
The Washington City Council met in a regular session on Monday, November 9, 2009 at 4:30 p.m. in the City Council Chambers at the Municipal Building. Present were: Judy Jennette, Mayor; Doug Mercer, Mayor Pro tem; Richard Brooks, Councilman; Archie Jennings, Councilman; Gil Davis, Councilman; Darwin Woolard, Councilman; Jim Smith, City Manager; Cynthia Bennett, City Clerk; and Franz Holscher, City Attorney.

Also present were: Anita Radcliffe, Accounting Manager; Robbie Rose, Acting Fire Chief; Allen Lewis, Public Works Director; Gloria Moore, Library Director; John Rodman, Acting Planning Director; Keith Hardt, Electric Director; Philip Mobley, Parks & Recreation Director; Mick Reed, Police Chief; Ray Midgett, Information Technology Director; Mike Voss, of the Washington Daily News.

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

Mayor Jennette congratulated Council-elect members Ed Moultrie, Bobby Roberson and William Pitt on the recent election. She further congratulated Gil Davis and Doug Mercer on being re-elected and Archie Jennings on being elected Mayor.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennette added the following items: Scheduled Public Appearances-Master Gardeners-Beaufort County Community Garden; Old Business #9 Cannon Stabilization. Mayor Pro tem Mercer requested Consent Agenda Item A: Budget ordinance amendment to appropriate Dog Park Revenue and Fund Balance for Dog Park Improvements be moved to item #10 under Old Business. Appointments to the Human Relations Council and Tourism Development Authority were continued until December. It was also requested to continue the Purchase of a Tree Truck from Altec through a piggy-back of government contract (\$140,219).

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

APPROVAL OF MINUTES

By motion of Mayor Pro tem Mercer, seconded by Councilman Woolard, Council unanimously approved the minutes from October 12, 2009 as presented.

APPROVAL OF CONSENT AGENDA

By motion of Mayor Pro tem Mercer, seconded by Councilman Jennings, Council unanimously approved the consent agenda as amended.

- A. (Item moved to VI.A. 10) Adopt – Budget ordinance amendment to appropriate Dog Park Revenue and Fund Balance for Dog Park Improvements
- B. Approve – Budget amendment for City of Washington CDBG 6th & 7th Street Revitalization Project.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010

Section 1. That the Acquisitions-CDBG portion of the CDBG 6th and 7th Street Revitalization project be decreased in the amount of \$15,000, account number 54-60-4930-7101.

Section 2. That the Water Improvements portion of the CDBG 6th and 7th Street Revitalization project be decreased in the amount of \$20,000, account number 54-60-4930-7300.

Section 3. That the Sewer Improvements portion of the CDBG 6th and 7th Street Revitalization project be decreased in the amount of \$20,000, account number 54-60-4930-7301.

Section 4. That the Rehabilitation portion of the CDBG 6th and 7th Street Revitalization project be increased in the amount of \$35,000, account number 54-60-4930-4500.

Section 5. That the Relocation Assistance portion of the CDBG 6th and 7th Street Revitalization project be increased in the amount of \$20,000, account number 54-60-4930-4503.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall become effective upon its adoption.

Adopted this the 9th day of November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

MR. TIM WARE – MID-EAST COMMISSION UPDATE

Mr. Tim Ware, Executive Director, Mid-East Commission reviewed the various programs administered by the Mid-East Commission and the financial involvement with Washington. Mr. Ware thanked the present Council and congratulated the Council-elect on their accomplishments.

FINANCIAL INVOLVEMENT OF THE MID-EAST COMMISSION WITH WASHINGTON

	2008/2009 PARTICIPANTS	REVENUE
AREA AGENCY ON AGING Home and Community Care Block Grant (In-Home Aid, Adult day Care, Congregate Meals, Home Delivered Meals, Transportation, Volunteer Development, Information and assistance)	181	\$232,750
WORKFORCE DEVELOPMENT Adult, Youth, Title-V (Senior Emp)	144	\$801,883
PLANNING, COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT Rural Transportation Planning (RPO)		\$ 36,000
CDBG-ED -Flanders		\$336,000
Rural Center -Flanders		\$500,000
TOTAL	325	\$872,000
GRAND TOTAL: \$1,906,633		
DUES: \$ 2,583		
RATIO: \$ 738 in Revenue TO \$1 in Dues REVENUE		

MR. ROBERT WILLIAMS – REVISED ENERGY CONSERVATION PROPOSAL

Jim Smith, City Manager stated we have met with the State Energy Office and it was recommended we reduce the project so it would fit within the LCG guidelines of the annual 2-3% annual increase of electricity and try to fit it in within a 15 year payback period. The project has been reduced to replace lighting in eight buildings as well as replacing plumbing fixtures in the Municipal Building. Robert Williams, TAC/Schneider Electric presented the financial structure to Council for their review and comments. Mayor Pro tem Mercer noted that even though the project was drastically reduced, the lengthy payback is not very attractive. Councilman Jennings asked if the 17 year

payback stands alone or is it based on the 3% wholesale rate. Mayor Pro tem Mercer stated it appears Progress Energy will ask for a rate reduction in June and NCEMPA doesn't anticipate a rate increase for five years. If this occurs, the payback length would be much longer. Council suggested Mr. Williams meet back with the City Manager in approximately six months to determine what route needs to be taken.

Bobby Roberson approached Council and suggested they look at the Main Street Program to leverage funds for such projects. Bianca Gentile noted she is aware of this and we are eligible for the 2nd round of funding, but this is for businesses and non-profits and not for municipalities.

