

MINUTES
REGULAR MEETING
CITY COUNCIL

January 5, 2015

Mel L. Cohen, Mayor

Sally W. Sandy, City Manager
Louis E. Vinay, Jr., City Attorney

John H. Cantrell)
Forrest A. Fleming) Councilmen
Sidney Simmons)
Ronnie Thompson)

Becky Brinkley, Interpreter

I. Call to Order – The meeting was called to order in the Council Chamber at City Hall at 5:30 p.m. by Mayor Cohen.

II. Public Comment – The Mayor stated the guidelines for public comment, and then speakers were called in order of sign-up.

- Mrs. Fareeda Omer resides at 107 Castlegate Drive. Mrs. Omer expressed her objections to the installation of Smart Meters. She stated that Smart Meters are dangerous to buildings and citizens.

- Aziz Omer resides at 101 Ervingdale Lane. Omer expressed his objections to the installation of Smart Meters.

There being no other speakers, the Mayor recessed the meeting at 5:43 p.m.

III. Business of the Council – The Mayor reconvened the meeting at 6:00 p.m.

IV. Pledge of Allegiance to the Flag – Councilman Fleming led the recitation of the Pledge of Allegiance to the Flag.

V. Invocation – The Invocation was given by the Rev. Gary Parker, Grace Episcopal Church.

VI. Introduction of Council – The Mayor introduced the Council and staff.

VII. Retiree Resolution – The Mayor read Retiree Resolutions and presented to each retiree as follows:

- James B. Beaver retired from the City of Morganton on January 1, 2015 with over 30 years' service. Jim retired from the Electric Operations Department as an Electric

Supervisor. Jim was unable to attend the meeting and will be presented his resolution at a later time.

Upon motion by Mayor Cohen, seconded by Councilman Cantrell, and carried unanimously, the Council adopted Resolution #15-2 honoring retiree James B. Beaver.

- Calvin O. Daniels retired from the City of Morganton on January 1, 2015 with over 22 years' service. Calvin retired from the Public Safety Department as a Public Safety Officer – Special Assignment, Criminal Investigations Division.

Upon motion by Mayor Cohen, seconded by Councilman Simmons, and carried unanimously, the Council adopted Resolution #15-3 honoring retiree Calvin O. Daniels.

a. Consideration of Award of Service Weapon - Historically, the City has followed the North Carolina General Statutes and awarded a retiring member with their service weapon along with their fire services helmet. This has been done by the Council declaring the particular items as surplus and then allowing someone to purchase the weapon for the officer for a fee of one dollar.

Investigator Daniels has complied with the North Carolina General Statutes in regard to obtaining a valid gun permit for the weapon. City staff recommended that his weapon Glock model 23-4 Gen. 4 semi-auto pistol, serial number XPH025, and fire services helmet, *Paul Conway American Classic* brand helmet, Model LFH2120E-21, Serial number LH00045940, be declared surplus, sold, and presented to Investigator Daniels. The City Manager paid the dollar.

Upon motion by Mayor Cohen, seconded by Councilman Thompson, and carried unanimously, the Council declared as surplus Glock model 23-4 Gen. 4 semi-auto pistol, serial number XPH025, and fire services helmet, sold for \$1, and presented to retired Investigator Calvin Daniels.

- Cheryl Dellinger retired from the City of Morganton on January 1, 2015 with over 14 years' service. Cheryl retired from Human Resources Department as Director.

Upon motion by Mayor Cohen, seconded by Councilman Cantrell, and carried unanimously, the Council adopted Resolution #15-4 honoring retiree Cheryl Dellinger.

Cheryl stated she had thought long and hard about this moment and what to say. She stated that words cannot express how she's , and that it had been an honor and privilege to work for the City of Morganton. She worked for quite a few employers during her career and working for the City had been the absolute best job she's ever worked.

- Dwight D. Rogers retired from the City of Morganton on January 1, 2015 with over 30 years' service. Dwight retired from the Electric Operations Department as Line

Clearance Crew Leader. Dwight was unable to attend the meeting and would be presented his resolution at a later time.

Upon motion by Mayor Cohen, seconded by Councilman Thompson, and carried unanimously, the Council adopted Resolution #15-5 honoring retiree Dwight D. Rogers.

