

***Budget Workshops scheduled as needed for the week of April 27th**

**Due to COVID-19 precautionary measures, the Washington City Council meeting will be held as a virtual meeting.*

**Comments for the budget public hearing can be sent via email to cbennett@washingtonnc.gov prior to the meeting.*

**Please note attendance inside the Council Chambers will be very limited due to the order from Governor Cooper limiting gatherings to less than 10 people.*

➤ **April 27, 2020**

- Opening of Meeting
- Nondenominational Invocation
- Roll Call
- Approval – March 3 & March 9, 2020 minutes (page 2)
- Approval/Amendments to Agenda

BUDGET REVIEW

- **Fund balance position**
- **COVID-19**
 - FY 2020
 - FY 2021
- **Continuation budget (existing services)**
 - General Fund
 - Revenue overview
 - Expenditure overview
 - Fee manual changes
 - Questions
 - Enterprise Funds
 - Public Works Funds (Water, Sewer, Storm Water, Airport, Solid Waste, Cemetery)
 - Revenue overview
 - Expenditure overview
 - Fee manual changes
 - Questions
 - Electric Fund
 - Revenue overview
 - Expenditure overview
 - Fee manual changes
 - Questions
 - Internal Service Funds
 - Capital Project Funds
- **Expansion Budget**
- **4:00PM – Budget Public Hearing:** Fiscal Year 2020-2021 Proposed Budget
- **Adjourn**

**CITY COUNCIL MINUTES
WASHINGTON, NORTH CAROLINA**

MARCH 3, 2020

The Washington City Council met in a special session on Tuesday, March 3, 2020 at 3:00pm at the Washington-Warren Airport Conference Room. Present: Mac Hodges, Mayor; Donald Sadler, Mayor Pro tem; Richard Brooks, Councilmember; Virginia Finnerty, Councilmember; Betsy Kane, Councilmember and William Pitt, Councilmember. Also present: Jonathan Russell, City Manager and Cynthia S. Bennett, City Clerk.

Mayor Hodges called the meeting to order.

Jonathan Russell, City Manager provided an overview of the meeting and asked Council to complete the following “homework”. Council was asked to develop five short-term goals (goals to achieve in the next 12 months) and two or three long-term goals (goals to achieve within the next 3-5 years) as well as funding priorities for the City. Council will complete this and deliver their suggested goals to the Manager. He also asked Council to think about future priority update meetings and the format they would like those meetings to be held.

Adam Waters, Public Works Director, provided updates on stormwater management, ditch clearing, wastewater treatment plant capacity and street paving.

Mike Dail, Community & Cultural Services Director, provided an overview of zoning and statutory requirements, pedestrian plan and the comprehensive plan. He noted the zoning ordinance is required to be updated by early 2021 at an estimated cost of \$40,000 - \$60,000.

Council discussed the status of the Public Information Officer position that was approved in the budget. Council directed the City Manager to move forward with advertising for this position.

Matt Rauschenbach, Chief Financial Officer, provided an update on all funds as well as the streetscape project and police station funding information. A kick-off meeting will be held on March 11th with the engineer/architect for the police station project.

*Councilmember Finnerty was excused from the meeting at this time.

Councilmember Pitt discussed the National League of Cities. Councilmember Kane discussed the need for a neighborhood beautification program.

Councilmember Pitt discussed reviewing the charter to amend the length of Council terms, from two years to four year staggered terms. Mayor Pro tem Sadler suggested extending the terms to four-year, non-staggered terms. Staff will review and consult with the City Attorney on the necessary steps to achieve this.

Council reviewed a suggested list of goals that was submitted by the Brown Library Board of Trustees, it was determined the City Council subcommittee (Councilmember Kane, Councilmember Finnerty & City Manager Russell) will need to meet with the library subcommittee to discuss this information in more detail.

Councilmember Pitt suggested Council needs to meet twice per month. Mayor Pro tem Sadler and Councilmember Kane suggested instead of two monthly meetings, have quarterly meetings similar

to the one held today. Mayor Hodges requested to leave the meetings at one per month and hold special meetings if the need arises. Council recommended holding quarterly or twice per year round table meetings like today and to hold those meetings at the Washington-Warren Field Conference Room.

Councilmember Brooks discussed possibly locating the License Plate Agency at the City Warehouse on Grimes Road instead of City Hall. Mayor Pro tem Sadler noted he still feels it was a better idea to locate the facility at the Brown Street site instead of City Hall. Councilmember Brooks noted the information Council received for the License Plate Agency wasn't given to them early enough to review it properly, he felt Council was rushed to make a decision on the location of the LPA.

By motion of Councilmember Pitt, seconded by Councilmember Brooks, Council adjourned the meeting at 5:35pm until March 9, 2020 at 5:30pm in the Council Chambers at the Municipal Building.

(subject to approval of City Council)

s/Cynthia S. Bennett,
City Clerk

**CITY COUNCIL MINUTES
WASHINGTON, NORTH CAROLINA**

March 9, 2020

The Washington City Council met in a regular session on Monday, March 9, 2020 at 5:30pm in the City Council Chambers at the Municipal Building. Present: Mac Hodges, Mayor; Donald R. Sadler, Mayor Pro tem; Richard Brooks, Councilmember; Virginia Finnerty, Councilmember; and Betsy Kane, Councilmember. Also present: Jonathan Russell, City Manager; Franz Holscher, City Attorney and Cynthia S. Bennett, City Clerk. Councilmember William Pitt was absent and excused.

Mayor Hodges called the meeting to order. Councilmember Brooks led the Pledge of Allegiance and delivered the invocation. Councilmembers expressed their condolences and extended their thoughts and prayers to the family of Doug Mercer.

APPROVAL OF MINUTES:

By motion of Councilmember Finnerty, seconded by Councilmember Brooks, Council approved the minutes of February 10, 2020 as presented.

APPROVAL/AMENDMENTS TO AGENDA:

By motion of Councilmember Finnerty, seconded by Mayor Pro tem Sadler, Council approved the agenda as presented.

CONSENT AGENDA:

- A. Approve – Audit Contract for Fiscal Year 2020

By motion of Councilmember Kane, seconded by Councilmember Finnerty, Council approved the Consent Agenda as presented.