TANYA WEYHRAUCH, NC COOPERATIVE EXTENSION BEAUFORT COUNTY COMMUNITY GARDEN

Tanya Weyhrauch, Extension Agent-Horticulture updated Council on the Community Garden program. The Master Gardeners won an award at the state level in community service for 354 volunteer hours for this project. Ms. Weyhrauch stated there were 143 people signed up to garden at the Community Garden. The Public Works department donated at least 13 truckloads of wood chips for the garden; this prevented them from going into the landfill. There were seventy-six 3rd graders that participated in the Kids in the Garden program this summer. Based on an e-mail survey of current gardeners based on the 1st year, 85% of gardeners consumed the recommended 2 ½ cups of vegetables per day after joining the community garden. So far 15 of the 49 original plots have been resigned for the next growing season.

Susan Zachary stated she was one of the people who rented a space at the community garden and this was a wonderful idea. This has provided not only food, but exercise and friendship. The Master Gardeners & Community Garden program received a round of applause for their success with this project.

ECONOMIC DEVELOPMENT COMMISSION

Councilman Jennings noted that he and Mayor Pro tem Mercer attended the last EDC meeting that focused around the Fountain Power Boats situation, if Council members are approached please let him know. He also stated everyone was excited about the Citizens for Revitalization plan. Mayor Pro tem Mercer noted the possibility of a wood chip plant being located near Aurora was slipping away, but there is a possibility that this could be located on the north side of the river near Pantego. Mayor Jennette reiterated that communication with the Mayor is very important and Mayor-elect Jennings deserves the Council's communication.

TOURISM DEVELOPMENT AUTHORITY

Lynn Lewis, Tourism Director presented an updated project sheet to Council. One of the main points is the launching of the new Tourism website that will go live next week. A date has been set for December 1, 2009 at 5:30pm at the Civic Center for the information session with NCDOT to discuss the signage program for the bypass. Several billboard companies will be represented at this meeting as well.

HUMAN RELATIONS COUNCIL

Mayor Jennette stated the Human Relations Council is working with the Arts Council to have a Latino art exhibit at some time in the near future. The HRC is also planning on a food fair sometime in the spring.

DOWNTOWN WASHINGTON ON THE WATERFRONT

Beth Byrd thanked Allen Pittman, John Rodman, and Bianca Gentile for their assistance in preparing the North Carolina Main Street Statistical Summary. DWOW would like to acknowledge Lynn Lewis for her efforts in making Smoke on the Water a success. Her leadership was a key component in the event being successful. Ms. Byrd reported on the close of another successful Saturday Market. Upcoming events: Thursday, November 19th from 6-9pm will be the first Art Walk for the downtown area. Several merchants will be open later hours for this event and encourages everyone to come out and participate. This is the beginning of DWOW's efforts to make Thursday night a new night to come downtown. The 2009 Christmas Flotilla will be December 5th.

CITIZENS FOR REVITALIZATION

Chris Furlough thanked Council for their support for the recent Washington Waterfront Revitalization and Implementation Strategy. The C4R has met and has established at least seven points that can be first phase goals that are consistent with the implementation strategy.

1. Adopt Resolution to formally Establish Washington Harbor District as a branding strategy – a suggested boundary could go from Hwy 17 to 3rd Street, encompass both sides of 3rd Street, down to Bonner, come back south down Bonner to Water Street, turn East down Water Street taking in both sides of Water Street to the trestle. This encompasses the Central Business District.
2. Consider making Main Street and Second Street two way.
3. Aligning Stewart Parkway with Gladden Street.
4. Public Restrooms – West end of Parkway
5. Remove tree at end of Market Street by Chamber and restore plantings at the garden clubs cost.
6. Park and venue area to be implemented into the design phase
7. Bring National Development Council to assist with grants

Council members discussed the “Harbor District”. Chris Furlough noted the “Harbor District” is just a branding district that will not have any special zoning restrictions, it is just a branding opportunity or name. Mayor Pro tem Mercer noted this was a concept that would allow Council the flexibility to modify and clarify. Council needs to determine the amount of money we have available to dedicate to this project. John Rodman is the City contact and liaison for this project.

WARREN FIELD AIRPORT

Jim Smith, City Manager noted the fencing has been completed at the Airport and the entire perimeter now has new fencing. We will implement the self-service fueling project hopefully later this month the project can begin. There are still some trees on the NW side of the main runway that need to be cleared as well as some smaller trees along runway 35. After the trees are cleared the new instrument approach system can be installed. The men’s restroom fixtures have been replaced as well as all the furniture in the lobby. There is also a new plane now at the airport.

HAVEN’S GARDEN REPORT

Philip Mobley, Parks and Recreation Director distributed photos of the new portion of the pedestrian walkway that was recently installed under the Runyon Creek Bridge. He recently had a conversation with the NC Wildlife Commission to try to get assistance from them on the boat ramp side of the pedestrian walkway. Councilman Jennings inquired of the plans that NC Wildlife has for the boat ramp area. Mr. Mobley noted NC Wildlife has plans to remove the current boat ramp and replace it with a new ramp. Conversations have been held with the owners of Backwater Jacks to meet with them to review the preliminary plans for that area.

HARBOR MANAGEMENT REPORT

Nothing to report at this time.

FINANCIAL REPORTS –GENERAL-ENTERPRISE FUNDS

No comments at this time.

