last presentation was given by Mr. James Johnson, a professor from UNC Chapel Hill. The presentation was on "Changing Demographics on Beaufort County" and it was a very, very good presentation.

DOWNTOWN WASHINGTON ON THE WATERFRONT

Ross Hamory, DWOW Director, stated the Planning Board is scheduled for the 24th to have a Public Hearing on the Mooring Fields and the Harbor and Waterfront Management Study. Mr. Hamory stated the DWOW Board had been

briefed about the possibility of having a cruise boat on the waterfront and it has DWOW support.

WARREN FIELD AIRPORT

Jim Smith, City Manager, reported we finally received the Rural Airport Development Funds Grant (\$200,000) and it is on the Agenda tonight. There will be a City match of about \$5,000. Mr. Smith stated they will soon be having their first renewal meeting with Tradewind.

ANNEXATION REPORT

Councilman Jennings stated the board had met and all were present with the exception of Ms. Dot Moate. The board has identified a priority list on a preliminary basis that will be shared with Council at the next regular meeting. They have a pretty good feeling where they would like to go pending the moratorium legislation that is before the legislature now. Mayor Jennette inquired if the old report would just be updated and Councilman Jennings stated the old report identifies criteria necessary and the Board has picked from those areas. Councilman Jennings stated they would like to schedule out a multi-year strategy for issuing a letter of intent.

HAVEN'S GARDEN REPORT

Mr. Phil Mobley, Parks and Recreation Director, stated Mr. Steve Moler, the Recreation Consultant, is really helping them in the background to make sure they don't have any issues with DOT. They are trying to make sure that all the guidelines are in place and make sure the City is protected. Mr. Mobley feels by next month they will have an ideal of where they are.

Mayor Jennette asked Mr. Mobley if he had seen the stakes and Mr. Mobley said "yes". Mr. Mobley stated he is not for sure what they are doing, that we need to see a map. Mayor Jennette stated the stakes are taking about 12-15 feet on the right hand side. Mr. Mobley said he understood it was going to be high and he doesn't know how this will be handled, but when we looked at the value of the property that will be taken, we need to take in consideration the trees in the property line. Mr. Mobley stated he is just waiting to hear from DOT; Mayor Jennette asked who did he anticipate at DOT telling him what is happening. Mr. Mobley said he is just looking for a map to show him the boundaries that they want to have and someone had told him they are skipping the Federal requirements and we need to make sure that is true. Councilman Jennings asked Mr. Mobley to clarify what he meant by skipping the Federal requirements and Mr. Mobley said he understood DOT was going to take the property without having to repay the City of the Land and Conservation Grant that we have there; Mayor Jennette stated apparently they will get to forgo the Environmental Impact Study as well. Mr. Smith said when Mr. Eatmon was here in February and gave us the name of the person with DOT Environmental that would be involved in the Federal 4f Study; he tried to contact her by phone and emails. Mr. Smith was referred to Mr. Wade Kurby who was the Project Manager for the 4f Study on this project. Mr. Kurby advised him that in 2006 DOT looked at the impacts the Bridge would have on the park and that a Categorical Exclusion was issued. This means that DOT will not have to do any further Environmental Study. Mr. Smith advised Council that copies of the most important parts of the study was passed out tonight and if they would like to see the whole study, it would be provided.

Mayor Jennette stated Mr. Ed. Eatmon is supposed to be here on June 23rd, but she is not sure he will be able to address all Council's concerns. Councilman Jennings stated they had spoken to Representative Williams about this particular issue and that he is willing to facilitate a get together with our Board Representative. Councilman Jennings said he is worried about how the

clock is ticking. Councilman Jennings stated Representative Williams had suggested rather than have him come to a meeting, invite him to a more casual gathering and bring the subject up. Mayor Pro tem Mercer called Council attention to page 24 the programmatic 4f evaluation (information packet that was placed on their desk) tell why they have looked at certain things and discounted them. Mayor Pro tem suggested Council take a look at the report and see what they have told us. Councilman Jennings pointed out that this report was dated June of 06 and the cover letter was dated May 28, 2008 this year item; Mr. Smith said he tracked it down through the meeting with Mr. Eatmon. This report is two years old and when did it first originate.

FINANCIAL REPORTS

Ms. Anita Radcliffe, Acting Finance Director, presented information on the General Fund and the Enterprise Funds.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSION

Mayor Pro tem Mercer asked to make an observation, over the years we find that when Council has an individual already on the list and we tend to put them back on the Board. Mayor Pro tem Mercer made the suggestion that if we have applicants that have not served on the board before be given careful consideration and put new ideas on our boards. Not saying the people on the board haven't done a great job, but sometimes a new set of eyes sees things a little differently. Councilman Jennings also felt the change of ideas is just as important and help keep things fresh. Sometimes when you allow an entire board to stay to long, it can get dangerous.

Councilman Brooks stated with what had just been said, he would like to wait until next month (July) to appoint applicants on the Planning Board, Enlarged Planning, Board of Adjustment, Alternate Member – Board of Adjustment, Enlarged Board of Adjustment.

HOUSING AUTHORITY – TO FILL THE EXPIRING TERMS OF REDDEN LEGGETT AND JO ANN INGERSOLL

On motion of Councilman Woolard, seconded by Councilman Davis, Council unanimously appointed Anthony E. Franklin to the Housing Authority Board to fill the expiring term of Redden Leggett, term to expire June 30, 2013.

On motion of Councilman Woolard, seconded by Councilman Jennings, Council unanimously reappointed Jo Ann Ingersoll to the Housing Authority Board, term to expire June 30, 2013.

RECREATION ADVISORY COMMITTEE – TO FILL THE EXPIRING TERMS OF AUDREY WOOLARD AND ARNOLD BARNES

On motion of Councilman Davis, seconded by Councilman Woolard, Council unanimously reappointed Audrey Woolard to the Recreation Advisory Committee, term to expire June 30, 2011.

On motion of Councilman Davis, seconded by Councilman Woolard, Council unanimously reappointed Arnold Barnes to the Recreation Advisory Committee, term to expire June 30, 2011.

HISTORIC PRESERVATION COMMISSION – TO FILL THE EXPIRING TERMS OF MICHAEL OVERTON, BET ARCHIE, AND CHRIS COLLIER

On motion of Councilman Jennings, seconded by Mayor Pro tem Mercer, Council unanimously reappointed Michael Overton to the Historic Preservation Commission, term to expire June 30, 2011.

On motion of Councilman Jennings, seconded by Mayor Pro tem Mercer, Council unanimously reappointed Chris Collier to the Historic Preservation Commission, term to expire June 30, 2011.

On motion of Councilman Jennings, seconded by Mayor Pro tem Mercer, Council unanimously appointed Scott Sipprell to the Historic Preservation Commission to fill the expiring term of Bet Archie, term to expire June 30, 2011.

WASHINGTON TOURISM DEVELOPMENT AUTHORITY – TO FILL THE EXPIRING TERMS OF JUDY JENNETTE AND DAVID GOSSETT

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed Judy Jennette to the Washington Tourism Development Authority, term to expire June 30, 2011.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed David Gossett to the Washington Tourism Development Authority, term to expire June 30, 2011.