COMMENTS FROM THE PUBLIC:

Stewart Rumley asked the Council to appoint someone other than Virginia Finnerty as the Council liaison to the Tourism Development Authority. He also discussed his displeasure with the way the appointments were made to the TDA on June 10, 2019. He reviewed email correspondence that he had with Councilmember Finnerty regarding the appointment process.

Councilmember Finnerty responded to Mr. Rumley regarding the procedure that was followed to appoint TDA members, she explained that City Council is responsible for appointing board & commission members. She noted it was highly inappropriate for a board member who had submitted an application for reappointment to be part of the selection process. She also found it inappropriate for the Executive Director to be part of the process of choosing the board members, who will essentially be her immediate supervisors. She consulted with the Mayor and some of her fellow Council members regarding the appointments. Subsequently, on June 10, 2019 Council voted and approved the appointments to the Tourism Development Authority.

Mayor Pro tem Sadler asked for a response from the City Attorney regarding this issue. Mr. Holscher reviewed the process that has been used to appoint members to the TDA as well as other boards, noting this is the same process that has been followed for many, many years.

Mr. Holscher noted he would be agreeable to meet with Mr. Rumley to review his complaints as well as review the long standing process the City Council has used for appointments to various boards and commissions.

SCHEDULED PUBLIC APPEARANCES:
BOBBY ROBERSON – KEYS LANDING

Bobby Roberson spoke to Council regarding Keys Landing and provided a brief history of the project. He asked the City to sell the property in order to get the outstanding funds owed to the City for the Keys Landing project.

Mayor Pro tem Sadler asked Mr. Roberson weren't you a Council member, City Manager, or Planning Director during the time of this project? Mr. Roberson responded that he had asked Council to move forward with resolving this problem, but they did not, he also asked Council not to use Powell Bill money to pave the street.

Mayor Hodges noted this item is on the agenda to be discussed in closed session.

LINDA BABCOCK – CAT TNR PROGRAM

LETTER FROM LINDA BABCOCK

*My name is Linda Lee Babcock and I was instructed that I needed to write to you in order to appear before the City Council. I moved from Colorado in August 2018 and run a cat rescue out of my home in Blounts Creek, NC. I currently have 57 cats under my care which includes those who have special needs. I have feline leukemia, feline aids and feral cats on my property. I also have healthy cats that were unwanted and needed to be re-homed which I took in. I work very closely with Pamlico Animal Hospital and have a special relationship with Dr. Amy Martin. She recognized my need to have every one of my cats vaccinated and she came to my house in November 2019 in order to make sure each of them was vaccinated. All of the expenses for maintaining my rescue with veterinary care (and other needs like food and litter) have been out of pocket and out of my savings. Nancy O'Neill left the state that was in charge of the CAT TNR program and suggested that possibly, with approval, I might be able to tap into this fund with the City of Washington in order to cover my veterinary expenses. The veterinary expenses would consist of well kitty checks; any acute illness especially with the feline leukemia who are most subject due to having immune systems that are suppressed; immunizations which would include distemper and rabies; and any medications that would be recommended by Pamlico Animal Hospital. I am respectfully requesting that I be allowed to present to the City Council so explain my rescue program and to ask permission to use the funds that are in the CAT TNR program for medical costs of the cats in my rescue. I am known throughout the state of North Carolina as one of the only rescues who accepts feline leukemia cats. Thank you.
Respectfully submitted, Linda Lee Babcock 720-261-8896*

LETTER FROM CATHY CULPEPPER

Dear City Council Members,

In December of 2019 I wrote a check for \$1,000 payable to The City of Washington for use in the Feline Outreach Program. At the time I was not aware that the Trap, Neuter/Spay and Release program was no longer active because all the cats downtown had been trapped, neutered/spayed and released, and are currently being fed on a regular basis.

It is for this reason that I ask that The City Council approve that the \$1,000 I donated with the intention of helping homeless cats be given to Linda Babcock of the Lavender and Teal Farm. Ms. Babcock has taken in so many of the city's homeless cats, fed them, taken them to the veterinarian, and adopted them out. I know she could use my donation to help defray the expense of caring for these homeless animals.

Thank you for considering this request.

Cathy Culpepper

1301 Summit Ave.

Washington, NC 27889

833-4485

Ms. Babcock asked Council to transfer the City's TNR funds to her program in Blount's Creek. She noted the funds would help support the 57+ cats she has under her care. Jonathan Russell, City Manager explained we can only refund the \$1000 to Ms. Culpepper and then Ms. Culpepper can give those funds to Ms. Babcock. The City cannot fund Ms. Babcock's program as it is outside of our district.

By motion of Mayor Pro tem Sadler, seconded by Councilmember Brooks, Council authorized the \$1,000 refund back to Ms. Cathy Culpepper.

CORRESPONDENCE AND SPECIAL REPORTS:

MEMO - BUDGET TRANSFERS (memo accepted as presented)

The Budget Officer transferred funds between departments of the Electric Fund appropriations budget to redistribute fringe benefits and General Fund departments for playground concrete improvements. NCGS 159-15 states that this shall be reported to the Council at its next regular meeting and be entered in the minutes.

From: 035-8390-0500 \$33,817

To: 035-8380-0500 \$33,817

**Moving all FICA withholding taxes from 8390 to 8380 for T&D*

From: 035-8390-0600 \$60,400

To: 035-8380-0600 \$60,400

**Moving all group insurance from 8390 to 8380 for T&D*

From: 035-8390-0700 \$39,386

To: 035-8380-0700 \$39,386

**Moving all retirement contributions from 8390 to 8380 for T&D*

From: 035-8390-0701 \$4,560

To: 035-8380-0701 \$4,560

**Moving all 401K employer contributions from 8390 to 8380 for T&D*

From: 035-8390-00703 \$3,120

To: 035-8380-0500 \$3,120

**Moving all employer HAS contributions from 8390 to 8380 for T&D*

From: 035-8390-0705 \$3,120

To: 035-8380-0705 \$3,120

**Moving all employer 457 contributions from 8390 to 8380 for T&D*

From: 035-8390-3600 \$13,636

To: 035-8380-3600 \$13,636

**Moving all employer's share of uniforms from 8390 to 8380 for T&D*

From: 010-6123-7400 \$4,500

To: 010-6130-7400 \$4,500

**To cover additional concrete expenses for Susiegray McConnell Playground*

**APPROVE – PURCHASE ORDER TO CW WRIGHT CONSTRUCTION COMPANY
FOR THIRD STREET REBUILD PROJECT**

BACKGROUND AND FINDINGS: This is for the Third Street Rebuild Project. This project will span from Hackney Avenue to Brown Street and will improve the main three (3) phase transmission line that serves three (3) substations and a distribution line. This project was advertised for bids and the formal bid opening was held Thursday, February 27, 2020 at 2PM. CW Wright presented the lowest bid. The material will be ordered from various vendors to keep cost down and stay within the approved budget.