ADOPT –RESOLUTION TO DESIGNATE AGENT FOR HAZARD MITIGATION APPLICATION (HMA) – OLD HEALTH DEPARTMENT PROJECT

Bianca Gentile, Special Projects noted the acquisition and demolition of flood-prone structures is among the most effective strategies for reducing the impact disasters have on communities, people and property. Due to the State's increased commitment to hazard mitigation funding through FEMA, the State has maximized its opportunity to build its long-term capability in assisting local communities to become more sustainable and disaster resistant. The Old Health Department Building is located in the Special Flood Hazard Area, along the Jack’s Creek Tributary, in a low lying area. These features make it especially vulnerable to the threat of natural disasters. This

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title City of Washington City Council	Name Cynthia Bennett
Name and Title	Official Position City Clerk
Name and Title	Daytime Telephone 252.975.9318
CERTIFICATION	
I, <u>Cynthia Bennett</u> (Name) duly appointed and <u>City Clerk</u> (Title) of the Governing Body do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of <u>The City of Washington</u> (Organization) on the <u>9th</u> day <u>November, 20</u>	
Date: <u>November 9, 2009</u>	Signature: <u>Cynthia S. Bennett</u>

Rev. 03/04

ADOPT – RESOLUTION TO SUPPORT WASHINGTON/GREENVILLE GREENWAY PLANNING ACTIVITIES

Bianca Gentile, Special Projects noted the NCDOT recognizes this greenway project as a Transportation Improvement Project for FY2010, creating access to funding to engage in greenway planning activities. Per Council’s request, an Ad Hoc committee was formed through the planning board to review the “greenway trail ordinance”. Recommendations from the committee may not be available at the November Council meeting. However, a “greenway trail ordinance” is not a pre-requisite for an NCDOT planning grant. The deadline to submit an application to NCDOT, Bike and Planning Grant Initiative is December 4th, 2009. NCDOT requires municipalities support applications through the adoption of resolutions. The City of Washington is eligible to request up to \$35,000 with a 20% match required. The City of Greenville is considering the same Resolution at their meeting as well. The NCDOT has moved this project to the top of the Transportation Improvement Project for FY2010. East Carolina University has a Cartography class and two students that have agreed to do the preliminary mapping portion of this project for us. NCDOT suggest that each municipality submit their own application and hopefully the projects would be funded jointly. Councilman Jennings asked if we received the funding, when would there be a “Greenway”. Ms. Gentile noted that once the Greenway plan is complete the project can be eligible for up to \$200,000 a year for three years for the Greenway construction. The Rural Planning Organization has designated the Washington-Greenville Greenway as the top priority project for the regional level once the Greenway plan is complete, thus the reason for the eligibility for funding. The deadline for submission is December 4, 2009, so we should be notified either in March or May 2010.

By motion of Councilman Woolard, seconded by Councilman Davis, Council adopted the “RESOLUTION TO SUPPORT WASHINGTON-GREENVILLE GREENWAY PLANNING ACTIVITIES”.

RESOLUTION TO SUPPORT WASHINGTON-GREENVILLE GREENWAY PLANNING ACTIVITIES

WHEREAS, there is an intent of Washington/Greenville Greenway Committee to develop a greenway system between the City of Washington, the City of Greenville, the Town of Chocowinity and the Cypress Landing neighborhood;

WHEREAS, the City of Washington would like to request financial assistance from the North Carolina Department of Transportation to develop a comprehensive greenway plan;

WHEREAS, the North Carolina Department of Transportation recommends local governing bodies support development projects within their jurisdiction;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD THAT:

Section 1. The Governing Board hereby supports the planning process to guide the Greenway Trails system between said jurisdictions along with the implementation of said greenway.

Section 2. This Resolution shall become effective upon November 9, 2009

Adopted this the 9th day of September, 2009

s/Cynthia S. Bennett,
City Clerk

s/Judy M. Jennette,
Mayor

Council convened for a break at 5:55pm and reconvened at 6:00pm

ADOPT – RESOLUTION THAT DESIGNATES MINIMUM GENERAL FUND BALANCE AND A RESERVE TO PROVIDE FUNDS FOR DISASTER RECOVERY

Jim Smith, City Manager stated the Local Government Commission recommends that municipalities maintain a minimum of two months operating expenses in undesignated and unreserved General Fund Balance. Mr. Smith stated this is not a new allocation, but only a formalization of designating the fund balance for this particular purpose. Washington is in a hurricane prone region. A \$2,000,000 reserve should be maintained in the General Fund Balance to provide funds to restore operations until Federal and State relief funds are received in the event of a natural disaster.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council adopted a resolution that designates minimum General Fund Balance and a reserve to provide for disaster recovery.

RESOLUTION TO ADOPT GENERAL FUND BALANCE POLICY

WHEREAS, there is an intent of the City of Washington to adopt a General Fund Balance Policy as per the Local Government Commission's recommendation;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD THAT:

Section 1: The Governing Board hereby recognizes that the unreserved/undesignated General Fund Balance exceeds the two month operating reserve recommendation provided by the Local Government Commission for similar sized public bodies by an additional \$2,000,000 for natural disaster recovery.

Section 2: That excess funds are not restricted for a specific purpose and are available for general appropriation.

Section 3: The Governing Board may use the unreserved fund balance in the absence or delay of federal and/or state assistance during emergency situations, such as those that may arise as a result of the City's susceptibility to environmental hazards, such as hurricanes and floods, and Washington's CAMA designation.

Section 4: This Resolution shall become effective upon November 9, 2009.

Adopted this 9th day of November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

DISCUSSION – MEMO - WATER AND SEWER CUSTOMERS USING LESS THAN MINIMUM USAGE

Allen Lewis, Public Works Director stated that for billing purposes, the minimum usage is 250 cubic feet per month or 1,780 gallons. Customers are billed the minimum amount of \$14,71 for water and \$18,60 for sewer, unless they exceed the 250 cubic feet minimum.

