

MINUTES  
REGULAR MEETING  
CITY COUNCIL

August 2, 2021

Ronnie Thompson, Mayor

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

Christopher Hawkins ) Council  
Chris Jernigan )  
Butch McSwain )

Interpreters  
Danette Steelman-Bridges  
Ernest Williams, IV

Mayor Pro-tem Cato attended the meeting remotely.

All votes at this meeting were taken by roll call with the Mayor asking if the Mayor Pro-tem had heard all the details of the item in question and asking her to voice her vote. In each one, the Mayor Pro-Tem offered she had heard and understood the item and the motion, and clearly and audibly stated her vote.

I. Call to Order – The Mayor called the meeting to order in the Council Chamber at City Hall at 6:00 p.m.

II. Public Comment – The Mayor stated the guidelines for public comment and said speakers were to be called in order of sign-up for those who appeared in person; however, due to COVID-19 the Council was still accepting public comments via email, U.S. mail, or hand-delivered letters.

No speakers signed up, appeared, or sent letters/email.

III. Pledge of Allegiance to the Flag – The Pledge was led by Councilman Jernigan.

IV. Invocation – The invocation was given by the Rev. Tom Bland, First Baptist Church.

V. Introduction of Council – The Mayor introduced Council and staff.

VI. Public Advocacy Issues and Strategies

The Mayor read a COVID update and reminded citizens that the best defense against COVID-19 is a vaccination.

Abby Nelson, Main Street Manager, shared an update on Main Street statistics for fiscal year 2020-2021. She stated that Morganton residents should be very proud of the hard work from both the public and private sector that happened in order to get such

impressive numbers and during a pandemic year! When other municipalities shutdown, Morganton persevered and these numbers reflect that.

Nelson stated that one of the many requirements that Main Street communities must do in order to meet state and national accreditation standards is to supply annual statistics regarding economic development. After such an unprecedented year that FY 2020-2021 was, many great things happened in downtown Morganton and these statistics reflect that. Nelson shared the following statistics for downtown during this past fiscal year:

Private Investment (property acquisitions/sales + private improvements/new constructions) - \$6,762,365

Public Investment (property acquisitions/sales + private improvements/new constructions) - \$3,263,171

Number of Public Improvement Projects – 6

Business Development Activity –

Number of Businesses Opened – 11

Full Time Jobs Gained – 17

Part Time Jobs Gained – 9

Number of Businesses Closed – 4

Full Time Jobs Lost – 11

Part Time Jobs Lost – 3

NET GAIN:

Number of Businesses – 7

Number of Full Time Jobs – 6

Number of Part Time Jobs – 6

Business Expansion – 1

Building Redevelopment/Development Activity

Number of Façade Improvements – 19

Number of Building Rehabilitations Completed – 3

Number of New Construction Projects – 1

Number of Housing Units Created – 10

Volunteer Activity

Volunteer Hours – 831 hours – Current value of volunteer time in NC is \$25.98/hr., which equals \$21,589.38 of volunteered time to Morganton Main Street/Downtown Promotional Activity

86 events were programmed during FY 20-21 (including Farmers Markets, Carriage Rides, and other promotions throughout the year). Based upon conservative numbers regarding attendance and average money spent per event, that equals to around \$943,000.

The Mayor thanked Abby and the Main Street office for all the work put in over the past year, saying it really made a difference.

a. The Mayor made the following announcements: Collett Street swimming pool will close for the season on Sunday, August 22; the City received, from the Government Finance Officers Association of the United States and Canada, a “Certificate of Achievement for Excellence in Financial Reporting” for its Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2020, and an “Award of Financial Reporting Achievement” which was presented to Jessie Parris, Finance Director for the City.

b. The Mayor shared the following upcoming events: Farmers’ Markets continue on Saturdays from 8:00 a.m. – Noon at 300 Beach Street and on Wednesdays a mini-market from 11:00 a.m. – 2:00 p.m. at 111 North Green Street.

He stated the Morganton Human Relations Commission and Burke County Public Library will host an outdoor movie titled "Same Kind of Different as Me" on August 7, 8:00 p.m. (dusk) on the front lawn of the library.

He shared that the Historic Morganton Festival will look a bit different this year with Historic Morganton Festival Weekends held over three consecutive weekends, Friday and Saturday, August 27-28, September 3-4, and September 10-11. There will be music on Friday nights and "festival" vendors and food on Saturdays.

