MINUTES
REGULAR MEETING
CITY COUNCIL
February 4, 2019

Ronnie Thompson, Mayor   Sally W. Sandy, City Manager
Wendy Cato  )   Louis E. Vinay, Jr., City Attorney
Forrest A. Fleming ) Council
Christopher Hawkins )
Sidney Simmons  )   Becky Brinkley, Interpreter

I. Call to Order – The Mayor called the meeting to order at 5:00 p.m. in the Council Chamber

II. Closed Session – The Mayor stated Council needed to go into closed session to consult with attorneys employed or retained by the City to preserve the attorney-client privilege between the attorneys and the City Council, and to prevent disclosure of information that is privileged or confidential pursuant to laws of the State in accordance with N.C. General Statutes section 143-318.4(a)(3).

Upon motion by Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council went into closed session in Conference Room 1, pursuant to N.C. General Statutes section 143-318.4(a)(3) to consult with attorneys employed or retained by the City.

The Council came out of closed session at 5:48 p.m. The Mayor recessed the meeting until 6:00 p.m.

The Mayor called the meeting back to order at 6:00 p.m.

III. Public Comment – No speakers were signed up or appeared.

IV. Pledge of Allegiance to the Flag – Mayor Pro-tem Fleming led the recitation of the Pledge of Allegiance to the Flag.

V. Invocation – The invocation was given by the Rev. George Logan of New Day Christian Church.

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

VII. Retiree Resolution – The Mayor read a resolution honoring Kimo, a Public Safety Department canine. Kimo is being retired after five-and-a-half years’ service due to a
February 4, 2019 - continued

diagnosis of terminal Lymphoma. Kimo is unable to continue the performance of his duties as a Public Safety canine. Kimo was declared surplus property; deemed to pose a potential threat to the public health and safety if not provided with proper care and management; and was transferred to PSO William Miller in consideration of and on the condition that PSO Miller assume full responsibility for providing adequate shelter, care, and supervision of Kimo for the remainder of Kimo’s life.

Upon motion by Councilman Simmons, seconded by Councilman Fleming, a resolution was adopted unanimously, retiring Kimo, a canine assigned to the Morganton Department of Public Safety, declaring Kimo as surplus, and transferring ownership to PSO William Miller.

VIII. Service Pin – The Personnel Committee and City staff have decided to recognize long-term employees for years of service at a Council meeting. A 20 year service pin will be presented to Darrell Aldridge, Animal Control Officer in the Public Safety Department, who was unable to attend the meeting.

IX. Public Advocacy Issues and Strategies

a. Burke County Homebuilders Association Presentation – This presentation was postponed until the March 2019 meeting.

b. The Mayor announced the Morganton City Council Winter Workshop which will be held on Friday, February 22, 2019 beginning at 8:15 a.m. at the Community House.

c. The Mayor announced the following upcoming events at CoMMA: *Cirque Elioze - Saloon*, on February 9, and *Rock of Ages*, February 21.

X. North Carolina Municipal Power Agency Number 1 Update – The City Manager stated the power agency rate committee is working on figures for the new budget season.

XI. Consent Agenda – The City Manager presented the consent agenda and asked if any items should be removed from the Consent Agenda. The Mayor requested that Item D be removed for discussion.

Upon motion by Mayor Thompson, seconded by Councilman Simmons, and unanimously carried, the consent agenda was approved and each individual item, with the exception of Item D, was adopted as stated, those being:

A. Approved minutes for a Regular Meeting held on January 7, 2019 as submitted.

B. Approved tax releases in the amount of $1,475.30.
C. Declared as surplus a fire helmet, Lion Brand, Serial Number LHM0000053274, sold for one dollar (paid for by the City Manager), and presented to retired reserve firefighter Jeff Lowdermilk.

D. Removed for discussion – Consideration of the Fair Housing Plan & Analysis of Impediments for 2019.

E. Authorized the award of bid and contract with Turner Waterproofing, Inc. in the amount of $55,475 for the replacement of the roof of the Collett Street Recreation Center Gymnasium. (Resolution #19-09)

F. Approved changing the parking ordinance for parking spaces at 600 South Green Street from a 2 hour to a 4 hour parking time limit. (Ord. #19-03)

G. Items Removed from Consent Agenda – Item D – Consideration of Updated Fair Housing Plan & Analysis of Impediments

The Mayor requested this item be removed for discussion. He commented that the report states there are 1,037 vacant homes in the City.