By motion of Councilmember Finnerty, seconded by Mayor Pro tem Sadler, Council approved the Purchase Order to CW Wright Construction Company in the amount of \$467,181.64 and approved material for the project in the amount of \$231,588.20.

APPROVE – KAYAK LAUNCHES GRANT PROJECT AMENDMENT

BACKGROUND AND FINDINGS: Sound Rivers has requested the City's assistance funding the 50% down payment for the kayak launches at Masons Landing/Havens Garden in the amount of \$30,548.98. This amount will be repaid upon reimbursement through the Recreation Trails Program (RTP). The grant closes October 2020 and reimbursement is anticipated no later than February 28, 2021. The promissory note with Sound Rivers will reflect payment when RTP reimbursement is received but in no case later than February 28, 2021.

By motion of Mayor Pro tem Sadler, seconded by Councilmember Kane, Council approved a grant project ordinance amendment to further assist Sound Rivers with the Kayak Access Launch Grant and authorized the City Manager to execute a promissory note the City Attorney will prepare reflective of this assistance.

(copy attached)

PUBLIC HEARING 6:00PM – ZONING

**ADOPT – ORDINANCE TO AMEND CHAPTER 40, ZONING, SECTIONS 40-25 AND
40-93 OF THE WASHINGTON CITY CODE –
CLUBS, LODGES AND PRIVATE CLUBS**

Mike Dail, Community & Cultural Services Director reviewed the item with Council noting the following background and findings: This is a request by Planning Staff for a Text

Amendment to the Zoning Ordinance to clearly define and distinguish between Private Clubs and Civic Clubs and Lodges. On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board voted unanimously to recommend approval of the Text Amendment to City Council.

Development Services, Planning & Zoning Division – Staff Report

Request:

Request by Planning Staff for a Text Amendment to the Zoning Ordinance to clearly define and distinguish between Private Clubs and Civic Clubs and Lodges.

1. Addition of a New Definition to Section 40-25. Words and terms defined as follows:

Civic Clubs or Lodges, means membership organizations engaged in civic or social activities, which includes local service clubs, booster clubs, veterans posts, fraternal societies or associations, local civic leagues or associations of 10 or more persons not organized for profit but operated exclusively for educational or charitable purposes within the community.

2. Amendment to Section 40-93. Table of Uses as follows:

RA20	R15S	R9S	RMF	RMH	RHD	O&I	B1H	B2	B3	B4	I1	I2	AP	CP
											S	S		

Clubs or lodges, Private clubs

RA20	R15S	R9S	RMF	RMH	RHD	O&I	B1H	B2	B3	B4	I1	I2	AP	CP
S						P	S	S	S	S				

Civic Clubs or Lodges

Synopsis & Recommendation:

The purpose of this amendment is to clarify each use. There has been confusion in the past concerning these uses by the public and staff.

Staff recommends approval of the proposed Text Amendment.

Planning Board Action:

On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board made the following motion:

"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

The Planning Board voted unanimously to recommend approval of the Text Amendment.

Mayor Hodges opened the public hearing at this time. There being no comments from the public, Mayor Hodges closed the public hearing.

By motion of Mayor Pro tem Sadler, seconded by Councilmember Finnerty, Council accepted the recommendation of the Planning Board and adopted the Ordinance to Amend Sections 40-25 and 40-93 of the Zoning Ordinance for a Text Amendment to the Clubs, Lodges and Private Clubs definition and table of use listings as submitted.

(copy attached)

ADOPT – ORDINANCE TO AMEND CHAPTER 40, ZONING, SECTION 40-415(J) OF THE WASHINGTON CITY CODE – ELECTRONICALLY ILLUMINATE/LED SIGNS

Mike Dail, Community & Cultural Services Director reviewed the item with Council noting the request is from the Planning Staff as directed by City Council for a Text Amendment to the City Code to change the standards for Electronically/Illuminated/LED Signs. On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board voted unanimously to recommend approval of the Text Amendment to City Council.

Development Services, Planning & Zoning Division – Staff Report***Request:***

Request by Planning Staff at the request of City Council for a Text Amendment to the Zoning Ordinance to change the standards for Electronically Illuminated/LED Signs.

Synopsis:

Staff is proposing changes that would allow signs to change more than once per hour. The proposed rate of change as recommended by the Planning Board is every 15 seconds. Additional requirements for sign maintenance, sign prohibitions and illumination intensities are being requested as recommended by the Planning Board.

Current Ordinance:

Electronically illuminated signs. Signs that contain a fixed, non-flashing message screen are permitted provided that screen changes occur no more than once every hour. In addition, no more than fifty (50) percent of the maximum allowable sign area of any free- standing or wall sign may be designated as an electronic illuminated sign/screen, up to a maximum sign area of fifty (50) square feet. Brightness of said signs/screens shall not be at an intensity that would impair the vision, day or night, of oncoming traffic. All such signs shall be reviewed and approved by the zoning administrator prior to installation consistent with the requirements of this article.

Proposed Ordinance (Changes are highlighted in yellow):

Electronically illuminated/LED signs. Electronically illuminated/LED signs. Signs that contain a changeable message board or screen and are permitted as an on-premise sign are subject to the following criteria:

Screen/message change can occur no more than once every 15 seconds.

Screen/message changes must transition by changing instantly and all new screens/messages must remain static for the duration of their display. No screen/message shall flash, move, pulsate, scroll, be animated, change text or change in intensity of color or brightness during screen/message transition or during the 15 second static period.

In addition, no more than fifty (50) percent of the maximum allowable sign area of any free-standing or wall sign may be designated as an electronic illuminated/LED sign, up to a maximum sign area of fifty (50) square feet.

