

MINUTES
REGULAR MEETING
CITY COUNCIL

November 1, 2021

Ronnie Thompson, Mayor

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

Wendy Cato)
Christopher Hawkins) Council
Chris Jernigan)
Butch McSwain)

Interpreters
Ernest Williams, IV
Linda Fafard

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 McSwain.

IV. Invocation – The invocation was given by Pastor Mark A. Ball with Walker Road Baptist Church.

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

VI. Service Pins – The Personnel Committee and City staff have decided to recognize long-term employees for years of service at a Council meeting. The Mayor recognized the following employees.

- Chao Lee works in the Public Works as an Equipment Operator with 20 years' service. Lee was unable to attend the meeting and will be given his pin at a later time.

- Ken Pritchard is a Senior Equipment Operator in the Public Works department with 25 years' service. Pritchard was unable to attend the meeting and will be given his pin at a later time.

- Leigh Ann Jarvis-Hurley is an IT Data Support Specialist in the IRMS department and has 30 years' service with the City. City Manager Sally Sandy presented the service pin to Leigh Ann. The City Manager stated this was the first time she has had the opportunity to present a service pin. She said that she and Leigh Ann have worked together for 28 years. Not only has Leigh Ann served the citizens but, working in IT, she has served the internal departments. She said that Leigh Ann is someone we have been able to rely on and has been a wonderful member of our City family.

VII. Public Advocacy Issues and Strategies

a. Announcements:

- Public Information Officer Ethan Smith announced the launch of the new City websites. He stated the last website upgrade was in 2013-14. Smith stated that many employees from all departments had a hand in the design process and he thanked them all for their valuable input. He then gave an overview of the new websites showing some highlights of each.

Councilman McSwain said thanks from all the “computer dinosaurs” in the city for making the website easier to navigate.

- The Mayor read a proclamation announcing Hunger & Homelessness Awareness Week. The proclamation was accepted by Malik Harris, President of State of Youth / Burke United Christian Ministries. Mayor Pro Tem Cato presented the proclamation. She thanked Harris for being a part of the younger generation coming forward to help fight hunger and homelessness.

Upon motion by Councilwoman Cato, seconded by Councilman McSwain, and carried unanimously, the Council supported the Hunger & Homelessness Awareness proclamation.

Harris expressed his thanks for the proclamation. He stated the proclamation is critical when it comes to addressing important issues the City and County are facing. Homelessness and hunger are on the rise across the nation. People of all ages can positively impact hunger and homelessness in our area by volunteering at local soup kitchens or donating supplies to homeless shelters. When youth come together they can make a positive and impactful difference, he said.

b. The Mayor announced the following upcoming events in Downtown Morganton beginning with the Holiday Bucks Giveaway! He shared that \$3,000 in Downtown Holiday Bucks will be given out during the Holiday Season. He said people should visit participating downtown Morganton shops to submit a raffle ticket, and that drawings would take place every Friday from November 19 to December 17.

The Mayor announced the Memorial Tree Lighting Ceremony would be held on the Courthouse Square on Saturday, November 20, at 5:30 p.m.

He then announced Small Business Saturday is on November 27. He urged supporting local businesses by shopping & dining in Downtown Morganton. He said the Farmers' Holiday Market would also be open at the Green Street lot from 10:00 a.m. to 2:00 p.m.

The Mayor announced that Holiday Carriage Rides would begin November 20 and continue through December 23, every Friday and Saturday, from 5:30 – 9:00 p.m. with rides beginning at 111 North Green Street.

The Mayor said that visits with Santa begin on November 20 and continue through December 18, on Fridays and Saturdays from 5:00 – 8:00 p.m. He said people should check downtownmorganton.com for specific location information.

The Mayor announced that the City would observe the Veterans Day Holiday on Thursday, November 11. City services will be closed and trash pick-up is delayed one day.

The Mayor announced the Morganton Downtown Christmas Parade with the theme "Christmas in Nature's Playground" would be held on Tuesday, December 7 at 6:00 p.m.

•The Mayor announced these upcoming shows at CoMMA. On November 13, Circus Holiday Shuffle; on November 20, Scythian; and Charles Dickens' – A Christmas Carol on November 27.

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

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 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 for a Regular Meeting held on October 4, 2021 as submitted.

B. Approved a budget amendment (Ord. #21-56) in the amount \$23,209.16 to recognize receipt of payment for FEMA reimbursement for flood damage in Spring 2021.

C. Approved a budget amendment (Ord. #21-57) in the amount \$2,197.58 to recognize receipt of payment for insurance reimbursement for damage of a generator at the monopine maintained by Public Safety.

D. Approved a budget amendment (Ord. #21-55) in the amount of \$2,783.12 to recognize receipt of payment for insurance reimbursement for damage on a Public Works truck.