The City Manager stated this is not a City survey, it was compiled by HUD and the information is from 2017. The Western Piedmont Council of Governments also accumulates information and demographics across the Uni-four area; they have shared that a lot of vacant property is neglected and nuisance property that has been allowed to fall into disrepair.

The City Attorney pointed out only 46% of the “vacant” properties are either owner occupied or rental; all others are abandoned, unoccupied, or seasonal dwellings.

Councilwoman Cato stated it reinforces the survey done by the Burke County Board of Realtors.

Upon motion by Mayor Thompson, seconded by Councilman Simmons, and carried unanimously, the Council adopted the Fair Housing Plan & Analysis of Impediments for 2019.

XII. New Business

1. Consideration of a Resolution for an Economic Development Grant / Sterling Street Hospitality Corridor Project

The City Manager stated the North Carolina Department of Commerce Rural Division (NCDOC) has a grant program that will pay for utility infrastructure up to 95% of the cost for economic development projects that create new jobs. The City would like to apply for grant money to be used toward the utilities associated with development around the access road near I-40 Exit 105 between Sterling Street and West Parker Road. The
project estimated cost of water and sanitary sewer lines is $514,250. The developer is responsible for the cost of the utilities and would provide the money for any cost not covered by the grant.

NCDOC requires that Morganton City Council pass a resolution authorizing city personnel to sign requisitions in order to be reimbursed by NCDOC for expenditures.

By passing the resolution, Morganton City Council is approving Sally Sandy - City Manager, Sonja Marston – Assistant City Manager, Karen Duncan – Finance Director and Phillip Lookadoo – Development and Design Services Director to sign requisitions for NCDOC funds to be paid to the City of Morganton for the utility infrastructure along the Sterling Street Hospitality Corridor.

Upon motion by Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council approved Resolution #19-08 authorizing the City of Morganton to make application to the NC Department of Commerce Rural Economic Development Division Rural Infrastructure Grants program for the Sterling Street Hospitality Corridor project.

2. Consideration of Award of Financing to BB&T for the Refurbishment of the 1999 Sutphen Ladder Truck (Ladder 1)

The City Manager stated that staff has shared the final recommendations on refurbishing the 1999 ladder truck. Much research and evaluation went into the recommendation. At budget time, staff was uncertain as to the specifics of what the truck needed so the budget was worst case scenario. Staff believes that the repairs/major maintenance will extend the truck’s life 10-years, giving staff and Council time to plan for the $1.5 million replacement.

Bids ranged from approximately $183,000 to $445,000.

The plan is to pay for this with installment purchase proceeds and pay debt service over 5 years. BB&T has proposed to do the financing at 3.42% for 5 years. The amount to be financed is $183,286.

Upon motion by Councilman Fleming, seconded by Councilwoman Cato, and carried unanimously, the Council awarded the refurbishment contract to Cornerstone Specialty Equipment in the amount of $183,285.51.

Upon motion by Councilman Simmons, seconded by Councilman Fleming, and carried unanimously, the Council awarded financing in the amount of $183,285.51 to BB&T for a period of 5 years at an interest rate of 3.42%. (Resolution #19-07)
3. Consideration of a Sidewalk Encroachment Agreement with J.R. Russell for 116 North Sterling Street

The City Manager stated that Reece Winery, owned by Teresa and Mitchell Reece, has requested a sidewalk encroachment to provide for outdoor seating for their business which includes wine, beer and light snacks. The property is located at 116 North Sterling Street and is owned by J.R. Russell.

The sidewalks in this area of North Sterling Street are 16.8 feet in width, from face of building to back of curb, which affords a more gracious amount of outdoor seating than those allowed in other areas of town. The proposed encroachment extends to the middle sidewalk joint or 8.8 feet from the face of building. This encroachment would leave 8 feet dedicated to pedestrian travel and street furniture.

Councilman Fleming asked if the 8.8 feet is a comparable encroachment allotted to other downtown businesses. The City Manager stated that the sidewalk is wider on that portion of the street; while other streets have narrower sidewalks. She stated there must be 5 feet of open sidewalk to accommodate the public.

Upon motion by Councilwoman Cato, seconded by Councilman Fleming, and carried unanimously, the Council approved a sidewalk encroachment at 116 North Sterling Street.

XIII. Other Items from City Manager and City Council Not on Agenda – There were no other items presented.

XIV. Reports – Reports were distributed to Council.

XV. Adjournment – The Mayor adjourned the meeting at 6:23 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