Brightness of said signs/screens shall not be at an intensity that would impair the vision, day or night, of oncoming traffic and must meet the specific criteria listed

below:

1. All LED signs shall adjust or shall be adjusted in correlation with ambient light conditions.
2. The sign owner shall provide written certification at installation that the sign meets the following light level standards as measured in nits:
 - a. The maximum daytime light level is five thousand (5,000) nits or seven thousand five hundred (7,500) nits if the sign is equipped with an automatic dimmer.
 - b. From dusk until dawn, the maximum light level is two hundred fifty (250) nits.
3. Upon notification that the city has received a complaint, the sign owner shall provide written certification that the light level standards meet the criteria listed above.

All such signs shall be reviewed and approved by the zoning administrator prior to installation.

Electronically illuminated/LED signs shall be maintained and function properly. Any sign that is not functioning properly shall be turned off until repairs are made.

All existing non-conforming, off premise signs/billboards shall not be converted to electronically illuminated/LED signs.

No permitted temporary sign shall be an Electronically illuminated/LED sign.

Electronic/LED Sign Survey:

Currently there are 10 Electronically Illuminated/LED signs that exist in Washington's Jurisdiction. Staff has observed that all of these signs are out of compliance with the one hour change standard currently in place. The table below lists the business location of the signs.

NAME	ADDRESS	SIGN
Rich Company	1468 Carolina Ave	Frequent Changes
Harvest Church	2020 W 15 th St	Frequent Changes
Crescom Bank	1311 Carolina Ave	Frequent Changes
La Mesa Mexican Restaurant & Bar	824 W 15 th St	Frequent Changes
First Christian Church	307 E 3rd St	Frequent Changes
Piggly Wiggly	626 River Rd	Frequent Changes
Washington Crab & Seafood Shack	1212 John Small Ave	Frequent Changes
Albemarle Eye Center / Precision Eye Care	1730 Carolina Ave #101	Frequent Changes
Take 2 Computer Services	100 Bridge St	Frequent Changes
West Park Motor Company	4030 Us-264	Frequent Changes

Staff conducted a survey of standards from other municipalities to determine the amount of time between sign changes and found the following:

1. Town of Edenton:

- *Electronic message signs are allowed where permitted provided the message does not change more frequently than every eight (8) seconds and the message completes the change within two (2) seconds.*

2. City of Elizabeth City:

- *LED signs not allowed.*

3. City of Kinston:

- *The City of Kinston does not have a LED Sign Ordinance, they just regulate that it shows the time date and only changes the face every 60 seconds.*

4. City of Morehead City:

- *Displays may not change less than every eight (8) seconds.*

5. City of New Bern:

- *Electronically illuminated signs that contain a fixed message or screen that changes no more than once every fifteen (15) minutes.*

6. Town of Tarboro:

- *Not allowed.*

7. Town of Williamston:

- *Not allowed.*

Comprehensive Plan:

In Staff's opinion the proposed text amendment is consistent with the 2013 Comprehensive Land Use Plan. Staff cites specific sections of the plan within the long- term goals and objectives below:

- 1. The proposed amendment will contribute to the **Community Appearance Goals 1, 2 and 3** by creating and preserving road corridors that enhance the visual character of the community.*
- 2. The proposed amendment will contribute to the **Transportation and Mobility Goals 1 and 4** by creating a safe and functional transportation system, and reducing existing*

Summary:

Allowing Electronically Illuminated/LED signs to change more than once an hour reflects how the signs are currently being utilized in Washington's Jurisdiction. Allowing more frequent changes also promotes a healthy business environment and gives local businesses a greater ability to advertise. However, screen changes need to be instantaneous without scrolling, flashing, etc., to preserve the aesthetics of Washington's Business Corridors and to not create a distracting or carnival type atmosphere. The time between changes is a standard which needs to be set according to each community's desires. As noted above the various jurisdictions allow sign changes at a range of 8 seconds to 15 minutes.

Staff recommends approval of the Text Amendment.

Planning Board Action:

On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board made the following motion:

"Motion to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

The Planning Board voted unanimously to recommend approval of the Text Amendment.



Mayor Hodges opened the public hearing. There being no comments from the public, Mayor Hodges closed the public hearing at this time.

Councilmember Kane thanked staff for the material in the agenda packet and expressed she would rather leave the ordinance the way it is, instead of changing the message every 15 seconds as that would be too distracting to drivers. Mayor Hodges suggested having the message change every 30 seconds. Councilmember Finnerty asked Director Drakeford if he had any input on the timing sequence and Director Drakeford responded he did not. Councilmember Finnerty preferred 30 seconds instead of 15 seconds. Mayor Pro tem Sadler asked if the business owners were notified of tonight's meeting and Mike Dail said they were not notified. Councilmember Brooks would like to hear from the business owners in order to determine what timing sequence works best for them. Mike Dail said he would contact the business owners and hold a meeting with them, then report back to Council with an update and recommendation from the business owners, possibly next month or the month after.

Council, by consensus, continued this item in order to obtain feedback from the business owners.

APPROVE – REQUEST TO REZONE 4.98 ACRES OF LAND ON BRICK KILN ROAD FROM RA20 (RESIDENTIAL AGRICULTURE) TO R15S (RESIDENTIAL)

Mike Dail, Community & Cultural Services Director reviewed the item with Council noting the request is by Steve Fuchs to rezone a 4.98 acre parcel of land on Brick Kiln Road, just northeast of its intersection with Whootentown Road. The property is identified by the Beaufort County Tax Office as parcel #5685-76-7123 and is currently zoned RA20 (Residential /agricultural). The proposed zoning requested is R 15S (Residential). The future land use map recommends office and institutional and medium density residential development for this area. The R15S zoning district is considered a low density residential district, however high density development option does exist as a special use within the R15S district. Staff's opinion the requested zoning is compatible with the existing land uses in the area and Generally meets the intent of the Comprehensive Plan and Future Land Use Map. On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board voted unanimously to recommend approval of the rezoning request to City Council.

Development Services, Planning & Zoning Division – Staff Report

Request:

A request by Steve Fuchs to rezone a 4.98 acre parcel of land on Brick Kiln Road, just northeast of its intersection with Whootentown Road. The property is identified by the Beaufort County Tax Office as parcel #5685-76-7123 and is currently zoned RA20 (Residential Agricultural). The proposed zoning requested is for R15S (Residential)

Parcel #: 5685-76-7123

Lot Size: 4.98 acres

Existing Zoning: RA20 (Residential Agricultural)

Proposed Zoning: R15S (Residential)

Required Notices:

Adjoining property owner notices were mailed and a notice sign was placed on the property on February 13th and 27th of 2020. The public hearing notice advertisement dates were February 15th, 22nd, 28th and March 7th of 2020.