VII. Consideration of Changing City Council Meeting Date for September 2021

The City Manager stated that due to the Labor Day Holiday, City staff recommends that the City Council Meeting for September be changed from September 6, 2021 to September 13, 2021.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved changing the meeting date from September 6, 2021 to September 13, 2021.

The Mayor then announced that City Hall would be closed Monday, September 6, in observance of the Labor Day Holiday and that trash pick-up would be delayed one day the week of September 6.

VIII. North Carolina Municipal Power Agency Number 1 Update – Electric Services Director Brooks Kirby shared ElectriCities CO<sub>2</sub> Emissions Report, stating that overall Morganton is a very green power provider. Eighty-nine percent of Morganton's power comes from nuclear energy and almost 11% hydroelectric power which creates no CO<sub>2</sub> emissions.

IX. Consent Agenda – The City Manager presented the Consent Agenda and asked if any items should be removed; no request was made.

Upon motion by Councilman McSwain, seconded by Councilman Hawkins, and unanimously carried, the Consent Agenda was approved and each individual item adopted as stated, those being as follows:

A. Minutes for a Regular Meeting held on June 7, 2021, a Special Budget Meeting held on June 21, 2021 and a Closed Session held on June 7, 2021 were approved as submitted.

B. Approved the ADA Transition Plan as submitted.

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

XI. New Business

1. Consideration of Award of Contract for Paving and Repair at Fire Station 2 / Carbon City

The City Manager stated that in fiscal year 2020-2021, the CIP budget included \$165,000 for parking lot and drainage repair at the Carbon City Fire Station. This project has been postponed several times. At the end of fiscal year 2021, Development & Design bid-out this project.

On Tuesday, July 27, 2021 at 2:00 p.m. bids were received at City Hall. Four bids were received. The bids included base bid amounts and an alternate bid for traffic control.

It has been determined that the contract will be awarded on base bid only as including the traffic control alternate exceeds the project budget. The City crews will provide traffic control or the scope will be adjusted to not require traffic control.

The lowest responsible base bid was submitted by Fox Built Construction in the amount of \$149,425. After review of bid details, City staff recommended award to Fox Built Construction. Funding is available and appropriated for this project.

Upon motion by Councilman Hawkins, seconded by Councilman Jernigan, and carried unanimously, the Council awarded a contract in an amount not to exceed \$149,425 to Fox Built Construction, and authorized the Mayor or the City Manager to execute and issue those agreements on behalf of the City, together with the additional authority to make such alterations, technical amendments and changes as may be necessary to implement the agreement.

2. Consideration of Award of Contract with Morris Mechanical, Inc. for Purchase and Installation of New De-Humidification Equipment at the Morganton Aquatics Center, and Budget Amendment

Recreation Director Rob Winkler stated that the current system is about 20 years old, has experienced several parts failures, and is nearing the end of its useful life. This system is essential to the operation of the Aquatic Center—without such a system, the facility cannot be used at all, in any reasonable manner. Therefore, there is urgent need to replace the old system.

The only readily available equipment to replace the old Dectron is a Seresco dehumidification unit, with associated pool water heater, controls, outside air duct collar, condenser, coils and other necessary items. The Seresco system is only available in our area through Morris Mechanical, Inc. of Dallas, NC, the appropriately licensed dealer. The City Recreation Department has long experience dealing with Morris regarding HVAC related equipment, specifically for the Aquatic Center, and finds them to be well-qualified and dependable. Morris has submitted a proposal to do this work for \$145,127.92, which includes removal and disposal of the old Dectron system, purchase of the new Seresco system, full installation of the new equipment at the Aquatic Center, and warranties covering the new equipment.

This contract is exempt from the usual statutory bidding requirements on two bases: 1) the City deems this an emergency situation, under G.S. 143-129(e)(2); and 2) this is a “sole source” purchase, under G.S. 143-129(e)(6). City staff has thoroughly reviewed the proposal from Morris, and determines it to be compliant with the City’s needs, fully sufficient and on reasonable terms.

The City Manager stated that staff is currently seeking grant funding to help with this unexpected purchase. The Morganton Recreation Foundation has agreed to advance funding for this purchase with the understanding that any grant funding that is secured for this purchase will be used to pay back the advance.

