

MINUTES  
REGULAR MEETING  
CITY COUNCIL

August 3, 2020

Christopher Hawkins )  
Chris Jernigan ) Council  
Butch McSwain )

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

Joy Hern-Guzman, Interpreter

Mayor Thompson was unable to attend the meeting due to illness.  
Mayor Pro-tem Cato attended the meeting remotely via Zoom.

Prior to this Regular Meeting, the City Council held a Special Meeting to hear a business assessment report from Dave Stockton, Uptown Services, regarding CoMPAS. No action was taken at that meeting.

I. Call to Order – The Meeting was called to order in the Council Chamber at City Hall at 6:00 p.m. by Mayor Pro-tem Cato.

Mayor Pro-tem Cato made the motion to have Councilman Hawkins preside over the meeting since she was attending remotely, while he was present in person. The motion was seconded by Councilman Jernigan and was unanimously passed.

All votes at this meeting were taken by roll call with the Assistant City Clerk asking if the Mayor Pro-tem had heard all the details of the item in question and asked 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.

II. Public Comment – Due to COVID-19 restrictions and limited access into the Council Chamber, Public Comments were accepted via email, U.S. mail, hand-delivered letters or by making an appointment to enter into the Council Chamber at the time of the Public Comment period.

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

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

IV. Invocation – The pre-recorded invocation was given by the Rev. Marshall Jolly, Grace Episcopal Church, Morganton.

V. Introduction of Council – Councilman Hawkins introduced Council and staff.

VI. Retirement Resolution

Councilman Hawkins read a resolution honoring John Douglas McLean who retired from the City of Morganton on July 1, 2020 with 15 years, 2-months' service. McLean retired from the Water Resources Department as Water Treatment Plant Operator. McLean was unable to attend the meeting and his resolution will be presented to him by his department director.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council approved Resolution #20-15 honoring retiree John Douglas McLean.

VII. Service Pin - The Personnel Committee and City staff have decided to recognize long-term employees for years of service at a Council meeting. The following service pin recipients were announced and presented their service pins.

Councilman Jernigan presented a 20-year service pin to Israel Gibson, Fire Captain in the Public Safety Department.

A 20-year service pin will be presented at a later time by Chief Lowdermilk to James Coward, Sergeant in the Public Safety Department.

A 20-year service pin will be presented at a later time by Chief Lowdermilk to Josiah Brown, Lieutenant in the Public Safety Department.

Due to earlier COVID-19 restrictions at City Council meetings, these employees were not in attendance when their longevity was announced. They were invited to attend and receive their pins this evening.

Councilman McSwain presented a 20-year service pin to James Hildebran, Maintenance Worker at CoMMA.

Councilman McSwain presented a 25-year service pin to Mike Crotts, Chief Building Inspector in the Development and Design Department.

#### VIII. Public Advocacy Issues and Strategies

- Councilman Hawkins read a proclamation Celebrating the Power of Women Voting and recognizing the ratification of the 19<sup>th</sup> Amendment to the Constitution. Councilman McSwain presented the proclamation to Jaynie Foster of the Democratic Women of Burke County.

- Councilman Hawkins read a proclamation of Thanks and Appreciation to the Town of Maiden for their help on July 10, 2020. Morganton was subjected to intense storms causing a widespread disruption of electric power. Maiden answered Morganton's call-for-aid sending an experienced crew member to help restore power. The proclamation was sent to the Mayor of Maiden.

- Councilman Hawkins read a proclamation of Thanks and Appreciation to the City of Newton for their help on July 10, 2020. Morganton was subjected to intense storms causing a widespread disruption of electric power. Newton answered Morganton's call-for-aid sending experienced crews to help restore power. The proclamation was sent to the Mayor of Newton.
- Councilman Hawkins stated that the North Carolina Treasurers Office recognized City Manager Sally Sandy for her 13 years' of service as a member of the Local Governmental Employee's Retirement System Board. Councilman Hawkins stated that Sandy was one of the longest serving board members and thanked her for her service.
- Councilman Hawkins announced that the Farmers' Market continues on Saturdays, 8:00 a.m. – Noon at 300 Beach Street, and the Wednesday mini-market from noon– 4:00 p.m. at 111 N. Green Street.

IX. Consideration of Changing City Council Meeting Date for September 2020

Due to the Labor Day Holiday, City staff recommends that the City Council Meeting for September be changed from September 7, 2020 to September 14, 2020.