HUMAN RELATIONS COUNCIL – TO FILL THE EXPIRING TERMS OF EVELYNE ROBERSON, RICK GAGLIANO, FLORENCE LODGE, AND WILLIAM PITT

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed Evelyne Roberson to the Human Relations Council, term to expire June 30, 2011.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed Rick Gagliano to the Human Relations Council, term to expire June 30, 2011.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed Florence Lodge to the Human Relations Council, term to expire June 30, 2011.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously reappointed William Pitt to the Human Relations Council, term to expire June 30, 2011.

ANIMAL CONTROL APPEAL BOARD – TO FILL THE EXPIRING TERMS OF LISA MELISAUSKAS, DAVID BOLDEN, TUCKER TALLEY

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously appointed Dee Congleton to the Animal Control Appeal Board to fill the expiring term of Lisa Melisauskas, term to expire June 30, 2011.

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously appointed Anthony E. Franklin to the Animal Control Appeal Board to fill the expiring term of David Bolden, term to expire June 30, 2010.

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously reappointed Tucker Talley to the Animal Control Appeal Board, term to expire June 30, 2011.

Council convened for a break and reconvened @ 6:00 p.m.

ADOPT – ZONING CHANGE CONSISTING OF 3.05 ACRES OF PROPERTY LOCATED ON PERIWINKLE LANE OFF TRANTERS CREEK DRIVE

Ms. Dot Moate representing the Planning Board, stated that LSL Properties, LLC requested 3.05 acres of property located on Perwinkle Lane off

Tranters Creek Drive and adjacent to Hillingdale be changed from R-15S (Residential Agricultural) to 1-2 (Light Industrial). The Planning Board reference the adopted Comprehensive Plan and found the petition was not consistent with the plan and voted not to approve the petition. The vote from the Planning Board was 4-0 not to recommend the zoning change. Ms. Moate stated during the discussion, the question of access to Perwinkle Drive from the LSL Properties became an issue and the Planning Board asked the City Attorney to render an opinion concerning the access for the property via an easement.

Mayor Jennette opened the Public Hearing.

Mr. Will Mayo, on behalf of Steve Lee, the managing member of LSL Properties stated we are talking about two undeveloped tracks of Land on Perwinkle Lane that are behind Lee Chevrolet and adjacent to Pamlico Counter Tops among other commercial enterprise along this road. The Planning Board made a recommendation that it is inconsistent with the Land Use Plan and the Land Use Plan has not been updated. Mr. Mayo stated every piece of property along this lane is commercial and industrial except for the last three tracks of land that is still zone residential. On the issue regarding access, Mr. Lee met with Mr. Alligood, the adjoining property owner and in principal agreed to memorialize in writing the rights of access containing maintenance rights, use rights. LSL is asking City Council to approve their motion to change zoning to 1-2 (Light Industrial) or as an alternative table the hearing and revisit it once they have the access paperwork finalized. Mr. Mayo stated if the property remains residential, it will be a piece of property Mr. Lee can never develop because no one will want to build a house on this road.

Mayor Pro tem Mercer asked who owns the piece of property just to the left that used to be the Beaufort County Fair Grounds. Mr. Mayo stated it was Mr. Herman Alligood. Mayor Pro tem Mercer inquired if there was a power line right-away easement across the corner of that property and Mr. Mayo stated "yes" but there is still enough land south of that for construction.

Mr. Michael Phelps, who lives at 218 Hillingdale Drive, has about 380 – 400 ft. that adjoin this property and stated when the Fair Ground was sold all the property there now is the way it was zoned. When Mr. Alligood purchased his property he agreed to the zone residential. Mr. Phelps asked Council to deny the rezoning of the property. Mr. Phelps stated this is the second time he had to come before City Council and the Planning Board.

Mr. Mitchell Harris, who lives at 214 Hillingdale Drive, stated the southern part of that lot butts up to his residential lot and is less than 200 ft. from his home. Mr. Harris feels the safety of his family will be compromised. Mr. Harris said they have already had one young individual killed from a truck pulling out of that road. Mr. Harris asked Council to deny the rezoning of the property.

Mr. Adam Waters, who live at 227 Hillingdale Drive, stated that his property does not connect to the property to be rezone. However, he does have some concerns and take some exception to what was said. His property is less than 500 yards from the property in question. Mr. Waters asked Council to deny the rezoning of the property.

Mr. Steve Lee, owner of the land, has a place of business that adjoins this land. Mr. Lee stated all the things he heard were true, but the property had been developed into commercial. Mr. Lee shared an area photo with Council and asked Council to approve their motion to change zoning to 1-2 (Light Industrial).

Councilman Jennings asked Mr. Alligood if he would explain his name being both on the right-of-way discussion and on the original agreement when the property was acquired. Mr. Alligood stated when he purchased the 5 ½ acres, there was property across the front that was not rezoned and was lots, he

brought a section of that and then later sold it. That left 60 foot from Tranters Creek Road into the 5 ½ acres he brought coming to the Fair ground. Mr. Alligood stated that he and Mr. Steve Lee had met and had come to an agreement that he would use the right-of-way. Councilman Jennings asked how about the agreement with the property owners in Hillingdale that the property was supposed to remain. Mr. Alligood stated he was not at that meeting, but that 100 foot buffer zone on his southern side and a 50 foot buffer zone at the front between the lots and Tranters Creek Road. Mayor Pro tem Mercer stated this property was originally owned by the Beaufort County Fair Association and 60 foot right-of-way was used by the Fair Association to access the portion of that property which they used for parking and the fairground was in the center. The property was sold to Mr. Furlough with the understanding it would ultimately be a residential development that did not materialized.

Mayor Jennette closed the Public Hearing.

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously voted to accept the recommendation of the Planning Board and denies the rezoning of the property, located on Periwinkle lane containing 3.05 acres, from R-15S (Residential Agricultural) to 1-2 (Light Industrial).

Councilman Woolard asked Mr. Roberson for more details concerning the zoning, which he provided.

Councilman Jennings commented he would like to think (Council) could find some sort of common ground and perhaps identify exactly where on a lot and what could be built there and resolving access issues around this problem. Councilman Jennings stated he has a problem with rendering a piece of property useless and hope to have some level of reasoning applied to this issue.

**ACCEPT – ANNEXATION ORDINANCE TO EXTEND CORPORATE LIMITS
FOR THE CONTIGUOUS ANNEXATION OF HARVEST CHURCH PROPERTY
AND ACCEPT THE PLANNING DEPARTMENT LOGICAL AREA
ASSESSMENT**

Mr. Bobby Roberson, Planning and Development Director, passed out documentations to Council and stated the information received in the Agenda package had been reviewed by the Acting City Clerk and found to be in compliance with the annexation petition; although, there was a question generated about the property being in close proximity of vacant property could actually be considered for an Annexation Feasibility Report. Mr. Roberson drew Council attention to the first map and to notice the Credit Union; you will see the 1.8 acres of property. You will see the bypass set-up and all the property is inside the line and has been acquire by NCDOT. In addition, you see all the property that is inside the corporate limits of the City. Mr. Roberson stated when you do the Standard of Service of Annexation; one thing the statue has an issue with is vacant property. Mr. Roberson said it would be very difficult to pick up 1.8 acres of property and the Radio Shack. Mr. Allen Lewis, Public Works Director, pointed out that water and sewer is available for Radio Shack but they are on deep well and septic tank. Mayor Jennette asked Mr. Roberson to point this out to the annexation study committee.

Councilman Brooks commented this was a great map and very clear. Mr. Smith stated this is what you can get with a GIS system and the Planning Department is the only one that has a GIS system and they are proposing it for citywide use.