This system is custom designed and requires ten-weeks to construct and two-weeks to install. In order for the City to be able to offer aquatic opportunities this fall, time is of the essence. A budget amendment is required to make this purchase.

Councilman Jernigan asked if the pool was being used currently. Winkler stated it is open on a very limited basis.

The City Attorney stated that Morris Mechanical, Inc. is the sole source for this product which is why they are able to by-pass the usual bid process.

Upon motion by Councilman McSwain, seconded by Councilman Hawkins, and carried unanimously, the Council awarded a contract to Morris Mechanical, Inc. in the amount of \$145,127.92 for the purchase and installation of new Seresco dehumidification equipment, replacing the old Dectron system, at the Aquatic Center.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved a budget amendment (Ord. #21-33) in the amount of \$145,128 to receive an advance in funding from the Morganton Recreation Foundation.

Councilman McSwain stated Morganton is the envy of North Carolina for being able to rely on the Morganton Recreation Foundation and he expressed thanks for their help over the years.

3. Consideration of Award of Annual Tree Trimming Contract

The City Manager stated that on Thursday, July 29, 2021 at City Hall bids were accepted and reviewed for the annual tree trimming contract for electric right-of-ways. Three bids were submitted.

Bids for this service were requested based on a 2-man work crew. City staff asked for the proposal to include 44 weeks work over an 11-month period.

The lowest responsive responsible bid is from Asplundh Tree Expert, LLC in the amount of \$179,044.80. There is adequate funding for this contract in the 2021-2022 budget.

The Mayor asked who decided which trees would be cut. The City Manager explained that the Electric Department looks at trees growing into lines and addresses the worst areas first.

Upon motion by Councilman Hawkins, seconded by Councilman Jernigan, and carried unanimously, the Council awarded a tree trimming contract to Asplundh Tree Expert, LLC in the amount of \$179,044.80.

4. Consideration of Appointments to Boards and Commissions

a. Recreation Advisory Commission – The City Manager stated there is a current vacancy on this commission. Herron Harper, III, has expressed interest in becoming a member of the Recreation Advisory Commission. Mr. Harper has an interest in recreation and sports. He coached his daughters over the years and would like to serve in our community.

Upon motion by Councilman McSwain, seconded by Councilman Hawkins, and carried unanimously, the Council appointed Herron Harper, III, to the Recreation Advisory Commission for a term to expire on June 30, 2024.

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

Consideration of Amendment to the Existing Contract to Construct an Access Road at the Burke Business Park to Include Additional Pipe Installation

The City Manager stated that on June 21, 2021, the City awarded a contract to Mountain Crest, LLC in the amount of \$120,912 to build an access road to the Burke Business Park in connection with the extension of electric lines there. As the crews have started working on the ground, several ravines have been discovered. The City's engineering staff and the contractor have worked to assess how to best proceed with the roadwork. The project requires site work and pipe installation at four locations. City staff believes that City crews from Public Works can do part of this work. It will be necessary for the contractor to install 2 pipes and build a temporary bridge.

The price to complete this work negotiated with Mountain Crest is \$50,700.

Funding for this work will come from two sources. The 2021/2022 Electric budget includes funding for line clearance work. Due to savings in that quote for this year, \$45,700 can be transferred to CIP. The remainder will be paid for with \$5,000 from contingency budgeted in the original contract.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council amended the existing contract with Mountain Crest, LLC to construct an access road at Burke Business Park by increasing the contract by \$50,700.

Upon motion by Councilman Hawkins, seconded by Councilman Jernigan, and carried unanimously, the Council approved a budget amendment (Ord. #21-34) in the amount of \$45,700 to appropriate additional funding for the completion of the access road for electric service at the Burke Business Park.

XIII. Closed Session to Discuss Economic Development Matters as per General Statutes sec. 143-318.11(a)(4) and a Personnel Matter as per General Statutes sec. 143-318.11(a)(6)

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved going into Closed Session as per General Statutes sec. 143-318.11(a)(4) to discuss economic development matters, and a personnel matter as per General Statutes sec. 143-318.11(a)(6)).

The Council retired to Conference Room #4 for a closed session at 6:35 p.m.

The Council returned to open session at 7:41p.m. There was no other action taken.

XIV. Reports – Reports were distributed to Council.

XV. Adjournment –The Mayor adjourned the meeting at 7:42 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.

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Mayor

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Assistant City Clerk