WATER/SEWER CUSTOMERS USING LESS THAN MIN. (250C.F./MO.)

Based on customer data for July, August and September 2009

WATER

Avg. no. of customers/month using less than minimum:	1655
Avg. use:	112
Current revenue:	\$ 24,340.15
Revenue without a minimum charge:	<u>\$ 16,543.42</u>
Difference:	\$ 7,796.73

Annual loss in revenue: \$ 93,560.72

SEWER

Avg. no. of customers/month using less than minimum:	1602
Avg. use:	115
Current revenue:	\$ 29,797.20
Revenue without a minimum charge:	<u>\$ 20,449.14</u>
Difference:	\$ 9,348.06

Annual loss in revenue: \$112,176.73

TOTAL ANNUAL LOSS IN REVENUE: \$205,737.46

Council agreed to discuss this item further during the budget sessions and at that time determine using a minimum amount charge or "pay as you go" charge.

DISCUSSION – MEMO – SEWER IMPROVEMENTS ALONG PENNSYLVANIA AVENUE

Allen Lewis, Public Works Director stated that as you may recall from previous Council meetings, we are in the process of making sewer improvements along Pennsylvania Avenue between James Drive and Havens Street. The project is 25% complete and is planned to be finished by January 2010. GS 159-15 authorizes the City Manager to make adjustments between line items within the same funds and report the change to the City Council at its next regular meeting.

Due to change orders as a result of conditions in the field, we need to reallocate \$740 from the contingency line item of this project into the construction line item. Basically, 100 linear feet of forces main replacement was added to the project to allow for easier installation of a new manhole. This will leave the contingency line item a balance of \$26,455. No action is required by Council on this item.

DISCUSSION – MEMO - SSES PHASE II, SEWER STUDY PHASE III-A AND SEWER RATE STUDY

Allen Lewis, Public Works Director stated at the October 12, 2009 Council meeting, he was asked to provide some figures for various engineering studies for the water and sewer funds. A synopsis of each study and the cost associated with each.

At the above mentioned meeting, the Sanitary Sewer Evaluation Survey (SSES), Phase I for the Runyon Creek outfall collection system was presented. The next step to implementing rehabilitation in the needed areas identified in this study is to conduct a Phase II SSES which includes cleaning of pipelines and inspection with closed circuit video cameras. This effort will attempt to further pinpoint exact repairs required. As provided earlier, the estimate for the Phase II cleaning and TV inspection is \$20,000 based on 3,200 LF of main. The remaining 600 LF is recommended for replacement. The engineering budget to prepare bidding documents for the clean & TV services, assist the by City receiving bids for those services, make award recommendation, review inspection tapes and prepare a Phase II SSES Report with updated rehabilitation recommendations is \$25,000. Typically it is recommended that inspection services are also provided during the TV field operations. The budget for this service is \$12,000. The

total budget for a Phase II SSES, including clean and TV, and engineering services is \$57,000.

The Sewer Study Phase III-A will update the last study which was completed in January of 2003. This study will provide a comprehensive evaluation of the City's current sewer infrastructure situation, excluding addressing modifications and upgrades to the existing wastewater treatment plant. An evaluation to address and update modifications and upgrades to the existing wastewater treatment plant will be included in the scope of a separate study. To minimize the cost to the City, significant input and data collection by the City Planning and Public Works Departments will be required. Future service areas east of Washington will include: Sherwood Forest, Pamlico Village, Brick Kiln I Honey Pod Road, Washington Park, areas east of Washington Park (Griffins Beach, Carver Machine Works, already under construction and other development along River Road). Areas west of Washington considered will be: Tranters Creek Estates, Flanders Filters Road/Shad Bend area, Rosedale, Beaufort Heights, Whispering Pines Road, West 15th Street, US 17, Tarheel Drive, Maple Branch and Arbor Bluff. To the south, in addition to Chocowinity's needs, the following areas will be reviewed: Beaufort Pointe, Twin Lakes Campground, Fountain Powerboats, existing Whichard's Beach Road residents as well as potential growth. Finally, areas north of town that can possibly be served by the existing sewer force main along Market Street Extension that currently serves the River Birch development will be reviewed. Current sewer flows and projections for 10 and 20 years will be considered. This will include evaluating sewer flow projections, based upon population and growth data provided by the City. Also included will be updating, re-examining and cost estimates for improvements identified from previous studies including force mains and pump station upgrades. System drawings will be completed to illustrate the outcome of the Study. Improvements will be discussed with City public works staff to prioritize the work based upon current and projected needs. This information can be used to update the Capital Improvement Plan. This study is proposed to be performed on an hourly basis, not to exceed \$100,000.

The Water and Sewer Rate Study will include meetings with City officials to determine the goals and objectives of the study. While slightly more complex than simply "covering the cost", it extends into creating a priority ranking of various criteria that the stakeholders determine to be important in how the budget matters and user consumption are evaluated and the resulting calculated system of user charges. Existing customer data will be considered along with potential growth and future capital needs. Design rate methodology to meet our goals will be utilized. The proposal is based on 2 or 3 alternative rates variations giving us the flexibility to choose a higher fixed rate, commodity charge, or some variation of the two. Total budget proposed for this study is \$33,460.

Professional services agreements will be brought to Council for consideration whenever Council wishes to pursue any of these studies. Council asked Mr. Lewis to bring this item back in January 2010.