Surrounding Land Uses and Zoning:

The land uses in the subject property area are primarily residential with some mixed use commercial areas just to the south along River Road. Most of the properties in the area are zoned RA20 (residential). The adjacent property to the north is zoned R15S (residential). Just to the south in the mixed use area there are some tracts zoned O&I (office and institutional) and B-2 (business/commercial).

Development Notes:

The subject property is located in the City Limits and is outside of any flood zone per the new flood zone maps.

Water and Sewer are available to the subject property.

Comprehensive Plan:

The future land use map recommends office and institutional and medium density residential development for this area. The R15S zoning district is considered a low density residential district, however a high density development option does exist as a special use within the R15S district. In Staff's opinion the requested zoning is compatible with the existing land uses in the area and generally meets the intent of the Comprehensive Plan and Future Land Use Map.

Planning Board Action:

On February 25, 2020, the Planning Board held a public hearing on the request. After the hearing and discussion, the Board made the following motion:

"Motion to recommend approval of the proposed rezoning request, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

The Planning Board voted unanimously to recommend approval of the Rezoning Request.

Mayor Hodges opened public hearing at this time.

Dorian Miller came forward to speak to Council regarding the request. She stated if Mr. Fuchs is allowed to rezone this property, this allows multifamily dwellings at this location. She noted Mr. Fuchs has cleaned up the property and it looks much better. She also discussed drainage issues at this location. She asked for Council to leave the property zoned as it currently is now. She said Mr. Fuchs will require a special use permit and is on the board that would grant the request and she felt that was inappropriate. Mayor Hodges explained Mr. Fuchs would have to recuse himself from the board at that time.

Steve Fuchs thanked Council for reviewing his request. He asked what would the vote outcome have to be for his request to pass tonight. The City Manager explained that a simple majority not a super majority would be required to pass the request, if there were a tie, the Mayor would vote. Mr. Fuchs said so a 3-1 vote would pass his request. Mr. Fuchs said he wants his

property to be zoned the same as all the surrounding property and he has no set plans right now to develop anything on the property. He also explained he would recuse himself if his request went before the Board of Adjustment.

Councilmember Brooks suggested waiting until next month to vote on the request, he stated he doesn't agree with the request. Mayor Pro tem Sadler asked if he had any set plans for the property and Mr. Fuchs said he didn't have anything set right now. The City Attorney reminded Council that they are not supposed to ask the applicant what their proposed use is for the property, Council is supposed to look at all of the uses for this zoning district.

Earnest Moore came forward to speak on the request and noted his mother lives in this area. They want to make sure that the families won't incur anything that's not in their favor if the property is developed.

Joseph McCoullagh discussed the property in this area. He noted the property floods and they are concerned any development in this area could cause additional flooding for the surrounding property owners. Councilmember Brooks asked Mr. McCoullagh if Mr. Fuchs put proper draining would he be against Mr. Fuchs developing this property. Mr. McCoullagh discussed he may have concern with low income housing or anything that could bring harm to the property owners.

Dorrian Miller commented again that she doesn't want the zoning changed.

There being no other comments from the public, Mayor Hodges closed the public hearing at this time.

Councilmember Finnerty confirmed that if the zoning is changed, Mr. Fuchs would have to get a special use permit to build multi-family dwelling units. The City Attorney explained a special use permit goes to the Board of Adjustment for approval, not City Council and the Chairman (Steve Fuchs) would have to recuse himself.

After additional review of the NC General Statutes, the City Attorney explained that changes occurred January 1, 2020 regarding rezoning requests. It will take a 2/3 vote of the actual membership excluding vacant seats and the Mayor, essentially requiring an affirmative vote of 4 on the initial reading. Regardless of whether Council votes tonight, if the request came back at a future meeting, the vote would only require a simple majority vote for a second reading. (Even though absent, Councilmember Pitt is included on the membership count for zoning issues).

Steve Fuchs asked for his request to be continued until the April Council meeting because the vote required tonight would have to be an affirmative vote of 4 members.

PUBLIC HEARING 6:00PM - OTHER:

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES: None

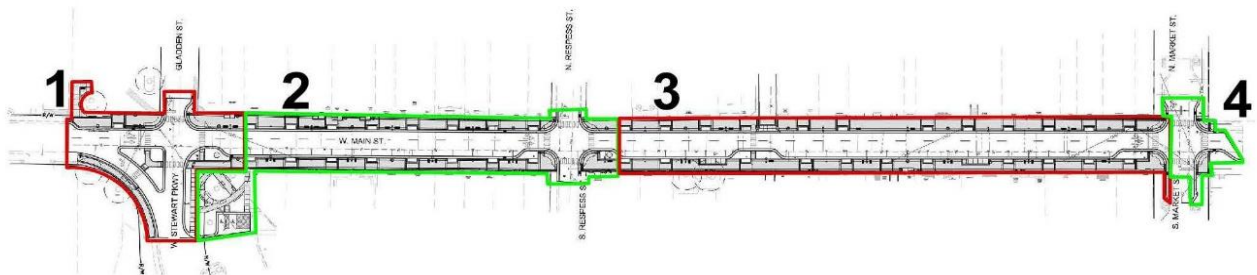
APPOINTMENTS: None**OLD BUSINESS:**

ADOPT – BUDGET ORDINANCE AMENDMENT, ADOPT CAPITAL PROJECT ORDINANCE AMENDMENT, AWARD CONSTRUCTION CONTRACT TO B.E. SINGLETON AND SONS, INC. AND APPROVE SUBSEQUENT PO, AUTHORIZE MANAGER TO EXECUTE ENGINEERING AGREEMENT WITH RIVERS AND ASSOCIATES AND APPROVE SUBSEQUENT PO - STREETSCAPE PROJECT

BACKGROUND AND FINDINGS: The City of Washington received bids on February 27, 2020 for the construction of the Streetscape project. This project improves utilities, streets and sidewalks along Main Street between Gladden and Market Streets. The recommendation for award letter with bid tabulation from the design engineer is attached.

Rebecca Clark spoke to Council regarding the streetscape project. She is co-owner of Little Shoppes, Main Street Antiques and Cups & Cones. She is in support of the project, although she is disappointed with the April start date. She wants timely information and suggested a communication liaison is needed. She suggested Council spend the money and get some advertising out regarding the project, she also suggested assistance with utilities and leniency on sign ordinances.