Councilman Hawkins reminds citizens that City Hall will be closed on Monday, September 7, 2020 and that trash pick-up will be delayed one-day all week.

Upon motion by Councilman Hawkins, seconded by Councilman Jernigan, and carried unanimously, the Council changed the City Council Meeting date from September 7, 2020 to September 14, 2020.

X. North Carolina Municipal Power Agency Number 1 Update – There were no updates to report.

XI. 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 Jernigan, seconded by Councilman Hawkins, and unanimously carried, the Consent Agenda was approved and each individual item adopted as stated, those being as follows:

A. Approved Minutes – Approved minutes as submitted for a Regular Meeting held on June 1, 2020 and for Special Meetings held on June 15, 2020 and June 25, 2020.

B. Approved the 2019 Local Water Supply Plan – Adopted Resolution #20-13 approving the 2019 Local Water Supply Plan.

C. Amended the Application to the County of Burke for COVID-19 Emergency Relief Funds and Approval of Agreement for Use of Such Funds – Amended the application

for COVID Funds from the County of Burke and approved an Agreement with the County of Burke for use of Coronavirus Relief Funds under S.L. 2020-80.

D. Contract to Purchase an Altec Bucket Truck for the Electric Department – Awarded a contract to Altec Industries in the amount of \$323,268.49 for the purchase of a 2020 Altec bucket truck.

E. Amendment to a Contract with Conterra Networks for Internet Connectivity – Approved an amendment to the contract with Conterra Networks in the amount of \$7,000 per month for increased connectivity.

F. Contract for Design for the Silver Creek Sewer Pump Station Improvement Project – Approved a contract with Merrick & Company to complete the design phase of the Silver Creek sewer pump station improvement project for the not-to-exceed amount of \$266,000.

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

XIII. New Business

A. Public Hearings

1. Public Hearing and Consideration of a Rezoning Request to Change the Zoning for 32 + Acres of Property Located at 665 Kirksey Drive Exclusive Industrial District (EID) to Low Intensity District (LID)

Councilman Hawkins opened the public hearing at 6:26 p.m.

Phillip Lookadoo stated the property proposed for rezoning is located at the intersection of Kirksey Drive and Amherst Road. He stated that surrounding properties include vacant land, an active rock quarry, Burke County's Emergency Management Center and the City of Morganton Fire Training Center.

The Morganton 2030 Land Development Plan indicates Exclusive Industrial land use for this property. Properties to the west and north are proposed to be "Exclusive Industrial" and "Light Industrial" while adjacent properties to the east and south are proposed to be "Residential/Mixed Use" and "Light Industrial". The request does not comply with the 2030 planned land use. For the Commission to recommend rezoning as requested; a finding must be made that there has been a shift in need for the requested type of land use and that this property, while recommended to be industrial, is suitable for residential land use.

The Planning and Zoning Commission, at their regularly scheduled meeting held on June 18, 2020, voted unanimously (8-0) to recommend this map amendment finding that it is suitable for residential use and there is a critical need for residential development in Morganton.

Notice of the City Council's public hearing, set for the August 3, 2020 stated Council meeting, was published in the News Herald on July 24 and 31, 2020.

- Phillip Lookadoo read a letter from the owner of the subject property asking this item to be removed from this agenda. The letter stated this is the second time Scott Blake (the developer) asked for this property to be rezoned. The letter went on to ask that the rezoning request be removed.

- Rod Orders stated his family owns the property at 665 Kirksey Drive. He stated that no one contacted his family about having this property rezoned. He stated they did not request the property to be rezoned, they oppose the request, and asked the Council to deny the request.

There being no further public comment, the Councilman Hawkins closed the public hearing at 6:31 p.m.

The City Attorney stated that Mr. Blake, the applicant for the rezoning, is a developer. He stated this property had been under contract but the contract has lapsed. The City Attorney stated that it is perfectly legitimate for Mr. Blake to submit an application.

Councilman Hawkins clarified with the Attorney that Mr. Blake does not own the property. The City Attorney stated Mr. Blake does not own the property nor does he currently have the property under contract.

Councilman McSwain asked whether the Planning and Zoning Commission (P&Z) knew about this at the time of their vote. Lookadoo stated that the Commission did know that Mr. Blake did not own the property and went on to say that one of the questions is "how did that happen." Lookadoo stated that by State law that if a person owns property within a jurisdiction they can petition to rezone another property within that same jurisdiction.