DISCUSSION – DEBT SETOFF RESULTS

Jim Smith, City Manager noted this information includes the 2009 debt set-off as well. The City of Washington participates in a debt setoff program administered by the NC League of Municipalities. The program applies delinquent debts to State tax refunds and education lottery winnings. As of September 2009 our results are as follows:

Total Debt Submitted	\$607,036
Debts Setoff 2009	42,778
Debts Setoff 2008	42,248
Debts Setoff 2002-2007	26,816
Total Debts Setoff	\$111,842

These results are due to the diligent efforts of Sharon Probert, our Revenue Collections Assistant and the Revenue Collections Department.

CANNON STABILIZATION

Mayor Jennette stated that Dr. Bradley Rodgers, ECU -Maritime Studies has the cannon that was found on the City's waterfront and have been working on the stabilization and restoration of the cannon. With the State's funds as tight as they are now, they will have to charge us \$1,304 for the intern and chemicals doing the work on the cannon.

By motion of Councilman Jennings, seconded by Councilman Woolard, Council authorized the City Manager to enter into an agreement with ECU –Maritime Studies in the amount of \$1,304 for completion of the Cannon Stabilization Project Part II.

ADOPT – BUDGET ORDINANCE AMENDMENT TO APPROPRIATE DOG PARK REVENUE AND FUND BALANCE FOR DOG PARK IMPROVEMENTS

Mayor Pro tem Mercer asked for clarification on the budget ordinance for the dog park improvements. Anita Radcliffe, Accounting Manager noted that from a prior year we have \$1,392 reserved in fund balance from prior donations for the dog park improvements. The total amount to appropriate is \$4,772 in contributions received for the dog park improvements.

By motion of Councilman Woolard, seconded by Councilman Jennings, Council adopted a budget ordinance to appropriate Dog Park Revenue and Fund Balance for Dog Park Improvements expenditures.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010

Section 1. That account number 10-40-3611-8406, Contributions Dog Park portion of the General Fund appropriations budget, be increased in the amount of \$4,772.

Section 2. That account number 10-00-3991-9910, Fund Balance Appropriated portion of the General Fund appropriations budget, be reduced in the amount of \$1,392.

Section 3. That account number 10-40-6130-7302, Dog Park Improvements portion of the General Fund appropriations budget, be increased in the amount of \$4,772.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective upon its adoption. Adopted this the 9th day of November, 2009.

Adopted this the 9th day of November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

AUTHORIZE - CITY MANAGER TO SIGN CONTRACT WITH NC DEPT. OF ENVIRONMENT AND NATURAL RESOURCES AND ADOPT BUDGET ORDINANCE AMENDMENT (\$97,776)

Philip Mobley, Director of Parks and Recreation noted that in January 2009 the City of Washington applied to the 2009 Recreation Trails Program for funding of constructing a Greenway along the Southside of Jack's Creek. We received notification on October 1, 2009 and the official State grant contract on October 27, 2009. This is a partnership with the Department of Environment and Natural Resources. This greenway will be a partial connection in the Connectivity Plan for Downtown Washington and the City of Washington Park's System. Mr. Mobley stated an additional \$5,000 in part time labor or contract service is needed due to the termination of using inmate labor. He further stated there is a real problem with citizens feeding the ducks

and geese on the South side of Jack's Creek near Veteran's Park, this needs to only be allowed on the North side of Jack's Creek.

Councilman Woolard asked if the cash match had already been budgeted. Mr. Mobley stated it was not budgeted. Mr. Smith said the \$23,570 will come from Fund Balance to cover the City's match and additional \$5,000 for additional manpower. We are looking at approximately 2700 feet of asphalt walkway.

By motion of Mayor Pro tem Mercer, seconded by Councilman Woolard, Council authorized the City Manager to sign the contract with the NC Department of Environment and Natural Resources for construction of a greenway trail from Brown Street to Bonner Street along the south side of Jack's Creek and adopted a Budget Ordinance Amendment in the amount of \$97,776.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$74,206 in the account Recreation Trail Grant, account number 10-40-3613--3603.

Section 2. That the Estimated Revenues in the General Fund be increased in the amount of \$23,570 in the account Fund Balance Appropriated, account number 10-00--3991-9910.

Section 3. That account number 10-40-6130-7305, Property Improvements Recreation Trail, Parks & Grounds Maintenance portion of the General Fund appropriations budget be increased in the amount of \$92,776 to provide funds for a construction of a recreation trail.

Section 4. That account number 10-40-6130-0300, Part-time Salaries, Parks & Grounds Maintenance portion of the General Fund appropriations budget be increased in the amount of \$5,000 to provide funds for additional manpower to complete the recreation trail.

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 November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

ACCEPT – GRANT FROM MID-EAST COMMISSION AREA AGENCY ON AGING (\$2,000) AND ADOPT BUDGET ORDINANCE AMENDMENT FOR GRANT (\$2,000)

Carolyne Everett, Grace Martin Harwell Senior Center, explained the grant is for \$2,000 to assist the elderly for the purchase and installation of ramps or grab bars, purchasing Ensure and other necessary items that could not otherwise be purchased.

By motion of Mayor Pro tem Mercer, seconded by Councilman Davis, Council accepted a grant agreement in the amount of \$2,000 from the Mid-East Commission Area Agency on Aging and adopted a budget ordinance amendment in the amount of \$2,000 for the additional grant funding in the Senior Programs Division of the Recreation Department.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF
WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010**

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$2,000 in the account Mid-East Grant, account number 10-40-3621-3300.

Section 2. That account number 10-40-6123-4509, Mid-East -Caregiver Support, Senior Programs portion of the General Fund appropriations budget be increased in the amount of \$2,000 to provide funds for a caregiver support services.