Mayor Jennette opened the Public Hearing.

There was no one present to speak.

Mayor Jennette closed the Public Hearing.

On motion of Councilman Davis, seconded by Councilman Brooks, Council unanimously approved the annexation ordinance to extend the City of Washington corporate limits for the contiguous annexation of the Harvest Church Property located at 2020 West 15th Street and containing 13.35 acres.

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF WASHINGTON, NORTH CAROLINA**

WHEREAS, the Washington City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Washington City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question on of this annexation was held at the City Council Chambers on the 2nd floor of the municipal building located at 102 East 2nd Street at 6:00 p.m. on Monday, June 9, 2008 after due notice by the Washington Daily News on June 5, 2008 & June 8, 2008;

WHEREAS, the Washington City Council finds that the area described herein meets the standards of G.S. 160A-31;

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

Section 1. By the virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Washington as of August 31, 2008:

All that certain tract of parcel of land lying and being situated in the Washington Township, Beaufort County, North Carolina and being described by metes and bounds as follows:

BEGINNING at an existing concrete monument set in a sight triangle located at the northwest corner of the intersection of S.R. 1404, Whispering Pines Road and 15th Street. Thence N 43° 04' 33" W 507.71 feet to an existing concrete monument located in the northeastern right-of-way of 15th Street; thence 44° 27' 28" W 383.21 feet to an existing concrete monument located in the northeastern right-of-way of 15th Street; thence N 60° 11' 13" W 392.02 feet to an existing iron pipe located in the northern right-of-way of 15th Street, the southeastern corner of the Harvest Church property, the TRUE POINT OF BEGINNING. Thence N 77° 39' 59" W 199.99 feet to an existing iron pipe located in the northern right-of-way of 15th Street, the southwest corner of the Harvest Church property; thence leaving 15th Street N 09° 39' 11" E 671.40 feet to an existing iron pipe; thence N 45° 32' 45" E 628.65 feet to an existing iron pipe located in a canal; thence cornering and continuing along the canal S 50° 15' 01" E 152.05 feet; thence S 26° 40' 41" E 210.04 feet; thence S 50° 51' 12" E 307.69 feet; thence cornering and leaving the canal S 50° 47' 06" W 60 feet to an existing concrete monument; thence S 50° 47' 58" W 493.17 feet to an existing concrete monument; thence S 50° 46' 15" W 499.77 feet to an existing iron pipe located in the northern right-of-way of 15th Street the point of beginning. Being 13.349 acres located on the north side of 15th Street.

Section 2. Upon and after August 31, 2008, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Washington and shall be entitled to the same privileges and benefits as other parts of the City of Washington. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Washington shall cause to be recorded in the office of the Register of Deeds of Beaufort County, and in the office of the Secretary of the State in Raleigh, North Carolina, an accurate map of the annexed property, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 9th day of June, 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha Johnson
REATHA JOHNSON
ACTING CITY CLERK

Annexation #08-A-01
Harvest Church

**ADOPT – ORDINANCE TO AMEND CHAPTER 27, SECTION 27-175,
SPECIAL PROVISIONS FOR CERTAIN SIGNS, TO INCLUDE LED
ILLUMINATED SIGNS INDICATING GAS PRICES**

Ms. Dot Moate representing the Planning Board stated a request had been made by Ebert Sign Company to amend Article XVI Signs, Section 27-175, by allowing Light Emitting Diode (LED) signs indicating gas prices. After consideration by the Planning Board they found that allowing these signs indicating gas only was reasonable and the gas signs are not allowed to be flashing.

Mayor Jennette stated the ordinance does state static and it means it will not be flashing.

Councilman Jennings asked if the gas station on Third and Bridge Street would be further regulated by the Historic Commission. Mr. Roberson pointed out that it is outside the Historic District. Mayor Jennette asked how about the overlay district; Mr. Roberson stated “no”. Councilman Jennings stated he is trying to make sure we don’t run into any loop holes for different types of signage. Mr. Roberson stated that service stations had been taken out altogether in the historic district.

Mr. Smith, City Manager, stated he has no problem with the language, however; make sure the minutes include the statement “**Gas Prices only**” and perhaps how often it would change.

Mayor Jennette opened the Public Hearing.

There was no one present to speak.

Mayor Jennette closed the Public Hearing.

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously accepted the recommendation of the Planning Board and approve the Ordinance to amend Article XVI Signs, Section 27-175, Special Provisions for Certain Signs, by allowing Light Emitting Diode (LED) signs indicating gas prices.

Ordinance to Amend Chapter 27, Zoning, Article XVI, Signs, Section 27-175.
Special Provisions for Certain Signs

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

Section 1. That Chapter 27. Article XVI. Signs, Section 27-175 Special Provisions for Certain Signs shall be amended to include the following addition:

Section 27-175. Special Provisions for Certain Signs

(h) *Static light emitting diode (LED) fuel price signs. Gas stations shall be permitted one freestanding sign which may include a maximum of three fuel rate/price signs. The dimensions of each of the fuel rate/price signs shall not exceed eight (8) square feet each. Such a sign shall state the fuel price completely when displayed and can use either changeable copy or LED methods to display the fuel price. The static LED sign is for fuel pricing purposes only. Such fuel signs shall not display messages and shall display numerals only.*

Section 2. This Ordinance shall become effective upon its adoption.

Section 3. All Ordinances or parts in conflict herein are repealed.

Adopted this 9th day of June, 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha Johnson
REATHA JOHNSON
ACTING CITY CLERK

Councilman Jennings asked Mayor Pro tem Mercer if he would be willing to accept an amendment to the motion that these would not be allowed in the Overlay District nor be permitted to flash messages other than gas. Mayor Pro tem Mercer stated he felt the ordinance was very specific and read Section 27-175. Councilman Jennings stated the language was good and would he include that for the Overlay also. Councilman Jennings asked Mr. Roberson where was the Overlay District and Mr. Roberson stated he would be glad to go downstairs and get the paper work, he did not know this was going to be asked. Councilman Jennings stated it is about five properties in that neighborhood. Basically, he is talking about any commercial location that would have a gas station needs to be consistent with the adjoining neighborhoods. Mayor Pro tem Mercer suggested why not change the ordinance so everyone would have to come into the office. Councilman Jennings did not want to change the ordinance that way. He wanted to make the change to state at or adjoining the historic district. Councilman Jennings asked if the ordinance be amended to declare or state in the historic district or the adjoining Overlay properties. Franz Holscher, City Attorney, said "no". If you have more restrictive regulations in the Historic District than this, then the property owner have to abide by the more restrictive regulation in the Historic District and this would not allow them now to do that. Mr. Holscher stated he don't know where the Overlay District is and can't shine any light on that question, but the Historic District is covered and the Overlay would have to go by the same guidelines. Mayor Pro tem Mercer suggested tabling this matter

until next month and the decision can be made if the Overlay District has the same guidelines as the Historic District. Mayor Jennette repeated if the Overlay District would have to go by those same guidelines and Mr. Roberson answered "yes".

CONTINUED – ADOPT – THE COMPREHENSIVE PLAN UP-DATE

Mr. Dale Holland with Holland and Associates stated they have endeavored to include all comments made by Mayor Pro tem Mercer in the amended Comprehensive Plan Up-date draft and hope it is to everyone satisfaction.

Mayor Jennette opened the Public Hearing that was continued.

There was no one present to speak.

Mayor Jennette closed the Public Hearing.