As a point of further clarification City Attorney stated that P&Z knew Mr. Blake did not own the property but they were not aware that the Orders family was against the rezoning, the letter having only arrived after the P&Z meeting.

Councilman Hawkins asked for the wish of Council. Councilwoman Cato stated it makes no sense to bring this to a vote if the owners do not wish for the rezoning. The item died for lack of motion.

2. Public Hearing and Consideration of a Rezoning Request to Change the Zoning for 0.88 Acres of Property Located at 107 Old Jamestown Road from Exclusive Industrial District (EID) to High Intensity District (HID)

Councilman Hawkins opened the public hearing at 6:35 p.m.

Phillip Lookadoo stated the property proposed for rezoning is located along Old Jamestown Road. Adjacent properties are zoned EID and HID.

The future land use designation as stated in the Mission 2030 Land Development Plan is "General Business/Commercial." As stated in the rezoning evaluation, the map amendment request was brought to the Planning and Zoning Commission in an effort to bring the property into compliance, with agreement of the owner of the properties, with the Mission 2030 Plan.

The Planning and Zoning Commission, at their regularly scheduled meeting held on July 9, 2020, unanimously (6-0) voted to recommend this map amendment.

Notice of the City Council's public hearing, set for the August 3, 2020 stated Council meeting, was published in the News Herald on July 24 and 31, 2020.

- Timothy Sutton stated he was Secretary/Treasurer for the facility located at 107 Old Jamestown Road. He stated they plan on renting the lower portion of the building and they were unaware of its current zoning. He stated he was here to answer any questions the Council may have.

There being no further public comment, Councilman Hawkins closed the public hearing at 6:39 p.m.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council certified that this rezoning request is in compliance with the Mission 2030 Land Development Plan.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council adopted Ordinance #20-25 for a Map Amendment of 0.88 acres of property located at 107 Old Jamestown Road from Exclusive Industrial District (EID) to High Intensity District (HID).

## B. Other Business

### 1. Consideration of Award of CDBG-CV CARES ACT COVID-19 Grant Funds to Non-Profits; FY2019 Funds Amended

The City Manager stated that included in the FY 2019 Amended CDBG Action Plan is \$87,803 in CDBG-CV CARES ACT Funds to assist with programs that help to prevent, prepare for and respond to the coronavirus in Morganton. The City of Morganton solicited grant requests from local non-profits for use of the \$87,803 in late June. Five applications were received on June 30, 2020 and the CDBG committee reviewed these applications based on specific requirements set forth by the CDBG-CV program. The CDBG committee recommended to the Council that the following non-profits be awarded CDBG-CV funds in the following amounts.

1. The Meeting Place – Recommendation \$10,000

The Meeting Place requested \$10,000 CDBG-CV funds to provide direct assistance to the shelters that have been affected by COVID-19. The CDBG committee recommends the Meeting Place be awarded CDBG-CV funds in the amount of \$10,000.

2. The House of Refuge Ministries – Recommendation \$5,000

The House of Refuge Ministries Emergency Shelter for homeless men has requested \$5,000 CDBG-CV funds to provide direct assistance to the shelter that has been affected by COVID-19. The CDBG committee recommends awarding \$5,000 to this program.

3. Burke United Christian Ministries (BUCM) – Recommendation \$5,000

BUCM requests \$5,000 CDBG-CV funds for the Utility Assistance Program to assist with paying past due utility bills up to \$750 per household for low/mod income persons in Morganton in need of this type of assistance. The CDBG committee recommends awarding \$5,000 in CDBG-CV funds to this program.

4. Burke County United Way – Recommendation \$12,500

BCUW requests \$12,500 CDBG-CV funds for the Utility Assistance Program to assist businesses in paying past due utility bills up to \$1,000 per business for low/mod income business owners or businesses that employ a majority of low/mod income persons, in Morganton in need of this type of assistance. The CDBG committee recommends awarding \$12,500 in CDBG-CV funds to this program.

5. The Outreach Center – Recommendation \$15,000

The Outreach Center requests \$5,000 CDBG-CV funds for the Utility Assistance Program to assist in paying past due utility bills up to \$750 per household for low/mod income persons in Morganton in need of this type of assistance. The Outreach Center also asked for CDBG-CV for Direct Assistance for the Center with COVID-19 related items in the amount of \$10,000. The CDBG committee recommends awarding \$15,000 in CDBG-CV funds to this program.