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 November, 2009.

**s/CYNTHIA S. BENNETT
CITY CLERK**

**s/JUDY M. JENNETTE
MAYOR**

**ACCEPT – GRANT FROM MID-EAST AREA AGENCY ON AGING (\$34,653) AND
ADOPT BUDGET ORDINANCE AMENDMENT \$5,315)**

Philip Mobley, Director of Parks and Recreation stated the GMH Senior Center has been awarded a grant in the amount of \$34,653 for general health promotion, general purpose services and senior center operations. The City originally budgeted \$36,000 in grant revenue and \$0 in local match in the FY 09/10 budget for this anticipated grant. The budget ordinance amendment in the amount of \$5,315 changes the funding for the grant and local match in this year's budget to correlate with the actual grant amount. Once the ordinance is adopted the Senior Center will have a total of \$41,315 to be spent on the outlined programs (\$34,653 grant funds and \$6,662 in local match funds).

By motion of Councilman Woolard, seconded by Councilman Brooks, council accepted a grant in the amount of \$34,653 from the Mid-East Commission Area Agency on Aging and authorized the Mayor to execute the grant and adopted the budget ordinance amendment in the amount of \$5,315 to account for the final grant funding in the Senior Programs Division of the Recreation Department.

Discussion: Mayor Pro tem Mercer voiced concern over the \$6,662 Fund Balance Appropriation. Ms. Radcliffe noted the City's match of \$6,662 was not budgeted in the current budget. Ms. Radcliffe noted we budgeted \$36,000 in revenues and \$36,000 in expenditures, but neglected to appropriate the \$6,662 for the City's match of the grant.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF
WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010**

Section 1. That the Estimated Revenues in the General Fund be decreased in the amount of \$1,347 in the account Mid-East Grant, account number 10-40-3621-3300.

Section 2. That the Estimated Revenues in the General Fund be increased in the amount of \$6,662 in the account Fund Balance Appropriated, account number 10-00-3991-9910.

Section 3. That the following account numbers in the Senior Programs portion of the General Fund appropriations budget be increased or decreased in the amounts shown:

10-40-6123-0301	Part-Time Salaries -Mid-East	\$6,589
10-40-6123-4501	Mid-East Grant -General HP	3,691

10-40-6123-4502	Mid-East Grant-Medication Mgmt.	(3,659)
10-40-6123-4503	Mid-East Grant-Outreach	(1,306)
	Total	\$5,315

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective upon its adoption.

Adopted this the 9th day of November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

ADOPT – COMMERCIAL RECYCLING FEE (\$3.00)

Allen Lewis, Public Works Director said a new disposal ban went into effect on October 1, 2009 to include used oil filters, plastic bottles with a 1 or 2 in the recycle logo and wooden pallets. We have tentatively set-up rates to go into effect for November based on what we feel is a nominal charge of \$3 per existing four cubic yards of commercial solid waste disposal with a minimum of \$3 per commercial account.

Mayor Pro tem Mercer disagrees with attaching a \$3 fee to all commercial accounts, he feels this needs to be reviewed more and determine who actually utilizes the service and assess those particular accounts. Councilman Jennings asked can we afford to be in the business if we charge intermittent fees? The recyclables are collected by city crews a minimum of once per week and will be monitored for additional pickups, if needed. Councilman Jennings asked, "How much does it cost us to provide the service that the State requires?" Mr. Smith noted the cost was calculated by the number of commercial customers that had dumpsters. By consensus Council agreed to continue this item until December. Mr. Lewis will bring cost estimates back for picking up recyclables for one, two, three or four times per month.

APPROVE – RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE NCDOT MUNICIPAL AGREEMENT WHICH PROVIDES FOR THE INSPECTION OF BRIDGES IN THE CITY OF WASHINGTON

Allen Lewis, Public Works Director stated the National Bridge Inspection Standards require that all bridges exceeding 20 feet in length and open to the public be inspected for structural integrity and safety every two years. The City of Washington currently has one bridge over Jack's Creek at Main Street. This bridge will be inspected in 2010. The North Carolina Department of Transportation is responsible for ensuring that all bridges are inspected. They will employ an engineering company to make the inspections. The Federal Highway Administration will pay 80% and the City will pay 20% of the cost to inspect the two bridges.

By motion of Mayor Pro tem Mercer, seconded by Councilman Jennings, Council adopted a resolution authorizing the Mayor to sign the NCDOT Municipal Agreement which provides for the inspection of bridges in the City of Washington.

AUTHORIZING RESOLUTION BY CITY COUNCIL OF THE CITY OF WASHINGTON, NORTH CAROLINA RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE MUNICIPAL AGREEMENT

WHEREAS, the City of Washington has requested the Department of Transportation to perform certain work under the federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the inspection and analysis of all public bridges on the Municipal Street System in the City of Washington; and

WHEREAS, the City of Washington proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a Consulting Engineering firm retained by the Department of

Transportation will inspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

WHEREAS, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

WHEREAS, under the proposed agreement the City of Washington shall reimburse the Department of Transportation for all cost of the work incurred by the Department of Transportation not paid by the Federal Highway Administration; and

NOW THEREFORE, BE IT RESOLVED that the agreement for the herein above referenced bridge inspection work is hereby formally approved by the City of Washington and the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Washington and the Department of Transportation.