Mayor Pro tem Mercer stated he had gone through the amended draft page by page and it appears Mr. Holland has addressed all the items he had concerns about.

On motion of Mayor Pro tem Mercer, seconded by Council Woolard, Council unanimously accepted the recommendation of the Planning Board and adopted the Comprehensive Plan, as amended.

UPDATE – CLEAN WATER TRUST FUND GRANT AND USDA

Mr. Roberson stated that he and the City Attorney had been working on the Clean Water Trust Fund Grant and some questions came up about the number of restrictions and easements that would be placed on a certain piece of property. Mr. Roberson stated he had received emails from Mr. Holscher today about how to handle the actual easements and he asked Mr. Holscher to recap the email for City Council.

Mr. Franz Holscher, City Attorney, stated he had spoken with the Mayor and the City Manager today about this project. The original concept of this project was a reimbursement for the purchase of a certain piece of property. That concept over time has changed, that change has been accepted by the Clean Water Trust Fund personnel stating we will receive a payment that is equal to the price for this particular piece of property; in return, for them receiving a conservation easement on the property (the whole property, not just the piece that was purchased, but all the property on the south side of the river).

Mr. Holscher stated about a month or so ago, Council received through Recreation Advisory Committee some information about the USDA Wetlands Reserved Program and as a potential source of additional money that might be used to improve that property. Mr. Holscher had a concern that we were this far down the road with the Clean Water Trust Fund project on whether or not it would prohibit the City from going down that avenue and which avenue we should take and what direction we should take.

Mr. Holscher addressed the e-mails he had received and was seeking direction from Council tonight, have we mentioned we are pursuing other funding? Do we want to offend Clean Water Trust Fund in the future?

Mr. Holscher stated he had asked Ms. Hammond who is in charge of the Clean Water Trust Fund if there is any way we can piggyback the USDA Wetlands Reserve Project with what we are currently and/or whether or not they could reduce the size of their conservation easement and allow the USDA folk to put an easement on a portion of the property. Mr. Holscher stated he is trying to

work through those issues, but what Mr. Roberson is talking about is the grant in which he is now working on with Ms. Hammond also identifies what the uses for the property can be. Mr. Holscher stated he has tried to make it as expansive as possible because he doesn't believe we have a concrete specific plan. Ms. Hammond has agreed to expand the potential uses to camping platforms and fishing piers; not that they will be utilized that way but to give us additional authority to do that. The conservation easement that will come out of the grant agreement will allow us to do that in the future as long as it is permitted by the respective agency. Ms. Hammond also indicated that she thought there was a possibility we could move concurrently with her program and the USDA Wetlands reserved project. Mr. Holscher is seeking direction from Council on which way they want him to go, do they want to go in a concurrent purpose, do they want to go separately, who will head up the USDA Wetlands Reserve Project.

Mayor Jennette asked Mr. Roberson if we had already purchased that property and brought it with the understanding we were going to use Clean Water Trust Fund and Mr. Roberson said "yes". Mr. Roberson stated unfortunately for the Clean Water Trust Fund folk, the person (s) we were actually dealing with, told us to go ahead and purchase the property and that we would be reimbursed for the amount of expenses that would incur on the purchase price of the property. Subsequently, she transfer out and the new individual came in including Ms. Hammond and said they would prefer we not purchase the property because that is not in their guidelines. Thanks to Mr. Holscher they have agreed to let us count it as a conservation easement to get reimbursed for the amount of money we actually spent. Mr. Holscher stated the agreement was set to expire in August, 2008 and Ms. Hammond has agreed to a two (2) extensions to give us time to work on this.

Mayor Pro tem Mercer asked how long was the conservation easement. Mr. Roberson stated it runs forever. Mayor Pro tem Mercer stated he is reluctant for some governmental body to decide what we are going to do on that piece of property, forever. Mayor Jennette said so you don't want to accept the grant money then and Mayor Pro tem Mercer state not with a perpetual conservation easement. Mr. Roberson stated well in that case, we need to turn the money back in because that is a stipulation on the Clean Water Trust Fund. Mayor Jennette said but we haven't got the money and Mr. Roberson stated we have an active grant with the idea that once we put the conservation easement on it that we would reimburse for the property. Mr. Roberson said in all fairness to the granting agency we need to send them a letter that we do not want to pursue it. Councilman Jennings said he doesn't think we are there yet we need to put some context around this thing. The easement with the Clean Water Trust Fund is \$60,000; the number that talked about around the USDA program is \$500,000. Serious work goes to Mayor Pro tem Mercer point about what this property could ever be used for. He understands the point about we don't want to see control into perpetuity of viable property. He don't have a problem if it is wetlands property and we have had it surveyed and delineated, granting an easement on something we couldn't use anyway. Councilman Jennings concern is he doesn't want to take \$60,000 instead of \$500,000 and some of the language he has been privy to say the Clean Water Trust may reserved an easement and then grant an additional use of that property that will be replaced by an easement with USDA and he feels the real opportunity here is the \$500,000. Mr. Roberson stated the exception of this grant, his instructions were to get the property, pay the \$40,000, and seek the Clean Water Trust Fund Management, and put an easement on the property. Councilman Jennings said the understanding to the laymen is we are talking about the property that was purchased but actually the easement extends over the entire 270 plus acres, not only on the amount we purchased for \$60,000 but all that Mr. McMullan gave us too. Mr. Roberson said that was correct. Mr. Holscher stated that Mr. Roberson was correct in that the scope of the conservation easement 200 acres were included in the application put before the Clean Water Trust Fund Board, that was the understanding from the beginning. Mr. Holscher stated that Ms. Hammond has indicated that as for the

Wetlands Reserve Project, her thought is to have a side agreement that defines what area of property we will release from our easement in favor of the WRP easement if such funding is secured. That way our easement stays in place until the WRP easement is assured. Ms. Hammons is willing to meet with City Council in person, she is willing to talk to us and during that same conversation you can have a conversation about the length of the conservation easement.

Councilman Jennings stated and we have two years, so he feels Council needs to look at the USDA grant find out the full context of it, side agreement that would allow us to take funds from both entities. Talk about terms of conservation easement. Ms. Hammons had stated the next draft will have an expiration date that was longer than the initial agreement. Mayor Jennette asked if she would give this to us in writing and Mr. Holscher said "yes" it should be an attachment to the email they had been referencing.

Councilman Davis asked if there were some property over there that was not delineated wetlands. It was his understanding that when Mr. McMullan gave the City that property, there were certain areas that was not wetlands. Councilman Jennings explained the different tracks and what was given to the City. Mr. Roberson stated to answer that question we will have the Wetlands delineation (they have advertised for bids) within the next thirty days for the entire parcel. Councilman Davis asked Mr. Roberson if he recommends we table this item. Mr. Roberson stated he would do that but he doesn't want to mislead the Council, the reason we placed an easement on the McMullan property was because the City was in a financial situation where we didn't have the money to match grant. The granting agency said if you don't have the money we will take the conservation easement on the other track and subsequently it will be the match for the grant and that was the way the application was submitted. Councilman Jennings stated he did not have a problem with that but, subsequent to that, we have had other opportunities to come up that we need to pursue and yes we did have the money because we paid for it. Mr. Roberson stated this is true, Mayor Jennette asked where the money came from. Mr. Roberson stated he did not know where the money came from, he talked to the finance director, and she said this was the way we need to operate. He believes they borrowed the money out of the General Fund and will pay the General Fund once the grant comes in. Mr. Smith stated we have a grant that is in place right now, Mr. Roberson said yes with the Clean Water Trust Fund. Mr. Smith stated if we don't act to accept the amended grant, then the provision of the original grant will prevail. Mr. Roberson said that is correct. Mr. Roberson stated we never entered a grant agreement, Mr. Smith said we didn't sign a grant agreement and Mr. Roberson replied that is correct. Mr. Roberson said the conditions place on the actual grant that stated we need to do certain things in order to get to the grant agreement.