Allison Platt and Blaine Humphrey spoke to Council and the attendees regarding the streetscape project. Ms. Platt has worked on streetscape projects in New Bern and Goldsboro. Businesses would meet at least once a week with the project manager and there will also be a construction sequencing staff person available from Rivers & Associates.

**CONSTRUCTION SEQUENCING**

CONSTRUCTION SEQUENCING

Washington City Council Meeting
March 9, 2020

Please Note: This construction sequence outlines progression of the work to minimize disruption to downtown businesses. The Contractor may propose alternative sequencing for review by the Engineer, but these alternatives shall not propose greater disruption to utility service or pedestrian access to the individual buildings and businesses.

The progression of work shall be completed in four individual phases. These phases are illustrated below. During implementation of these phases, a minimum 6' wide sidewalk corridor to all businesses shall be maintained during street closures to the greatest extent possible until the existing sidewalk is replaced in sections as outline below. Install construction barrier fence to separate construction area from pedestrian traffic.

SEE SEQUENCE MAP ON NEXT PAGE

Important Progress steps along the Main Street corridor is outlined as follows:

- **Work begins around April 1, 2020.**
- The intersection of Main, Gladden and Stewart Parkway is critical to entry and circulation in the downtown. Therefore, this intersection will be done first, and as quickly as possible. Utilities will be improved and gravel will be put in place to allow the intersection to reopen. After these improvements, construction for each subsequent section will follow as outlined.
 - Set up construction barriers defining work area and along an approximately 6 foot width of existing sidewalk maintained for pedestrian access to stores.
 - Demolish and remove existing asphalt, signs, plaques and curb and gutter.
 - Transfer water services individually to limit outages to 1 hour for typical businesses. Fill trench with sand to allow pedestrian access to be maintained.
 - Demolish existing sidewalk in sections as needed to minimize disruption of pedestrian access.
 - Install 4" concrete base for brick paving and insert ramps over curbs to allow continued pedestrian access.
- Proceed through three remaining phases. After these phases are complete, continue with implementation.
- After brick installation, roadway, lighting, sign and furniture installation, and landscaping activities can take place simultaneously as needed.
- Place brick in patterns as specified.
- Plant trees, groundcovers and shrubs and sod, install signs, place furniture
- Pave roads.
- **Work complete by October 30, 2020.**

Blaine Humphrey reviewed the construction sequencing schedule and noted the contractor is a local person and has a vested interest in the community.

Roland Wyman, representing WHDA, shared that he was involved in the initial phases of this project. He discussed the justification for this project and the return on investment, noting it is an investment that will pay the city back.

Linsey (?) owner of Southern Grace Boutique discussed the streetscape project with Council. Her business is located in phase 3 of the project. She supports the streetscape project and feels it is long overdue, but has concerns regarding possible delays caused by hurricanes as well as access to her storefront. Blaine Humphrey noted the only issue would be when the concrete is poured. They could install a ramp over the concrete to allow front door entry and this would be provided by the contractor not business owner. Allison Platt explained they have to maintain access and will be negotiating with contractor for concrete work.

Debra Torrence, Arts of the Pamlico asked Council if there is a way to integrate art, lighting, music to get people here to see the construction, similar to what was done in Lake Lure.

Trent Tetterton applauded Council and the City of Washington for this progressive move. The streetscape project will improve the overall economy of the city and county in general, not just downtown. He also mentioned the recent sale of the Hotel Louise building and noted there are no longer any vacant buildings downtown.

Councilmember Brooks commented that Councilmember Pitt is absent and he wants him to be able to vote on this item. He continued by suggesting a special meeting should be held once Councilmember Pitt returns in order to allow him to vote on the streetscape project. Mayor Pro

tem Sadler agreed that the vote should be delayed until Councilmember Pitt can attend and vote on the streetscape project. Mayor Hodges disagreed and noted Councilmember Pitt knew this item was going to be on the agenda and he chose not to attend the Council meeting. Councilmember Finnerty stated if we are all in support of the project, then there is no need to delay the vote.

Streetscape Project	
8,707,967	Available GF fund balance 6/30/19
Fund balance reserve policy:	
2,333,333	Two months expenses
2,000,000	Natural disaster reserve
4,333,333	Reserve/ policy
4,374,634	Fund balance available after reserve
Funding:	
393,388	Streetscape fund balance 1/31/20
83,333	GF transfer February-June
2,595	Interest earned February - June
(9,592)	Open PO
469,724	Available fund balance
Expenditure by Fund:	
96,816	Sewer
373,295	Water
269,889	Stormwater
909,881	Electric
2,420,922	General Fund
4,070,803	Total
(121,500)	Design/bidding already paid
3,949,303	Additional Funding Required
2,299,422	General Fund portion of project
469,724	Available project fund balance
1,829,698	Additional General Fund contribution

Police Station Project	
1,182,364	Police Station fund balance 1/31/20
496,065	GF transfer February-June
7,795	Interest earned February - June
-	Open PO
1,686,224	Available fund balance
250,000	FEMA flood damage funding
-	Golden Leaf
300,000	USDA Grant
1,163,776	USDA Loan (30 yr.)
3,400,000	Total available funding
3,400,000	Project estimate
-	Additional funding required



February 28, 2020

Jonathan Russell, City Manager
City of Washington
102 East Second Street
Washington, North Carolina 27889

SUBJECT: City of Washington – Main Street Streetscape
Contract I - General Construction
Recommendation for Tentative Award
File 2019050-C

Dear Mr. Russell:

A formal bid opening was held at 2:00 P.M. on Thursday, February 27, 2020 in the Council Chambers in the Municipal Building, for the City of Washington Main Street Streetscape - Contract I project. Bids were advertised, and plans and specifications were distributed for the subject project. The advertisement was published in *The Washington Daily News* and *Greater Diversity*. Eight sets of plans and specifications were distributed to plan rooms, contractors, and the City. The project was well advertised in the construction industry. Six (6) contractors bid the project.