The City Manager stated there would be remaining CDBG-CV funds after the award of these funds to the above non-profits. The remaining CDBG-CV funds will be put into a pool for the non-profits to request additional funds as needed to prevent, prepare for, and respond to Coronavirus in Morganton.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council awarded CDBG-CV CARES Act COVID-19 funds as specified

for Public Service Activities to local non-profits as indicated above for the purpose of assisting with COVID-19 related expenses.

2. Consideration of Items Related to the Historic Burke County Courthouse Square Renovation Project and the Application to the Local Government Commission for a Financing Agreement

The City Manager stated the renovation of the Historic Burke County Courthouse Square into a welcoming active greenspace with a new multipurpose stage was a recommendation in the 2018 Downtown Masterplan. The project which includes upgraded utilities, public restrooms, a stage and improved handicap access to the square consistently ranked as a top priority in public meetings and surveys. To get the project planning underway, the City contracted for design work, appointed a steering committee to advise on the project and conducted several public meetings to seek input.

The City, with the assistance and oversight of Stimmel & Stitch Architectural Firms, solicited bids for the construction of the renovation project, which were opened on Thursday, July 23, 2020 at 2:00 p.m. Seven bids were received. Bid tabulation is attached. Bids submitted ranged from \$2.76 million to \$3.52 million.

After review, the lowest responsible, responsive bidder is Wilkie Construction Company. As the low bid was in excess of budget, City staff has negotiated with Wilkie and it is recommended that a contract be awarded to Wilkie in the amount of \$2,718,416 which includes a contingency of \$150,000. In order to complete the project as bid and specified, budget amendments in the general fund of \$221,672 and \$151,544 in the electric fund, are necessary.

Since this project involves improvements to real property (both owned and leased by the City), and the City intends to finance this project through a commercial bank loan, using the installment purchase contract method as authorized by General Statutes § 160A-20, Local Government Commission (LGC) approval is required. The City intends to solicit proposals from commercial lenders for the financing of this project. Before such approval can be attained, City Council must hold a public hearing to consider the financing of the project, followed by the award of the financing contract to the successful bidding financial institution.

In order for the LGC to consider the City's financing request at its September 1, 2020 regular meeting, and because the City wishes to proceed with the construction as soon as possible, it will be necessary to schedule a called special meeting of the City Council for the purpose of having a public hearing on this proposed financing and to award the financing bid. This meeting will be held on Thursday, August 13, 2020, at 6:00 p.m. The public hearing was advertised in the News Herald on Friday, July 31, 2020.

In order for the Courthouse Square Renovation project to be constructed and the financing to be approved by the LGC, several steps are necessary.



Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council awarded a construction contract, contingent upon LGC approval of financing, in the amount of \$2,718,416 to Wilkie Construction Company.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council approved budget amendments in the amount of \$221,672 in the General Fund and \$151,544 in the Electric Fund.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved Resolution #20-12 authorizing the filing of an application with the LGC for approval of a financing agreement authorized by N.C. General Statutes 160A-20.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council called for a special meeting for the purpose of conducting a public hearing on the financing of the Historic Burke County Courthouse Square renovations to be held Thursday, August 13, 2020 at 6:00 p.m. in the Council Chambers at City Hall.

3. Consideration of Award of Contract for Design Services for Bethel Park Ecological and Stormwater Improvements Project

The City Manager stated that Bethel Park was completed in 1978 and encompasses 15 acres of recreational and passive areas. Over the last 10 years this park has sustained flooding and extensive erosion issues. Streams have been redirected and banks eroded so much that recreation facilities have been compromised. Preliminary studies and planning for this Park were set in motion in the 2018 Comprehensive Recreation Master Plan.

The foundation for the 2018 Recreation Master Plan was public input from focus groups and the general public. Input from the general public was gathered in two ways: 1) through public input meetings and; 2) through community surveys about recreation opportunities and amenities within the City of Morganton. One of the most frequently identified topics was Bethel Park – more specifically, the condition of Bethel Park associated with flooding of the park on a regular basis. One of the recommendations of the 2018 Recreation Master Plan is “Bethel Park Drainage Improvements.” In fact, in the “Project Priority and Phasing” section of the master plan; the recommendation is to “Initiate Planning and Design for Bethel Park Drainage Improvements” in years 0-3.