Mayor Pro tem Mercer stated if he is hearing correctly at this point and time we paid \$40,000 for a piece of property, we owned the property, we would like to get some grant monies to recoup that \$40,000 but in order to recoup these grants we have to give a perpetual easement not only on the tract that was purchased but an additional 200 plus acres. Mr. Roberson said that is correct, but Councilman Jennings stated not 200 acres but an additional 100 acres. Mayor Pro tem Mercer inquired what the \$40,000 paid for and Mr. Roberson believe it was 60 acres, Mayor Pro tem Mercer stated then to get that 60 we will tie up 200 plus acres and Mr. Roberson said "yes". Mr. Holscher stated he is correct it will be 113 acres.

Mr. Smith stated the legality is since the authorization of purchase was based on an appropriation of funds, the revenues was going to be from the grant and we will have to go back and amend the budget to take the money out of the General Funds rather than showing the grant as the appropriation. It would have to be out of this year's budget and it was paid for out of last year budget. Councilman Jennings stated it was accounted for somewhere else. Mr. Smith

stated it was accounted for as grant receipt and Councilman Jennings stated we have a grant receipt in the budget that we never received and Mr. Roberson said "yes". Councilman Davis asked if we could just forward that on into next year. Mr. Smith stated we could if we had received the two year extension. Councilman Jennings stated we have that "don't we"? Councilman Woolard said not if we don't sign the agreement. Mr. Roberson suggested just as a word of advice on grants, we are not on the same system, we are under a project ordinance and it runs over several period of years.

Councilman Jennings feels it would be poor business on the side of the City to accept a \$40,000 grant instead of \$500,000.

Mayor Jennette asked if the City decides to go for the USDA loan who would be in charge of it. Councilman Jennings suggested the Recreation Advisory Board run with it until such time we are awarded any type of grant. Councilman Jennings state that Mr. Russell Morgan that is currently serving on the Recreation Advisory Board actually works for USDA and the one who found this possibility.

Mr. Franz Holscher asked in the meantime did Council want him to continue with the check list on the grant agreement in coordination with Mr. Roberson office and try to finalize it. Councilman Jennings asked if she had been made aware we are pursuing other funding. Mr. Holscher stated "yes" and he also do not want to offend Clean Water Trust Fund. Mayor Jennette stated because she was willing to give us a two year extension and Mr. Holscher said "yes". Mr. Holscher pointed out that this was to do the grant agreement and the conservation easement falls after that. There are things that occur after the grant agreement that the time frame is suppose to capture. Direction from Councilman Jennings was to ask Ms. Hammons indulgence to allow the City some time to determine what our prospects are relative to the other funding and with the primary concern being whether that funding can be subject to a side agreement and so forth. Mr. Holscher stated Ms. Hammons indicated that she was open to and she contacted a member of USDA Wetlands Reserve Project to see if this was feasible. The initial feedback was it is something we can talk about. Mr. Holscher stated it would be good if Mr. Morgan can move along quickly and see where he thinks we might wind up on the agreement as currently proposed. We could then take Ms. Hammond up on a face to face meeting, letting everybody understand where we are coming from and where we would like to go.

Mayor Jennette asked did we need a motion on this and Mr. Holscher said "no". Mr. Holscher stated he will email the grant agreement as it is currently proposed.

**ADOPT – BUDGET ORDINANCE AMENDMENT FOR POLICE DEPARTMENT
\$14,750**

Mayor Pro tem Mercer stated he asked to move this item because when we discussed a replacement of cars in the budget session, the Chief had asked for five (5) cars and he had suggested we replace four (4) cars in this current budget and take the monies that we had gotten from this and use, that would reduce our capital request by \$14,750 and that would still give us five (5) cars the Chief is asking for next year. What he is suggesting is rather than taking this money and replacing this car right now, let's carry this money into the budget for next year and reduce the request by \$14,750. Mr. Smith stated if Council would remember we loss two (2) vehicles in a single accident, and a third vehicle in another accident. Mr. Smith said right now we are down three vehicles. We took the money from two of those and replace one of the vehicles; obviously \$14,750 is not enough to buy another vehicle. Mr. Smith stated we are anticipating purchasing a unmark unit. Mayor Pro tem Mercer stated this was a budget discussion because we have thirty-seven vehicles assigned to a thirty-seven member Police Department and he feels we don't need a car apiece over there.

Mayor Jennette asked if Chief Reed had any comments on this subject. Chief Reed stated he just wanted to add to what Mr. Smith had said about losing two cars and the money we got to replace those two only replace one, the excess money that was left over was used to replace a generator that blew up with the police department and it left very little money. Chief Reed said he understood the Councilman concern regarding the number of vehicles and he would like to provide a detailed discussion about that. Chief Reed asked Council to understand that some of these vehicles were not purchased with City money, nor or they used on a regular basis. Mr. Smith commented that this is not enough money to buy a patrol car, whether this unit becomes the 5th or part of the 5th unit in the next budget can be addressed when the budget is passed. This money need to go towards a vehicle and Council can then decide whether to buy four (4) or five (5) in the next round.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council voted to adopt the budget ordinance amendment in the amount of \$14,750 for the Police Department.

Councilman Jennings was under the impression the Manager was asking to make this a part of the budget discussion. Mr. Smith stated he was saying this vehicle is required one way or another and can decide when we complete the budget whether we buy four (4) or five (5) additional vehicles. Councilman Jennings said then the alternative would be to approve this budget ordinance and subtract \$14,750 out of the capital request for new cars. Mr. Smith said he would not recommend it, but it is a legitimate discussion.

After more discussion, vote was taken as follows:

Ayes: Councilman Woolard
Councilman Jennings
Councilman Brooks

Nays: Mayor Pro tem Mercer
Councilman Davis

-Motion carried by majority vote.

**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 \$14,750 in the account sale of fixed assets, account number 10-00-3835-8200.

Section 2. That account number 10-10-4310-7400, Police Department portion of the General Fund appropriations budget be increased in the amount of \$14,750 to provide funds for equipment replacement.

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 June, 2008.

s/Judy Jennette

JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

DISCUSSION - SCHOOL BOARD REQUEST

Mr. Smith stated he had email Council a draft letter to the Beaufort County School Board, and in that letter he pointed out that when the PS Jones Middle School was closed and students shifted to the new school, we really didn't have any coordination and planning as to how that would take place. As a consequence, the School Board received less than what they could have for the property. This was a very valuable piece of parcel because of potential use. The City was forced to buy back a portion of the land that was transferred. To avoid similar issues with the upcoming disposition of the property on North Harvey that sits in the middle of the whole 7th Recreation area, green space. Mr. Smith stated all he is suggesting is having some coordination before the School Board disposes of the property and forward this letter to the School Board.