This resolution was passed and adopted this 9th day of November 2009, in the City of Washington, North Carolina.

s/ CYNTHIA S. BENNETT,
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

**APPROVE – RESOLUTION FOR REPATRIATION OF THE REMAINS OF
EDWARD SALTER**

James Smith, City Manager noted the skeletal remains exhumed in 1986 in the town of Bath by the State of North Carolina Office of State Archeology are believed to be those of Edward Salter of Bath who was a cooper, merchant, Warden of St. Thomas Parish and an Assemblyman representing Beaufort County. In addition, Mr. Salter is widely believed to have been a member of Edward Teach's Pirate Crew. Since they were exhumed, the remains have been stored in a box in Raleigh at a State research facility. Edward Salter is of substantial historical significance to Beaufort County. Dr. Charles Ewen from the Department of Anthropology at East Carolina University has indicated a willingness to undertake genetic testing of the remains to match with living lineal descendants who still reside in Beaufort County. The Beaufort County Board of Commissioners has requested that the Office of State Archeology deliver the remains to East Carolina University for testing purposes. Subsequently, the remains will be reinterred in St. Thomas Church cemetery in Bath.

**RESOLUTION SUPPORTING THE BEAUFORT COUNTY BOARD OF
COMMISSIONERS EFFORTS TO RECLAIM THE SKELETAL REMAINS OF
EDWARD SALTER**

WHEREAS, the Beaufort County Board of Commissioners is aware that the skeletal remains of an individual buried along the shores of Bath Creek in the early 18th century was discovered in 1986, and:

WHEREAS, the skeletal remains may be those of Edward Salter, a cooper, merchant, Warden of St. Thomas Parish and Assemblyman representing Beaufort County in 1731, and who died in January 1735, and;

WHEREAS, based on colonial records and early deed conveyances archived in Deed Book 1 of the Beaufort County Registry, it is believed that this same Edward Salter may have been a member of Blackbeard the Pirate's crew, and;

WHEREAS, these skeletal remains were exhumed by the State of North Carolina Office of State Archeology (OSA) in 1986, and;

WHEREAS, these skeletal remains have been stored ignominiously in a box in Raleigh for the past twenty-three years at a State research facility, and

WHEREAS, the historical record, including records of conveyances in Deed Book 1 of the Beaufort County Registry, indicates that Edward Salter is the only likely individual to have been buried on the property in question prior to 1759, and;

WHEREAS, Edward Salter was a resident of Beaufort County, and these remains are of tremendous historical significance to Beaufort County, and;

WHEREAS, Dr. Charles R. Ewen and the Department of Anthropology at East Carolina University have indicated their desire to undertake, at their own expense, genetic testing of the skeletal remains to match with living lineal descendants of Edward Salter, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Washington finds the offer by the East Carolina University Department of Anthropology to conduct necessary genetic testing on the skeletal remains to be acceptable, necessary and proper in order to establish the identity of the remains; and

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of Washington respectfully requests the OSA deliver the skeletal remains to East Carolina University's Department of Anthropology for the purpose of immediate genetic testing; and

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of Washington, finding it to be in the best interests of the City of Washington, Beaufort County, the State of North Carolina and the lineal descendants of Edward Salter throughout the United States of America, does hereby determine to pursue the prompt and respectful return of these skeletal remains from the OSA to Beaufort County for the purpose of interment of same within the St. Thomas Church cemetery in Bath.

Adopted this the 9th day of November, 2009

s/ **CYNTHIA S. BENNETT,**
CITY CLERK

s/ **JUDY M. JENNETTE**
MAYOR

DISCUSSION – MEMO – LOCKERS AT THE AQUATIC AND FITNESS CENTER

Philip Mobley, Parks and Recreation Director stated we would like further direction on purchase of new lockers at the Aquatic and Fitness Center. The minutes dated June 1.2009 (p.16) show that Council discussed new lockers for the Aquatic Center. Pool Staff researched the cost of replacing lockers. We received a quote for metal lockers in the amount of \$7,080 and a quote for plastic lockers to be \$21,000. Council agreed by consensus to increase the Aquatic Center budget by \$7,080 to purchase new lockers.

Time Line:

- The June '09 Council minutes show that we could replace metal lockers for \$7,080 or new plastic lockers would be \$21,000 for both locker rooms. Council agreed by consensus to purchase new lockers for \$7,080 as part of the budget process.
- When we got ready to order the metal lockers, Kristi Hardison was asked to research to see what \$7,080 would cover if we replaced with plastic. Kristi and Philip discussed improving both locker rooms with the money we had. The only option was to replace the single tier lockers.
- Kristi found a company in Durham, NC that could replace all 22 of our single tier lockers (including installation) for \$5,505. This means that both locker rooms would have 11 new lockers in them. The remaining \$1,500 would only allow for us to purchase 5 double tier lockers, if the price remained the same due to a smaller quantity. We need 38 double tier lockers to complete both locker rooms
- In order to replace both locker rooms, the entire cost would be \$16,720, if the company split the proposal cost in half it would cost \$8,360 to do one side.
- Since then, the motor in the pool malfunctioned due to the impeller and will cost us \$1,400 to replace. The pool was closed October 12-24, 2009. During this closing, Public

Works also discovered two leaks that were repaired while waiting for the motor to be repaired. Philip and Kristi discussed what our best plan of action would be and we both agreed we should replace the 22 single tier lockers (11 each for female/male changing areas) and could use the remaining money to fix the motor.

Mr. Mobley noted that Kristi Hardison was able to find a local dealer that could complete both locker rooms for \$11,215 in addition to the \$5,500 that has already been spent for a total of \$16,270 instead of the original quote of \$21,000. Mayor Pro tem Mercer asked Mr. Mobley if Council appropriated \$10,000 for the new lockers for both rooms, could he find the additional \$1500 in his budget. Mr. Mobley stated if they had to, then they would find that additional funding.