- Steven S. Schoenen retired from the City of Morganton on January 1, 2015 with over 10 years' service. Steven retired from the Public Works Department as Concrete Finisher.

Upon motion by Mayor Cohen, seconded by Councilman Fleming, and carried unanimously, the Council adopted Resolution #15-6 honoring retiree Steven S. Schoenen.

VIII. Public Advocacy Issues and Strategies

The Mayor asked Brad Boris to speak about the upcoming bitter cold temperatures. The Water Resources Department asks citizens to remember to cover exposed water pipes, open up cabinets to warm pipes, and let water trickle to help keep pipes from freezing. If you don't have water service call the Water Resources Department.

The Mayor announced upcoming events including shows at CoMMA: "The Show 3", Friday, January 16, 7:30 p.m. and "The Ultimate MJ Experience", Sunday, January 25, 3:00 p.m.

The Mayor reminded everyone of the upcoming City Council Workshop – February 20, 2015 in the Morganton City Hall Council Chamber.

The Mayor stated that the City has been named one of the "Top 20 Coolest Small Towns Near Asheville" by RomanticAsheville.com

The Mayor spoke fondly about Frank Braswell a retired employee who passed away last week.

The Mayor stated that Jim Carr had passed away and the funeral was earlier in the day. Mr. Carr was a hearty supporter of downtown Morganton.

The Mayor congratulated Steve Gregory on the 75th Anniversary of Gregory Jeweler's. The Mayor thanked Steve for the compliments about the City in the day's News Herald.

The City Manager introduced Rus Scherer, the City's new Human Resources Director. She stated she was excited to have him join the team.

IX. North Carolina Municipal Power Agency Number 1 Update – The City Manager stated there were no updates.

X. Consent Agenda – The City Manager presented the Consent Agenda and asked if any items should be removed from it. No request was made.

Upon motion by Councilman Fleming, seconded by Councilman Thompson, and unanimously carried, the Consent Agenda was approved and each individual item adopted as stated, these being:

- A. Approved minutes for a Regular Meeting held on December 1, 2014.
- B. Approved tax releases in the amount of \$230.97.

XI. Items Removed from Consent Agenda – There were no items removed from the Consent Agenda.

XII. New Business

A. Other Business

1. Consideration of Purchase and Installment Financing of a Garbage Collection Vehicle

The City Manager stated the Department of Public Works budgeted \$150,000 in the FY 2014/15 year to purchase a Garbage Collection Vehicle for collection of residential solid waste. Funds are available within the Public Works Department 2014/15 Capital Budget to complete this purchase. This piece of equipment will replace a 2003 Sterling Rear Loader.

Proposals were reviewed a number of trucks and compaction bodies. A Mack GU 813 is available under a state purchase contract and a Heil body is available under the provisions of NJPA purchasing. Ken White with TranSource has proposed a vehicle with a 2014 model cab and chassis he has available and the ancillary Heil Dura Pack 5000 body for a total amount of \$171,751. Jack Parks, garage superintendent, Ronald Coleman, sanitation superintendent, Michael Chapman, purchasing agent and Scott Lookadoo all agree this bid meets all performance requirements and is the best purchase for the City considering price, performance and delivery. The body will be installed with a projected delivery within 60 to 90 days after receipt of order.

Requests for proposals for financing a rear loader and turf maintenance equipment was sent to six banks. One response, from BB&T, was received. It is the recommendation of Finance Director Karen Duncan that financing be awarded to BB&T at an interest rate of 2.24% for a period of 4 years. The first debt payment will be in next fiscal year so a budget amendment is not necessary.

Upon motion by Councilman Cantrell, seconded by Mayor Cohen, and carried unanimously, the Council awarded the bid to purchase a 2014 Mack GU 813 chassis and 27-yard Heil Dura Pack 5000 body, rear loading refuse collection truck in the amount of \$171,751 from TranSource Truck & Trailer Center of Hickory, North Carolina.

Upon motion by Councilman Thompson, seconded by Councilman Simmons, and carried unanimously, the Council awarded financing to BB&T at an interest rate of 2.24% for a period of 4 years.

2. Consideration of Purchase and Installment Financing of Turf Maintenance Equipment

The City Manager stated the City has invested a large amount of resources in order to construct and maintain sports fields with high quality athletic turf. The equipment listed here is needed to assure the fields are properly maintained and protected against disease and poor maintenance procedures. Neglect could result in poor/unsafe playing conditions and possible loss of turf. All of this equipment is to replace existing equipment purchased in 2004.