To accomplish this task, staff has engaged one of the City’s on-call engineering firms, AECOM and their sub-consultant Wildlands Engineering, to conduct an ecological and storm water improvements project. The tasks in this project include:

- Task 1.1 Topographic and Boundary Survey
- Task 1.2 Watershed Assessment
- Task 2 Preliminary Modeling

- Task 3 Concept Design and Reporting
- Task 4 Grant Application Assistance

Ultimately, in phase three, the City will be given three conceptual design alternatives for the park. These design alternatives will be sited to “provide stormwater flood mitigation that reduces adverse ecological impacts and maximizes the long-term viability of the feature within the Park.” Once the alternatives have been presented, AECOM will engage in Task 4, which will be to write a grant to solicit funding of the preferred alternative from the Clean Water Management Trust Fund (CWMTF).

Councilman Hawkins stated this was a park that gets a lot of use. The proposals in the Masterplan are very exciting and this is an important first step.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council awarded a contract for \$64,610 to AECOM for design services for the Bethel Park Ecological and Stormwater Improvement Project.

#### 4. Consideration of an Award of Contract for Consulting Services for an Information Technology Feasibility Study

The City Manager stated that staff received a proposal from Tom Johnson for an information technology feasibility study to evaluate and assess opportunities to locate Internet Technology related businesses in Morganton.

CoMPAS and our underlying high-speed broadband service position Morganton to be able to sell ourselves as a small community with technology connectivity. During the pandemic, the importance of adequate and reliable internet connectivity has been highlighted with the likelihood that demand will continue to increase.

Tom Johnson (former BEDC director) works as consultant for Sanford Holshouser’s economic development consulting arm. The City has a long relationship with both Tom and Sanford Holshouser. Tom recently completed a similar study for a small community in eastern Tennessee.

As we evaluate and invest in the future of CoMPAS as an internet provider, this study seems timely. The proposal comes to us after the budget for 2020/2021 was adopted. The proposal is for \$27,500. If Council choose to go forward, a budget amendment would be necessary.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council awarded a contract to Sanford Holshouser, LLC for consulting services in the amount not to exceed \$27,500 for an information technology feasibility study.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council approved a budget amendment in the amount of \$27,500 from the General Fund

5. Consideration of Approving an Interlocal Agreement Concerning Construction and Operation of a Water Tank for the Burke Business Park

The City Attorney stated that the Burke Business Park consists of about 80 acres off Kathy Road in western Burke County, owned by Burke Partnership for Economic Development, Inc. ("BDI"), and intended to provide good locations for one or more new industries. BDI is an autonomous corporate entity jointly owned and controlled by the County of Burke, the City of Morganton, and the Towns of Valdese, Drexel and Rutherford College. By previous Interlocal Agreements, the County and the four municipalities have bound themselves to detailed provisions governing the operation and funding of the Park. The Park has available City water and electric services, but remains otherwise undeveloped.

Quite recently, it was determined that the existing water line to the Park, while adequate for potable water, did not have sufficient pressure to assure the required level of fire protection to any larger industrial facility that might locate there. Obviously, this deficit makes it difficult to attract any such a large (and desirable) industry. BDI, the County, and the City therefore sought to correct this shortcoming by planning for a large elevated water tank, with associated pumps and pipes, to guarantee sufficient water pressure for fire suppression services. This tank would be connected directly to, and made part of, the City's water system—in fact, the project would include installation of a new booster pump at the City's existing Hennessee Street water tank site in Glen Alpine.

The entire project has an estimated cost of about \$2,300,000. With BDI's help, the County obtained a grant of some \$1,900,000 from the State of North Carolina to provide primary funding for this project. The grant requires local matching funds, part of which will come in the form of cash from BDI, and from the County. The City's contribution toward this match is the \$75,000 fee of West Consultants, retained by the City to design this project, and to provide construction management services.

To set out all the rights, requirements, and responsibilities of the various parties concerning the water tank project, its costs, and its benefits, a new interlocal agreement among BDI and all its participating governments is necessary. Among other things, this Agreement provides that Burke County is solely responsible for the construction contract and for assuring compliance with the grant requirements. The Agreement also provides that any revenue from use of the tank (such as rental for location of cell tower antennas) will be disbursed in the same manner as future proceeds from sale of any property in the Park (as set forth in a prior interlocal agreement).

Directly concerning Morganton, the Agreement assures that upon completion of the Project, the tank and all associated infrastructure will become part of the City's water system, and the City will be fully and solely responsible for operation and maintenance.

Further, BDI must deed to the City the tract of about 1 ½ acres on which the tank will be located, together with an easement for access.