By motion of Mayor Pro tem Mercer, seconded by Councilman Woolard, Council appropriated from the Fund Balance \$10,000 to fully replace all the lockers in both locker rooms.

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF
WASHINGTON, N.C. FOR THE FISCAL YEAR 2009-2010**

Section 1. That the Estimated Revenues in the General Fund be increased in the amount of \$10,000 in the account Fund Balance Appropriated, account number 10-00-3991-9100

Section 2. That account number 10-40-6126-7400, Capital Outlay, Aquatic Center portion of the General Fund appropriations be increased in the amount of \$10,000 to provide funds for purchase of new lockers.

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 November, 2009.

s/CYNTHIA S. BENNETT
CITY CLERK

s/JUDY M. JENNETTE
MAYOR

**DISCUSSION – MEMO – CURBSIDE RECYCLING ROLL-OUT CART
GRANT PROGRAM**

We recently received information about the above mentioned grant program to assist local governments with implementing curbside recycling programs using roll-out carts or transitioning existing curbside recycling programs from bins to roll-out carts. The Division of Pollution Prevention and Environmental Assistance (DPPEA) will administer the Curbside Recycling Roll-out Cart Grant Program through the Solid Waste Management Trust Fund. This program is limited to residential/commercial curbside recycling programs.

With the release of the application guidelines, DPPEA is accepting applications for funding from municipalities, counties and solid waste authorities seeking to implement curbside recycling programs using roll-out carts or transitioning existing curbside recycling programs from bins to roll-out carts. According to the DPPEA release, the City would be eligible for up to \$100,000 in grant assistance. If we decide to participate and are awarded a grant, DPPEA will reimburse the City at a rate of \$25 per roll-cart. This represents approximately half of the cost of a 65 gallon roll-out cart. As a point of reference, the existing roll-out carts used for residential garbage collection are 90-95 gallon in size. While this is not a program that we budgeted for this fiscal year or have funds that we could reallocate to use as a "match" for this grant, with your approval, fund balance could be used. As of this date, the sanitation fund has approximately \$136,000 in fund balance with all liabilities considered. Staff feels that with the recently mandated recycling requirements and the surge in recycling by our residents as a result, roll-out recycling carts will allow personnel to more efficiently

collect recyclables. We have numerous residents that are using multiple recycling bins at this time. Personnel would not have to make multiple trips to and from the curb with carts like they have to do with bins. We have also had requests from residents for roll-out recycling carts.

Mr. Lewis stated there is not a grant deadline, but a first come first serve basis. Grant amounts would be up \$100,000 or \$25.00 for each cart. Mr. Lewis stated he received a quote today for 4,000 roll out recycling carts at a price of \$51.00 each which would take care of all the residential properties not including apartment buildings.

Possible funding could be used from the sanitation fund balance which has approximately \$136,000. A quote for a replacement garbage truck came in at \$118,000, but was budgeted at \$175,000. Approximately \$50,000 in additional funds will be needed to purchase the 4,000 roll out carts. This will not cost the residential customers any more money. The recycling carts are 65 gallon carts which holds about 3 ½ times the amount the blue bins will hold. Council members felt more people would likely participate in recycling with the roll out carts then with the bins. Mr. Lewis stated there is a 2-3 week turn-around time for notification of the grant award. Then, approximately 2-3 months before a contract is received.

By motion of Councilman Jennings, seconded by Councilman Woolard, Council agreed to pursue the curbside recycling roll-out cart grant program.

COMMENTS FROM THE PUBLIC

Jeff Lewis came forward and discussed with Council the Resolution regarding Edward Salter. The 3rd witness on Edward Salter's will was his 9th Great Grandfather, Walter Dixon which was dated 1731. Mr. Lewis thanked Council for appreciating the history of Edward Salter. He will be traveling to St. Charles, Illinois to attend the First Continental Congress as a delegate from North Carolina to defend the Constitution.

CLOSED SESSION – UNDER NCGS 143-318.11(A)(3) ATTORNEY/CLIENT PRIVILEGE, GS 143-318.11(A)(6) PERSONNEL, G.S. 143-318.11 (A)(1) DISCLOSURE OF CONFIDENTIAL INFORMATION AND G.S. 143-318.10(E) THE PUBLIC RECORDS ACT

By motion of Councilman Woolard, seconded by Councilman Jennings, Council agreed to go into closed session under 143-318.11(a)(3) Attorney/Client Privilege, G.S. 143-318.11(a)(6) personnel, G.S. 143-318.11 (a)(1) Disclosure of Confidential Information and G.S. 143-318.10(e) The Public Records Act.

By motion of Councilman Woolard, seconded by Councilman Brooks, Council came out of closed session at 8:35pm.

WI-FI AND LAPTOPS IN COUNCIL CHAMBERS

Mayor Pro tem Mercer asked if it would be possible to get Wi-Fi in the Council Chambers and laptops for the meetings. Mr. Smith stated we are working on that project as well as going electronic with the agendas like we had discussed earlier in the year. Councilman Jennings stated with a few thousand dollars we could put everyone in a laptop for the Council meetings.

LOGICS

Mayor Pro tem Mercer stated when he was at the League meeting he visited the Logics display. Mr. Smith stated we are in the mode right now to let Logics do everything they had promised us for the past five years. If they don't do that then we will look at other vendors.

ADJOURN

By motion of Councilman Woolard seconded by Councilman Jennings, Council adjourned the meeting until December 14, 2009 at 4:30pm in the Council Chambers at the Municipal Building.

Cynthia S. Bennett
City Clerk