Commitment from the City Council and the Recreation Parks Staff to provide quality athletic fields can only be achieved through professional maintenance equipment. The expectations from City residents, local league participants and state and national travel teams will require the highest quality playing conditions and surfaces.

Recreation Director Gary Leonhardt requested the following equipment be approved for purchase:

- 1200 Hydro Rake. (This is the field dragging and grooming machine to ready skinned surfaces for each game.)
- Rear frame (attachment for Hydro Rake)
- Rear mounted field finisher (attachment for Hydro Rake)
- Trim and surrounds mower (grass cutting on playing field surfaces)
- Agrimetal BWSP – 180 (Power blower to blow off and dry large surfaces/ also used on greenway trails)
- John Deere Gator TX Turf (with hydraulic lift bed)
- John Deere Gator TX Turf (manual bed)
- Frontier GM 1072E Economy Rear (attachment finish mower for tractor)

Total cost - \$ 84,979.01, from Revels Turf and Tractor, LLC

The 2014/2015 budget includes \$85,000 for this purchase.

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budget amendment will not be necessary. This financing will totally cover this equipment and the refuse collection truck as noted above.

Upon motion by Councilman Fleming, seconded by Councilman Cantrell, and carried unanimously, the Council approved purchase of turf maintenance equipment from Revels Turf and Tractor, LLC at a cost of \$84,979.01.

Upon motion by Councilman Fleming, seconded by Councilman Cantrell, and carried unanimously, the Council awarded financing to BB&T for at an interest rate of 2.24% for a period of 4 years.

3. Consideration of Contract for Lobbying Services

The City Attorney stated that for several years the City has been contracting on an annual basis with the law firm of Manning Fulton & Skinner for professional lobbying services with the North Carolina General Assembly. In 2014, a “short session” year, the firm charged a fee of \$30,000; in the last “long session” year of 2013, the charge was \$45,000.

Now, Manning Fulton has sent a proposal to charge \$50,000 for its lobbying services for the year 2015. The firm would continue to assign for its services John McMillan (one of the deans of all lobbyists in Raleigh), Michelle Frazier and John Hardin. City staff continues to believe it is crucial for Morganton to have its own registered lobbyist in Raleigh, especially given the on-going critical issues unique to our city, such as the Broughton campus re-use, and the potential presence of the NC School of Science & Math. The City also benefits from having our own “eyes and ears” in Raleigh, keeping us apprised of developments in both the legislative and executive branches on a daily basis.

Upon motion by Councilman Cantrell, seconded by Councilman Thompson, and carried unanimously, the Council approved a contract with Manning Fulton & Skinner to provide lobbying service with the General Assembly for 2015, for the fee of \$50,000.

4. Consideration of a Contract for the Installation of Primary Clarifier and Sludge Pumping Equipment at the Wastewater Treatment Plant

The City Manager stated the primary clarification and pumping system is a very critical physical treatment process in the operation of a wastewater plant. Also, its function is very important to a facility’s permit compliance.

There are (2) circular primary clarifiers and (3) primary sludge pumps at the wastewater plant. They were constructed in 1995. Currently, none of the sludge pumps are operational and only one of the clarifiers is in service. After almost 20 years, this equipment has reached the end of its useful life and is in need of rehabilitation.

As a part of the approved FY14/15 Capital Improvement Plan, one primary clarifier and one sludge pump are scheduled to be replaced.

Informal bid proposals were requested from seven NC-licensed utility contractors for the installation of this equipment. Three bids were received prior to the deadline on Tuesday December 16, 2014. The lowest responsive, responsible bid was submitted by Brushy Mountain Builders, Inc. of Lenoir, North Carolina in the amount of \$149,660. This amount is in our capital budget.

Councilman Thompson asked what equipment would be operational after completion. The City Manager stated there would be one operational clarifier and one on its last legs, and two operational sludge pumps.

Upon motion by Councilman Cantrell, seconded by Councilman Fleming, and carried unanimously, the Council authorized and contracted with Brushy Mountain Builders, Inc. of Lenoir, NC in the amount of \$149,660 for the installation of primary clarifier and sludge pumping equipment at the wastewater treatment plant. Resolution #15-7.