The County has already approved the new Interlocal Agreement at its July 21 meeting. The other municipalities in BDI are also being required to join in the Agreement. Now, the City must also consider approval.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved the Interlocal Agreement Concerning Construction and Operation of a Water Tank for the Burke Business Park, and authorized the Mayor and City Manager to execute this and any related necessary documents.

#### 6. Consideration of Pay Range Adjustments and Updates

The City's Personnel Policies and Procedures Manual direct the City Manager and HR Director to administer and maintain the pay plan as well as recommend changes to maintain the fairness and adequacy of the pay policy. We are planning for some restructuring and changing of responsibilities and titles that warrant changes to the salary ranges. These recommendations have been presented to and approved by the Personnel Committee and the Finance Committee.

Cultural and Creative Development Director	Grade 39
Main Street Manager	Grade 31
CoMMA Events Manager	Grade 27
Office Assistant – Cultural Development	Grade 21

These changes do not add any new positions, add to headcount, or require any budgetary changes.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved attached pay ranges and job classification title changes dated August 3, 2020.

#### 7. Consideration of Abolition of Firefighters Supplemental Retirement System Board

The City Attorney stated that by local act of the North Carolina General Assembly in 1963, the City of Morganton was authorized to establish a "Firemen's Supplemental Retirement System" ("FSRS") to provide certain benefits to retired City firefighters. Under that authority, the City in fact established and funded such a system, and created an appointed Board to manage it. Separately, the City has long maintained a "Firefighters' Relief Fund" ("FRF"), governed by a separate Board, to assist firefighters or retirees in special need.

Both the FSRS and the FRF are regulated by the State under the auspices of the State Firefighters Association ("SFA"). North Carolina statutes, and the rules of the SFA, seriously restrict the uses which may be made of funds in the FSRS, yet require large

sums be transferred to it from the FRF each year. As a result, the FSRS had built up a balance of more than \$400,000, yet could only pay out some \$73 per year to each of the (currently) 37 eligible beneficiaries.

To correct this financially inappropriate situation, the City requested our local legislative delegation to introduce a local bill that would allow Morganton to abolish its FSRS, transfer all its funds into the FRF, and disband the governing board. That bill was adopted by the General Assembly in June, as Session Laws 2020-8.

By moving the large, previously almost un-useable, accumulated balance of the FSRS into the FRF, the City will now be able to adequately fund both emergency relief for firefighters in need AND provide a decent annual supplement to our retirees. In fact, staff estimates that the annual retiree benefit could be raised to over \$500, more than seven times what was formerly possible.

To complete this transition, Council will need to adopt a Resolution authorizing and approving several different actions, including abolishing the FSRS.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council adopted Resolution #20-14 transferring all funds in the Firefighters Supplemental Retirement Fund into the Firefighters Relief Fund; dissolving and disbanding the FSRS Board; abolishing the FSRS; and directing the FRF Board to henceforward administer the funds previously in the FSRS in accordance with State law and the SFA guidelines.

#### 8. Appointment to Boards and Commissions

- a. Human Relations Commission – This is a Mayoral appointment. Due to the Mayor's absence this item was deferred until the September 14, 2020 City Council meeting.

#### XIV. Other Items from City Manager and City Council Not on Agenda

- Councilman McSwain stated the July 4<sup>th</sup> fireworks were phenomenal and thanked Rob Winkler and the Recreation staff for a wonderful event. He stated it was a big hit and turned out very well.
- The City Manager stated that Sharon Jablonski was awarded with the first ever Mary Means Leadership Award from the National MainStreet Program. Forty-two states participate in the National program and were eligible to send in nominations. Sharon was the North Carolina nominee. The City Manager stated that Sharon has dedicated a lot of her life to Downtown Morganton and the Main Street Program for which the City is very grateful.
- The City Manager then announced that Public Information Officer Ethan Smith and Project Manager Michael Berley were given an award for their submission of the

Historic Morganton Festival brochure by the North Carolina City & County Communicators. She stated she is very proud of their work and collaboration.

- The City Manager then announced that the Collett Street pool will be closing for the season after next Sunday, August 9.
- Councilman Jernigan stated there have been baseball tournaments being held safely at City fields and people are happy about that. He also stated that the Downtown streateries and parklets have been well received and are getting a lot of use.

XV. Reports – Reports were distributed to Council.

XVI. Adjournment – The meeting was adjourned at 7:24 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