Bids received from contractors for the project were as follows:

WASHINGTON – MAIN STREET STREETScape - CONTRACT I:

CONTRACTOR	TOTAL BASE BID
B.E. Singleton & Sons, Inc.	\$3,415,340.96
Stocks & Taylor Construction, Inc.	\$3,742,790.96
Charles W. Hughes Construction, LLC	\$3,847,587.00*
T.A. Loving Company	\$3,969,670.00
BridgePoint Civil, LLC	\$4,318,488.00
Central Builders, Inc.	\$4,894,025.00

* Did not provide 5% Bid Security as required

Based on the Main Street Streetscape Bid Tab and our evaluation of the Bids, we recommend that the City of Washington issue tentative award of the Washington Main Street Streetscape – Contract I project to the lowest responsive, responsible bidder, B.E. Singleton for the amount of \$3,415,340.96. The final award is subject to approval of funding by the City of Washington, and

City of Washington – Main Street Streetscape Project
Contract I - Recommendation for Tentative Award
February 28, 2020

Page 2

the City's approval of the Contractor's qualifications and safety records. A copy of the certified Bid Tab is included with this letter.

If you have any questions or concerns regarding this project, please give us a call in the Greenville office at (252) 752-4135. Thank you for this opportunity to serve the City of Washington. We look forward to assisting you in the construction phase of this project.

Sincerely,


M. Blaine Humphrey, P.E.
Project Manager

enclosures

cc: Adam Waters, City of Washington (w/o enclosure)
Mike Dail, City of Washington (w/o enclosure)
Allison Platt, PLA, ASLA, MLA, Rivers & Associates (w/o enclosure)
Rivers File (w/o enclosure)

By motion of Councilmember Finnerty, seconded by Councilmember Kane, Council adopted ordinances to amend budget and set capital project fund for Streetscape project, awarded contract for construction to B.E. Singleton and Sons, Inc. and approved corresponding purchase order in the amount of \$3,415,340.96 and authorized the City Manager to execute Engineering Agreement with Rivers & Associates for Construction Administration and Construction Observation, and approved corresponding purchase order in the amount of \$185,000.

(copy attached)

ADOPT – BUDGET ORDINANCE AMENDMENT FOR LICENSE PLATE AGENCY, APPROVE NEW POSITIONS WITH CORRESPONDING CLASSIFICATION & SALARY SCHEDULE AND AWARD BID FOR RECONFIGURING CITY HALL TO COASTAL BUILDERS

BACKGROUND AND FINDINGS: A License Plate Agency (LPA) will be in operation at City Hall by May 10, 2020. The budget amendment covers building modifications, three staff members, training costs, associated payroll reclassifications and other related costs associated for this initiative. The addition of the LPA to our City Services has highlighted some internal relationship salary opportunities and are being addressed. The attached Piedmont Triad Regional Council memo explains these in further detail.

Bids:

Coastal Builders \$ 128,498.75
Stocks & Taylor 152,295.00 (includes 10% contingency)
Bullet proof glass has been suggested and will be quoted separately.

The addition of this service is budgeted to generate \$200,000 of net income in fiscal year 2021 or the equivalent of \$.025 of property taxes. The fund balance appropriation for the initial expenditure will be recovered in less than a year. PREVIOUS LEGISLATIVE ACTION: Council approved location of LPA in City Hall 2/10/20.

LPA Budget

LPA AccountNumber	AccountDesc	2020 Estimate	2021 Request
010-4136-0200	SALARIES	32,497	111,417
010-4136-0400	PROFESSIONAL SERVICES	2,000	
010-4136-0500	F.I.C.A. TAXES	2,437	8,356
010-4136-0600	GROUP INSURANCE	6,300	23,106
010-4136-0700	RETIREMENT CONTRIBUTIONS	3,321	11,387
010-4136-0701	401K CONTRIBUTIONS	1,138	4,050
010-4136-1100	TELEPHONE	300	1,000
010-4136-1400	EMPLOYEE DEVELOPMENT	15,000	3,000
010-4136-1604	MAINT/REPAIR OFFICE EQUIP	2,000	2,000
010-4136-3300	DEPARTMENTAL SUPPLIES	3,000	3,000
010-4136-5300	DUES & SUBSCRIPTIONS	1,000	1,000
010-4136-7000 (1)	NONCAPITALIZED PURCHASES	149,499	-
	Total	218,492	168,316
	Other Pay Re-classes		32,424
	Total		200,741

(1) \$6,000 computers, \$15,000 office equipment, \$128,499 building modifications

Grade and classifications recommendations from Piedmont Triad Regional Council.

<i>Classification</i>	<i>Current Grade</i>	<i>Recommended Grade</i>
<i>Customer Service Representative</i>	<i>13</i>	<i>14</i>
<i>NEW: License Plate Agent</i>	<i>NA</i>	<i>14</i>
<i>New: Customer Service/License Plate Agent</i>	<i>NA</i>	<i>15</i>
<i>Utility Billing/Customer Service Specialist</i>	<i>14</i>	<i>15</i>
<i>Senior Customer Service Representative</i>	<i>14</i>	<i>16</i>
<i>New: Lead License Plate Agent</i>	<i>NA</i>	<i>16</i>
<i>Senior Utility Billing Systems Operator</i>	<i>15</i>	<i>16</i>
<i>Utilities Business Manager</i>	<i>22</i>	<i>22</i>
<i>Assistant Finance Director</i>	<i>27</i>	<i>29</i>

In addition, I recommend the following salary grade assignments based on internal relationships and Director level roles

<i>Human Resources Director/ADA Coordinator</i>	<i>28</i>	<i>33</i>
<i>Parks & Recreation Director</i>	<i>27</i>	<i>28</i>
<i>Library Director</i>	<i>27</i>	<i>28</i>
<i>Tourism Development Director</i>	<i>26</i>	<i>27</i>

The City Manager reviewed a \$72,000 upgrade to the customer service area that was already budgeted/included in the CIP. The additional work for the LPA is \$55,000. Matt Rauschenbach discussed the proposed design, improved flow and handicap access. He also noted flooring, electrical, and ceiling work was rebid to do the complete project including the proposed up-fit at customer service. The City Manager explained the current quote went up approximately \$9600 from the previous estimate presented to Council.

Council and staff discussed the pros and cons of the LPA being located at Brown Street vs. City Hall. Matt Rauschenbach explained we have to open the LPA by May 1st. He continued by saying we only had estimates last month and not actual bids, the purpose of last month's request was to determine the location of the LPA. Mayor Pro tem Sadler and Councilmember Brooks expressed their concern with having the LPA located at City Hall.