XIII. Other Items from City Manager and City Council Not on Agenda

a. Consideration of NC Parks and Recreation Trust Fund Grant Application

The City of Manager stated the City has an opportunity to apply for a North Carolina Parks and Recreation Trust Fund (PARTF) grant for Phase III of the Catawba River Soccer Complex. The grant is a matching grant. The request for the grant would be for fiscal year 2014/2015. The requested CIP for next budget year would include our match.

The project would be to add two (2) additional regulation soccer/rugby/football fields, 148 additional parking spaces, ¼ mile paved trail connection to the greenway, 1.4 acre addition to existing dog park, and championship croquet course. The project costs will be \$795,000. Project will consist of funding as follows:

PARTF	\$250,000
Morganton Recreation Foundation, Inc.	\$197,500
City of Morganton	\$197,500
Private	<u>\$150,000</u>
Total	\$795,000

If successful in the grant application process, the City would be notified in July 2015. In order to apply, the Council must give permission and the full application is due February 2, 2015. We have been successful in PARTF grants in the past at the soccer complex and at Catawba Meadows.

Councilman Thompson asked if the City would be penalized through the grant if the \$150,000 of private funds is not raised. The Manager stated the City would not be

penalized. Councilman Thompson then asked if this would complete Phase III. The City Manager stated this would complete everything in this project. The Community Garden would be moved to the spot first planned as shown on the Master Plan.

Upon motion by Councilman Fleming, seconded by Councilman Cantrell, and carried unanimously, the Council authorized the City staff to submit a PARTF grant application for \$250,000 in the 2015 grant cycle.

XIV. Reports – Reports were distributed for information.

XV. Meeting Recess – The meeting was recessed at 6:41 p.m. and would be reconvened on Tuesday, January 20, 2015, 12:00 p.m. for Consideration of Award of Contracts for Community House.

Upon motion by Councilman Thompson and seconded by Councilman Cantrell, and passed unanimously, the Council approved recessing the meeting until Tuesday, January 20, 2015 at 12:00 p.m.

January 20, 2014
MEETING CONTINUED

The Mayor reconvened the meeting at 12:00 p.m. on Tuesday, January 20, 2015, with all members present.

XIII. b. Consideration of Award of Contracts for First Phase of the Community House Renovation Project

The City Manager stated the reason for recessing the meeting from January 5 was to acquire bids for this project.

The City Manager stated that in January 2013, the City partnered with the Morganton Pilot Club to explore the possibility of upgrading and renovating the Morganton Community House. Two years ago, meetings were held with Patti Glazer, an architect from Asheville with experience in renovating older buildings, to begin looking at what an upgraded Community House might look like and how to get there.

A group of citizens including Pilot Club members and City Council members met for several months to give the architect an idea of what changes and upgrades are necessary and also what improvements are desirable in a meeting/banquet facility that meets today's expectations. A project that was estimated to cost \$1.5 million was decided upon. The committee identified a group of citizens to serve on a fundraising committee to assist in raising private funds for this project. To date \$231,222 has been pledged toward the project.

The City budgeted for infrastructure improvements, upgrades to plumbing, electrical service, HVAC and basement entry and access changes in 2014/2015. Originally, there was not going to be a kitchen upgrade. However, in the summer after the budget process, the Council allowed City staff to apply for a grant to help upgrade the kitchen. We were successful in receiving approval of \$75,000 in grant funds for this purpose. The grant requires a match of \$75,000. The City Manager stated the City has received a private donation of \$15,000 specifically for the kitchen upgrade leaving a balance of \$60,000 to match the grant.

In the fall of 2014, bid requests for a general contractor to do the infrastructure work were put together after the architectural work was completed to include the possible kitchen renovation since it made sense to do that while the building had to be shut down anyway and since the grant and gift opportunity for the kitchen had materialized.

On January 7, 2015, bids were received from three contractors. The lowest responsible bid is \$312,936 submitted by Wilkie Construction Company, Inc.

The kitchen equipment was bid through a purchasing co-op named TriMark-Strategic Equipment and is priced at \$148,068. The kitchen was designed by a professional kitchen designer who is familiar with catering/commercial kitchens.