Councilman Woolard asked isn't it part of the agreement that it goes to the County first. He knows that normally the County has to turn it down because it is Beaufort County Property and the County has to decide if they want to keep it or allow the School Board to retain it and then they sell it. Mayor Pro tem Mercer stated Council Woolard has hit it on the head; the Board of Education has to advise the County Commissioners that they have no use for the building and the County Commissioners have to say we want it or don't want it. Mayor Pro tem Mercer suggested our communication should be with the County Commissioners to ask them to accept the building and turn it over to the City. Mr. Smith stated either way his only concern was to have some coordination. Councilman Woolard stated he brought it up so he would know he have to go to the County instead of the School Board. Mr. Smith said we could address the letter to both groups.

Councilman Jennings stated we could write the letter (and it is find) but it seems like a distant way to do business. We have an open dialogue with the County and he suggests contacting the County Manager, tell them our concerns around retaining that property, and see what he recommends. Mayor Jennette said she would mention it to Mr. Spruill but make sure we get it in writing.

AMEND – CHAPTER 9, SECTION 9-132 – LOADING AND SPECIAL PURPOSE ZONES

Mr. Allen Lewis, Public Works Director, stated the City had a request from Turnage Theater to limit parking directly behind the loading dock that opens up to the parking lot across the street from the Beaufort County Courthouse. This request is to take the two parking spots directly behind that loading dock and mark them no parking-loading zone. That way if they ever have a truck that will need to turn and back up to their dock, those two parking spaces will not be unoccupied.

Mayor Pro tem Mercer asked would it be appropriate to mark them no parking from 8:00 am until 5:00 pm. Mr. Lewis stated he would check with them, but his impression is there are times when they get delivery that doesn't automatically correspond with shows but he would assume they would come in between 8:00am 5:00 pm. Mayor Jennette pointed out you will also have to unload; therefore, she don't feel 5:00 pm would be late enough.

Mr. Lewis asked if Council wanted him to change the wording in the ordinance and he bring the action item back in July. Mayor Pro tem Mercer stated he was just suggesting you are removing two parking places after dark and you got a crowd going to the Turnage with some function and you are taking two parking places out, I am suggesting you put a time 8:00 am 6:00 pm or whatever and then anyone coming in after those hours should be gone. Mr. Lewis stated he could change the language making it from 8:00 am 6:00 pm but Mayor Jennette asked him to check with the Turnage first to see if that would be acceptable. Mr. Lewis stated they normally block off about 12 parking places behind the Turnage anyway. Councilman Davis asked if he saw any problems on court dates and Mr. Lewis said he would like defer this to the Police Department but Chief Reed had left the meeting. Mayor Jennette asked him just to talk with the Turnage before he do anything and Councilman Woolard said he could go and talk with them but he didn't think it would matter it is terrible parking down there. Councilman said you will have to do it tonight or some other time. Mayor Jennette asked did this mean he was ready to make a motion and he agreed.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted an ordinance to amend Chapter 9, Section 9-132 – Loading and special purpose zones, to include two parking spaces directly behind the loading dock at the Turnage Theater. Mayor Pro tem Mercer voted no. –Motion carried by majority vote.

**AN ORDINANCE TO AMEND CHAPTER 9,
SECTION 9-132: LOADING AND SPECIAL PURPOSE ZONES,
OF THE WASHINGTON CITY CODE**

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

Section 1. That Chapter 9 Section 9-132 – Loading and special purpose zones, be amended to add the following:

Sec. 9-132 (b)(11) Loading zones.

Two (2) spaces directly behind the loading dock at the Turnage Theater, 150 West Main Street, in the municipal parking lot adjacent to the Turnage Theater.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall become effective September June 10, 2008.

This the 9th day of June 2008.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

**ADOPT – RESOLUTION REQUESTING GRANT ASSISTANCE FROM THE
STATE OF NORTH CAROLINA THROUGH THE NORTH CAROLINA RURAL
ECONOMIC DEVELOPMENT CENTER' PLANNING GRANTS PROGRAM**

Mr. Allen Lewis, Public Work Director, stated as a result of the recent conversation with the Town of Chocowinity regarding their desire to purchase additional capacity in the Washington Regional Wastewater Treatment Plant, it

came to their attention the need to update the Sewer Study that was last done in 2003. Three primary reasons for the update are to determine future sewer areas, (that was discussed last month) a change in the type of disinfection method (the 03 report had ultraviolet we are seriously considering liquid chlorine), and escalating construction costs.

Mr. Lewis stated the grant would assist them in paying for a study. Mayor Jennette if they were encouraged about our ability to get this grant and Mr. Lewis said "yes".

Mayor Pro tem Mercer asked if they were actively considering liquid chlorine versus UV. Mr. Lewis stated that is one of the things they are considering. Mayor Pro tem Mercer asked them to be real cautious about going back to the use of liquid chlorine because of the safety hazards and Mr. Lewis stated they were talking about liquid chlorine and not gaseous chlorine. Mayor Pro tem Mercer said he understood but liquid chlorine will become gaseous as you release the pressure. Mr. Waters stated currently we are using gaseous chlorine. Originally they had looked at possibly changing over to UV to get away from the gas. They discovered some issues with UV, the inconsistency of its ability to disinfect the waste water and so they were looking at another option, that being called liquid chlorine but it is actually sodium hypochlorite bleach. Mr. Waters stated it is anywhere from a 12% to 7 % solution. Mayor Pro tem Mercer stated anything 8% to 12% sodium hypochlorite if you hit it with hot material, the chlorine will vaporize and you could have a significant problem on your hand. Mr. Waters stated as they are looking at this, they are looking at the safety concerns and what is the best option and currently they are looking at that as being the best option, both financially and from a safety standpoint. Mr. Waters said they should not have any heated material down at the Waste Treatment Plant to cause the vapors that he is speaking of, but they will look into it.

Councilman Jennings asked the time line on all of this. He understands that Chocowinity request puts us at near 79% and triggers the need for a study. Mr. Water stated "yes". Councilman Jennings wanted to know would we award the capacity prior to hearing about this grant or would we wait and hear about this grant then do the study and award the capacity. Mr. Lewis stated they are still in negotiation with Chocowinity as far as crossing t's and dotting i's. Councilman Jennings – would there be any information in this study that will help us with the negotiation. Mr. Water stated when they reach 80% in the wastewater plant they would have to be actively in the design phase to increase our capacity. This study will help us in the future to set cost for a group like Chocowinity as to how much the capacity is going to cost in the plant. Councilman Jennings will that happen before we try to deal with Chocowinity because we are quite a few dollars apart (what they think is fair and what we think is fair). Mr. Smith and Mr. Lewis stated they are closer than what they were. Councilman Jennings asked when this happen because he received a call last week. Mr. Smith asked Council to refer to the letter that is on the table tonight.

Mayor Pro tem Mercer we really need to study to see what we are going to design for. Councilman Woolard said going back to Mayor Pro tem Mercer concern, are there any other Waste Treatment Plants that are using the liquid chlorine you are looking into. Mr. Waters stated there are some that use hypochlorite and probably equal amount that use the gaseous chlorine (chlorine that comes in compressed cylinders) however, there is a tremendous danger there and that is why they continually look at other alternatives. Mr. Smith stated any chemical can be dangerous as Mayor Pro tem Mercer points out but the liquid chlorine is much safer than the gaseous chlorine. Mr. Smith stated the study would continue to look at UV, nuclear, ozone (etc.); the bottom line is we need to get away from gaseous chlorine. Mr. Lewis stated the operating cost will be higher than what we are doing today, but it will be considerably safer than the gaseous, at the same time we are able to maintain the control over the

disinfection process that we have today with gaseous; whereas, with UV it's not finite control. Mr. Waters stated there had been several Treatment Plants that had fines because they were unable to properly disinfect their water using UV. Following more discussion:

As part of the Rural Center's requirements for grant eligibility, the attached "Getting to success with your consulting engineer" was discussed as well. The Manager and Mr. Lewis attended a workshop in October of 2007 which covered this subject.