Matt Rauschenbach reviewed the proposed salary changes with Council, noting three additional employees would be needed to staff the LPA. When the previous study was done, Piedmont suggested the additional changes to the pay/class schedule (box #2). Adam Waters reviewed the proposed design of the LPA with Council.

Council continued their discussions regarding the proposed pay/class changes. The City Manager suggested doing an across the board pay/class study. Councilmember Kane suggested approving the pay/class changes in the first box related to the LPA and discuss the others during the budget workshops. Mayor Pro tem Sadler expressed his concern with the \$128,498.75 for the renovations at City Hall, he also expressed his concern with the suggested positions shown for pay/salary increases that aren't related to the LPA. Councilmember Finnerty expressed favor with the LPA being located at City Hall. Councilmember Brooks expressed his concern with the material that was presented to Council last month and feels Council was led to put the LPA at City Hall and felt City Hall was not the best option.

A motion was made by Councilmember Finnerty and seconded by Councilmember Kane to approve a budget ordinance amendment for the startup of the License Plate Agency at City Hall only approving the three new positions and salary assignments relating to the License Plate Agency (see below) and award the bid for reconfiguring City Hall in the amount of \$128,498.75 to Coastal Builders. Voting for the motion: Kane/Finnerty; against: Brooks/Sadler. The vote resulted in a tie and Mayor Hodges voted for the motion and the motion carried 3-2.

<i>NEW: License Plate Agent</i>	<i>Grade 14</i>
<i>New: Customer Service/License Plate Agent</i>	<i>Grade 15</i>
<i>New: Lead License Plate Agent</i>	<i>Grade 16</i>

NEW BUSINESS:

APPROVE – ADDITION OF LED AREA LIGHTS AND RATES

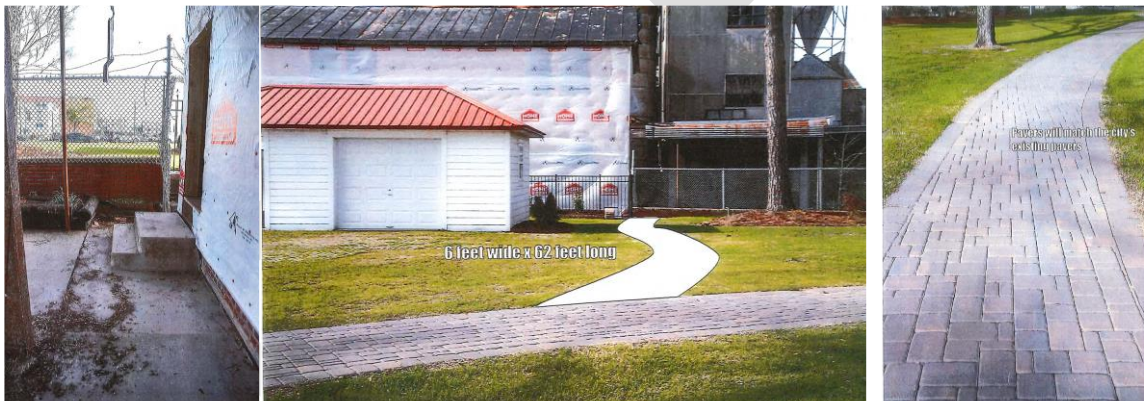
BACKGROUND AND FINDINGS: In an effort to lower rates for the customer, as well as, lower the cost of energy purchased the Electric Department would like to add the latest in technology to the electric system by making LED area lights available. Below are the proposed area lights, the description, and the rates.

<i>Code</i>	<i>Description</i>	<i>Rate</i>
A15	45W LED on new pole	\$14.55
A16	45W LED on existing pole	\$12.91
A17	96w LED Flood	\$19.18
A18	110w LED on 8' arm	\$19.18
A19	297w LED Flood	\$36.78

By motion of Councilmember Finnerty, seconded by Mayor Pro tem Sadler, Council approved the addition of new LED area lights and rates.

APPROVE – REQUEST FOR PARK ENCROACHMENT AND PARKING SPACE MODIFICATION – STEWART PARKWAY AND MARITIME QUARTER/CRAB PARK

Mike Dail, Community & Cultural Services Director reviewed the item with Council. The owner of the former Havens Mill Property is in the process of rehabilitating the building that was formerly the Rowing Club. The property owner is requesting permission to install a 62-footlong sidewalk across the Maritime Quarter/Crab Park. The owner would also like to convert one of the existing parking spaces along Stewart Parkway to a handicap space. The path and handicap parking space are needed in order to comply with ADA regulations to allow for handicap accessibility to their building. The property owner proposes to pay for the sidewalk installation and parking space conversion. The new sidewalk will match what currently exists in the park. The owner proposes to build a tap house or microbrewery at this location.



By motion of Mayor Pro tem Sadler, seconded by Councilmember Finnerty, Council approved the request to convert a parking space along Stewart Parkway to a handicap space (remove curb as needed) and allow side walk to be constructed across the Maritime Quarter/Crab park to provide handicap access to the H-D Holdings of Washington, LLC properly. As well as remove one of the handicap spaces across the street (public parking lot) and put that back to a regular parking space.

ANY OTHER ITEMS FROM CITY MANAGER:

MEETING WITH ARCHITECT/ENGINEER FOR POLICE STATION

*March 11th from 1pm-3pm in the Mayor's Conference Room

UPDATE ON 15TH STREET ENGINEERING RFQ'S

The City Manager said we received six submissions for the 15th Street engineering RFQ's, those items will be forwarded to Council. Mayor Hodges suggested possibly doing a parking study as well.

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

Mayor Pro tem Sadler asked for an update from the January meeting regarding Roberson cab. The City Manager explained we are working on a reciprocity agreement with Greenville.

CLOSED SESSION:

UNDER NCGS§143-318.11 (A)(3) ATTORNEY/CLIENT PRIVILEGE

By motion of Mayor Pro tem Sadler, seconded by Councilmember Brooks, Council entered into closed session under NCGS 143-318.11 (A)(3) Attorney/Client Privilege at 8:15pm

By motion of Mayor Pro tem Sadler, seconded by Councilmember Finnerty, Council agreed to come out of closed session at 9:07pm

ADJOURN

By motion of Mayor Pro tem Sadler, seconded by Councilmember Brooks, Council adjourned the meeting at 9:08pm until April 13, 2020 at 5:30pm in the Council Chambers.

(Subject to approval of City Council)

s/Cynthia S. Bennett, MMC
City Clerk