The project dollars breakdown as follows:

Community House Renovation Phase 1A

Part A Construction Bid - Base	\$312,936.00
Alt 2 Water Heater	<u>\$6,800.00</u>
Total	\$319,736.00
Deduction agreed on	-\$6,446.00
Add sound deadening	<u>\$530.00</u>
Total	\$313,820.00
Budget 2014/15	<u>\$160,000.00</u>
	\$153,820.00
Contributions from donors	-\$150,000.00
Additional funding needed	\$3,820.00
Part B Kitchen Equipment	\$148,068.00
Removal and reinstallation of old cooler	<u>\$4,500.00</u>
	\$152,568.00
Grant funds	-\$75,000.00
Donor gift for kitchen	<u>-\$15,000.00</u>

Additional funding needed	\$62,568.00
Total additional funding needed	\$66,388.00

The City Manager stated in summary, after making necessary scope changes to take advantage of the opportunity to upgrade the existing kitchen, the total project cost is \$466,388. The new kitchen layout and equipment will allow for more efficiency and opportunities to meet current code requirements. The City is funding \$226,388 of the costs with the remaining \$240,000 coming from private donations and grants. The City also contracted for and funded the \$85,000 in architectural fees associated with this project.

In order to fund the entire project, a budget amendment of \$306,388 would be necessary. It is the Manager's recommendation that Council consider using the \$300,000 from the recent sale of the property on College Street and appropriate \$6,388. As the grant monies are reimbursed and the private donations are collected, it is recommended that those funds be transferred to the Capital Reserve Fund for future use.

Councilman Thompson asked if the \$768,000 would complete phase 1. The City Manager stated that this would be Phase 1A and a portion of 1B. She stated the figure was actually \$561,443 and explained how that cost was figured.

Councilman Thompson asked if this would do anything to the aesthetics. The Manager stated not at this phase; she then listed some things they were working toward in the future phases.

Architect Patti Glazer elaborated on some of the items, including acoustical panels in the Connelly Room, upgrading handicap accessibility, with code changes these improvements help bring things into compliance, fire rated doors need to be installed. She stated there should be savings in maintenance and efficiency with these infrastructure improvements. She stated that the building is structurally sound, is in good shape, and these improvements should last a long time.

The City Manager stated the Council received a list of equipment purchased. She pointed out there were items on this list that both the Health Department and OSHA had mentioned as problem areas, and \$77,000 of the items listed are in the areas needing fixing.

Councilman Cantrell stated that as a young man he had delivered groceries at the Community House and the stairs were a problem then as they are now. He mentioned the boiler and its years of disuse. He stated these are things that the City has band-aided for many years. He feels the Community House is an asset that is hard to put a price-tag on. The Morganton Community House is an asset that needs protection. He stated he sees the value of the asset, he cannot see any reason for not going forward and our citizens deserve a first class community house.

Councilman Fleming asked what the likelihood was of receiving back the \$306,388 to be reimbursed to the Capital Reserve Fund. The City Manager stated it is very likely we get \$240,000 back. She stated there is a high probability that those monies will come in.

Upon motion by Councilman Fleming, seconded by Councilman Cantrell, and carried unanimously, the Council awarded a contract to Wilkie Construction Company, Inc. for not to exceed \$313,820 for Community House Renovation Project Phase 1A.

Upon motion by Councilman Cantrell, seconded by Mayor Cohen, and carried unanimously, the Council awarded a contract to TriMark-Strategic Equipment for \$148,068 for kitchen equipment for Community House.

Upon motion by Councilman Cantrell, seconded by Councilman Fleming, and carried unanimously, the Council approved FY 2014/2015 budget amendment in the amount of \$306,388 to appropriate funds for the Community House Renovation and equipment purchase.

The Mayor thanked those in the audience who have worked for months to get this project going.

The meeting was adjourned at 12:40 p.m.

Preparation of Minutes. These minutes were prepared by Mikela D. Russell, Assistant City Clerk. Copies of all resolutions, ordinances and orders referenced in these minutes are intended to be incorporated into these minutes as if fully set forth herein. Prior to including them into the official minute book, the minutes have been read and approved by the City Manager and the City Attorney, then distributed to each member of the City Council for further review and final approval, at a subsequent Council Meeting.



Mayor

Assistant City Clerk