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously adopted a resolution requesting grant assistance from the State of North Carolina through the North Carolina Rural Economic Development Center Planning Grants Program.

Mayor Pro tem Mercer stated he has no problem in applying for a grant, but he would like to see the application before they are mailed. Mr. Lewis stated this will not be a problem because part of the application process involves obtaining official minutes from this meeting which will be approved July 14th.

AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT

WHEREAS, In the summer of 2007, the North Carolina General Assembly included a \$100,000,000 appropriation to the North Carolina Rural Economic Development Center in the FY 2007-2009 state budget, for the purpose of making grants to rural communities in need of water and wastewater infrastructure improvements; and

WHEREAS, The City of Washington has need for and intends to construct or improvements to its municipal wastewater system, project described as Sewer Study Phase III-B; and

WHEREAS, The City of Washington intends to request grant assistance from the Planning Grants Program for the project;

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

The City of Washington will arrange financing for all remaining costs of the project, if approved for a grant.

That Judy Jennette, Mayor, and successors so titled, is hereby authorized to execute and file an application on behalf of City of Washington with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Judy Jennette, Mayor, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That City of Washington substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 9th day of June, 2008 in the City of Washington, North Carolina.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

**APPROVE – LETTER OF CREDIT BETWEEN NORTHGATE DEVELOPMENT,
LLC AND THE CITY OF WASHINGTON**

Franz Holscher, City Attorney, stated he was satisfied with the recommendation and this also includes the other three items listed in the recommendation.

On motion of Mayor Pro tem Mercer, seconded by Councilman Brooks, Council unanimously approved and accept the \$250,000 Letter of Credit from First South Bank to serve as collateral and security for the payment of sums due from Northgate Development, LLC to the City of Washington, to authorize the Mayor to execute any subordination required by First South Bank in conjunction with said Letter of Credit, authorize the execution of releases for the remaining lots in Northgate Subdivision and authorize such action as is necessary to void Escrow Agreement between the parties dated February 6, 2008.

**AMEND – BUILDING AND REUSE AND RESTORATION GRANT FOR THE
TURNAGE THEATERS FOUNDATION, INC.**

Mr. Roberson stated the City went to the Rural Center and filed an application on behalf of the Turnage Theatre. The City is actually the conduit for the grant. Mr. Roberson stated if in fact they don't do what they say in the grant, the City will be held accountable. They are supposed to generate the amount of jobs as seen on the attachment of the letter, that they want to reduce the scope of the grant from \$100,000 to \$40,000. This is a job creation application through the Rural Center. Mr. Roberson stated in essence, the \$40,000 will cover the Executive director, Technical director, Box office manager, and Administrative assistant to the Director. Mr. Roberson stated we will be amending the Turnage Theater application and send a letter to the Rural Center with the amendment.

Mayor Jennette asked if they had received the \$100,000 and Mr. Roberson said "no".

On motion of Councilman Woolard, seconded by Councilman Brooks, Council unanimously accepted the recommendation of the Turnage Theaters Foundation, Inc. and amended their application under The Rural Center Building Reuses and Restoration Grant Program to reflect four (4) full time salary positions and remove the (10) positions originally submitted in the application.

***NOTE: Copy of letter in folder**

**AUTHORIZE – PUBLIC NOTICE OF THE CITY INTENT TO AUTHORIZE A
LEASE AND ADOPT A RESOLUTION AUTHORIZING A LEASE AGREEMENT**

Mr. Smith stated he would like to call Council attention to this description. There are two parcels involved, one in which the City has owned since the 1940's and the other the City acquired recently for clearing the trees for the approach zone.

Mr. Meredith owns an abutting property and has some horses and has observed since the land has been cleared, that if more clearing could be done, he could turn it into useable pasture land for horses. If Mr. Meredith agrees to keep the land clear, and agrees to the reversion clause if needed, it would seem to be a benefit to the City to have him take care of it instead of the City. Mr.

Smith stated the standard is we have to announce to the public that we are planning to lease this property. Councilman Jennings asked if this is the property we just acquired. Mr. Smith stated nineteen is the parcel we just acquired.

Councilman Jennings asked if we have a dispute with Mr. Meredith over the value of the air above the property that the FAA requires us to have. As we are resolving that dispute via litigation, we are being asked to enter a ten (10) year lease for a \$1.00 per year. Mr. Smith stated we have to look at this as a business deal, he realizes we are dealing with the same person, in one case we are taking land, and then we have a parcel of land that we will have to go in and maintain it. However, we are also notifying the public through an ad in the papers if someone else would like to come in and maintain it for us (using it for grazing) that would be ok too. Mr. Smith stated it would be to the City's advantage to have the land taken care of. Councilman Jennings stated he did not have a problem with that concept at all, but he thinks it should be a part of the overall understanding around the entire piece of property.

Mr. Smith stated in the process tonight, all Council would be authorizing is to advertise that we will lease this piece of land and any lease will come back to Council in July. Mr. Holscher stated he understands Mr. Smith is anxious to have this because it is thirty three acres of property that the City will not have to maintain. Mr. Holscher asked between now and July did Council want him to draw up the lease. Councilman Woolard stated we could not have a lease until after it is advertised. Mr. Holscher stated you will have a public notice run in the newspaper ten (10) days before the next meeting, in order to pass the resolution to enter a lease; you would want to have that lease in front of you. Mayor Jennette inquired how long it would take the litigation to be resolved and Mr. Holscher stated about a year. Councilman Woolard stated he was pretty sure Mr. Lewis would not want to maintain it. Councilman Jennings stated he was not going to vote for someone suing the City for a \$1.00 a year lease or the City suing them. Councilman Jennings stated plus this is a piece of property we acquired otherwise from Mr. Samuel Moore.

On motion of Councilman Davis, seconded by Councilman Woolard, Council adopted a resolution of intent to lease or rent real property and advertise this intent to all parties for a period of ten (10 days). Councilman Jennings voted no. –Motion carried by majority vote.

Councilman Jennings stated he did not have a problem with advertising.

Resolution of Intent to Lease or Rent Property

WHEREAS, the City Council of the City of Washington has determined that the (real) property of the City described below will not be needed by the City for ten years; that 19.87 acre parcel along with that 13.5 parcel shown on exhibit A; and

WHEREAS, the City Council desires to lease or rent the real property of the City described above; and

WHEREAS, the City Council intends to consider authorizing such lease or rental at its regular meeting held on the 14 day of July, 2008.

NOW, THEREFORE, BE IT RESOVED by the City Council of the City of Washington that:

1. The Acting City Clerk shall cause to be published at least 10 days prior to July 14th, 2008, a notice as required by G.S. 160A-272.
2. At its regular meeting on the 14 day of July, 2008 the City Council intends to authorize the lease or rental of the real property of the City of Washington describe above.

Adopted this 14 day of July 2008,

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

Public Notice

The public will take notice that the City Council of the City of Washington will, at its regular meeting to be held at 4:30 p.m. on the 14 day of July, 2008 consider a resolution authorizing the lease or rental of the real property of the City of Washington described below.

Those certain tracts or parcels of land lying and being in the City of Washington, Beaufort County, North Carolina, more particularly described as follows:

Tract 1: BEING all of that 19.87 acres, more or less, as shown on that survey for the City of Washington Warren Field Airport Land Acquisition Map dated November 21, 2006 by Waters Surveying, Inc. of record in Plat Cabinet H, Slide 3-6, Beaufort County Registry to which reference is herein made for a more complete and adequate description.

Tract 2: BEGINNING at a point, said point being located in the northeasterly right-of-way line of Springs Road and said point being a common point in the line dividing property owned by the City of Washington and Lot Number 3 as shown on that certain survey of Samuel T. Moore, Jr. and Elizabeth Ann Moore recorded in Plat Cabinet G, Slide 97-2 of the Beaufort County Registry thence leaving the northeastern right of way line of Springs Road and then north 33 degrees 24 minutes and 07 seconds east approximately 96.85 feet to a point located in an old road bed said point being a common corner between Lots 3 and 10 shown on the survey above referred to and continuing thence north 33 degrees 24 minutes and 07 seconds east 166.00 feet to a point thence north 54 degrees 00 minutes 00 seconds west 146.00 feet to a point thence north 18 degrees 30 minutes 10 seconds east 121.18 feet to a point thence north 18 degrees 30 minutes 10 seconds east 698.93 feet to a point thence north 75 degrees 06 minutes 22 seconds west 472.44 feet to a point thence continuing north 75 degrees 06 minutes 22 seconds west 21.14 feet to a point said point being in the line of that certain easement that was condemned by the City of Washington in that certain condemnation proceeding filed in the Beaufort County Clerk of Superior Court's Office and bearing the number 08-CVS-105 thence with the line of said easement as described in the above referenced proceeding south 31 degrees 37 minutes 29 seconds west 520.06 feet to a point continuing thence with the line dividing the property between the City of Washington and the land now or formerly owned by Anne F. Meredith to a point in the northwestern right-of-way line of Springs Road thence with the northwestern and northeastern right-of-way lines of Springs Road on a curve to a point the said point of beginning above referred to. Reference is herein made to various maps recorded in the Beaufort County Registry in Plat Cabinet G, Slide 97-2 and Book 1626 Page 454 in the Beaufort County Registry.

The intent by the City is that lessor shall keep and maintain all vegetation on the property below FAA airport landing zone height requirements.

Interested parties shall specify proposed terms of a lease in writing to the Acting City Clerk by June 30, 2008. Minimum rental fee not less than \$130.00

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

ADOPT – RESOLUTION – RAIN GAGE

Mayor Jennette stated this was added to the packet tonight and she had emailed the information for the US Geological Survey. They have a flood gage here in Washington and Congress is apparently withdrawing the funding for this, it amounts to about \$26,000 a year. This could seriously impede their ability to gage how much flooding we are going to get during hurricanes or others large rain events. Mayor Jennette felt it is important for Council to send a resolution to our Congressman and Senator's in Washington DC and let them know we feel strongly about keeping it here. Mayo Jennette stated she saw Mr. Danny Mallison and told him about this and he said he would do his best to help us keep this and relay it to Mr. G.K. Butterfield. We will also send a copy to the County and ask them to do the same.

Mayor Pro tem Mercer suggested determining if there is a gaging station in Tarboro and changing the resolution to state the one at Washington and other points on the Pamlico River.

On motion of Councilman Mayor Pro tem Mercer, seconded by Councilman Woolard, Council unanimously adopted the Rain Gage Resolution.

**Resolution Seeking the support of the City's US
Congressional Delegation to Preserve the River Gage on the
Pamlico River at Washington and upstream on the Tar River**

WHEREAS, the City has been notified by the US Geological Survey that the River Gage located on the Pamlico River and upstream on the Tar River at Washington will be discontinued due to lack of funds on June 30, 2008; and

WHEREAS, the discontinuance of the Rain Gage will have a major impact on National Weather Service flood warning capabilities; and

WHEREAS, such flood warnings are critical for public safety, not only for the City of Washington, but for all the communities along the Pamlico and Tar Rivers; and

WHEREAS, the National Weather Service, based upon historic events and future projection models, predicts that the Pamlico/Tar River basin will be subject on average to two tropical systems in each annual hurricane season; and

WHEREAS, the absence of real time river gage data will seriously hamper the National Weather Service as well as emergency response agencies such as the US Coast Guard , FEMA, and the North Carolina Office of Emergency Management to protect lives and property.

NOW, THEREFORE, BE IT RESOVED that the City Council of the City of Washington does hereby most earnestly petition and request that US Congress members G. K. Butterfield and Walter B. Jones and US Senators Elizabeth Dole and Richard Burr seek to assure that funding remains in place for the Pamlico/Tar River Gage.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Reatha B. Johnson
REATHA B. JOHNSON
ACTING CITY CLERK

**CLOSED SESSION - UNDER G.S. 143-318.11 (a)(3) ATTORNEY/CLIENT
PRIVILEGE AND G.S. 143-318.11 (a)(6) PERSONNEL**

On motion of Councilman Woolard, seconded by Councilman Jennings, Council unanimously agreed to go into closed session under G.S. 143-318.11(a)(3) Attorney/Client and (6) Personnel.

On motion of Councilman Woolard, seconded by Councilman Davis, Council unanimously agreed to come out of closed session.

AWARD – RIGHT FLIGHT FUNDS (\$5,000)

Councilman Jennings stated he wanted to place before Council an opportunity to commit \$5,000 in the coming budget to the Right Flight budget. Councilman Jennings stated Right Flight is a program for 5th graders when they make a commitment to improve their grades on a set goal and also study an aviation history course. If they complete both components, they are rewarded with a chance to fly a plane. Every 5th grader in Dare County goes through this program and it is funded by the Municipality contributing \$5,000 each. This year we had it in one class and the current plan is to extend it to six with the hopes of getting to every 5th grader. Councilman Jennings suggested if we are a leader in contributing \$5,000, we can go to the municipalities in Chocowinity, Aurora, Bath, Belhaven and ask them to follow suite and maybe we can get the County to follow as well. Councilman Jennings added as one last note, this year he a young man on his baseball team that participated in this program, and raised his grade in Math from a 67 to an 88 and along the way his attitude changed.

Councilman Woolard asked how they will choose the classes. The Principal asked for volunteers and she only had one teacher to volunteer this past year and upon seeing the results, five of her peers have asked to be included in the program.

On motion of Councilman Jennings, seconded by Councilman Woolard, Council unanimously voted to find \$5,000 in the coming year's budget to include in the Right Flight Program.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

**ANY OTHER BUSINESS FROM THE MAYOR OR OTHER MEMBERS OF
COUNCIL**

Mayor Jennette stated she would like to make Council aware of the young man who cut fur balls off a cat and one of his friend's videoed and put it on YouTube. We had received hundreds of emails from PETA, but the DA decided not to prosecute.

Mayor Jennette requested Reatha Johnson, Acting City Clerk, to type up the Proposed Budgets List received from Mayor Pro tem Mercer and have ready

on June 16, 2008 for the next budget session. Council will also receive the information on the 401-K at this time.

On motion of Councilman Davis, seconded by Councilman Woolard, Council unanimously adjourned the meeting at 8:40 pm, until Monday, June 16, 2008 at 4:30 p.m. in the Council Chambers at the Municipal Building.

**Reatha B. Johnson
Acting City Clerk**