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

XI. New Business

1. Consideration of Approval of a Resolution for a Building Reuse Grant / Project Umbrella

The City Manager stated that a local, well-established manufacturing business intends to modify and expand its current location, including a new roof, remodeled loading docks, and upgraded utilities. This company, identified for purposes of confidentiality as “Project Umbrella”, estimates the total cost of this work at \$1,800,000. The Rural Infrastructure Authority recommends a building re-use grant of \$240,000 for this project, which represents \$8,000 for each of the 30 new jobs which should be created by this work. BDI has asked the City of Morganton to be the applicant to the State for this grant. However, Burke County would also participate, by sharing equally in the 5% local match which would be required—that is, the City and County would each be responsible for one-half of the \$12,000 match.

Upon motion by Councilwoman Cato, seconded by Councilman Jernigan, and carried unanimously, the Council approved an application for a building re-use grant for an expansion of that business identified as Project Umbrella (Res. #21-27).

2. Consideration of Award of a Supplemental Work Authorization for Construction Inspection Services for the Downtown Greenway Connector

The City Manager stated this project will connect the Catawba River Greenway, in Catawba Meadows Park, through the pocket park that connects Jefferson Street to North Green Street to the Downtown Greenway.

Issues related to weather and unforeseen conditions discovered during construction have caused the originally estimated duration of construction to be extended. Requirements of Federal Funding and the resulting grant agreement between the City of Morganton and the NCDOT cause the City to be responsible for ensuring that NCDOT certified inspectors be onsite throughout the duration of construction. The original approved contract sum of \$161,823.66 was for a specific period of time and has been expended to compensate Gannett Fleming for inspection services. Gannett Fleming has therefore requested a supplement of up to \$37,073.34 to complete construction and close out the project with the NCDOT and the Federal Highway Administration.

No budget amendment is necessary as funding is available in the project budget. There are savings in the construction line item. We expect completion to be late November.

For these reasons, staff recommends awarding a supplement to the Work Authorization for construction inspection services for the downtown greenway connector (EB-5807) to Gannett Fleming. The cost for said services is not to exceed \$37,073.34.

The Mayor asked when they would begin the work. The City Manager stated the hope is it will be complete by the end of the month.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council awarded a Supplemental Work Authorization in the amount of \$37,073.34 to Gannett Fleming for construction inspection services to complete the Downtown Greenway Connector and close out the project.

3. Consideration of an Agreement with ElectriCities to Add a Module for Workforce Management Solution to the City's Current NorthStar CIS Software System

The City Manager stated the overall project objective is to provide Morganton with a 'workforce management' solution that will address daily operations challenges and provides measurable benefits for in-field staff around performance, safety and job satisfaction.

mCare is a real-time mobile workforce management app available on smartphones, tablets, and laptops. A highly configurable and intuitive solution, mCare allows service order information to flow seamlessly from the office to the field, and back, resulting in a real-time flow of service-order data. With mCare, staff in the field can respond quickly and update NorthStar CIS in real-time.

Once the agreement is approved, we will begin working with ElectriCities and our Business Office staff to schedule the best time to start this implementation. Once the process begins, it should be implemented ready to go live in seven to eight weeks.

This is budgeted at \$65,000 and requires no budget amendment as other budgeted funds will be directed to this project.

Upon motion by Councilman McSwain, seconded by Councilman Hawkins, and carried unanimously, the Council approved entering into an agreement with ElectriCities to add a module for Workforce Management Solution to our current CIS software system at a cost of \$71,798.00.

4. Consideration of an Agreement with Great Lakes Data Systems for a Broadband Management Software System

The City Manager stated the City's current management/billing system is the original software system for CoMPAS and its useful life has come to an end. At 30 years of using the current system, we got our money's worth!

GLDS will be a great improvement for CoMPAS which will allow us to add many great features to our operation while enhancing our customer experience greatly.

Once the contract is approved, staff will begin working with GLDS to implement the new system and expect to go live in May/June of 2022. This new system and conversion is included in the budget at \$176,000.

Upon motion by Councilman Hawkins, seconded by Councilman Jernigan, and carried unanimously, the Council approved entering into a 5-year agreement with Great Lakes Data Systems for a Broadband Management Software System for CoMPAS at a cost of \$61,300 one-time initial setup cost and \$1.689 per subscriber per month with a minimum of 5000 subscribers.

5. Consideration of Award of Contract for Purchase of Electric Vehicle (EV) Charging Stations to be located at 111 Bush Drive, 201 North College Street and 110 East Meeting Street and Approval of Required Budget Amendment

Development and Design Director Phillip Lookadoo stated the City of Morganton, in partnership with ElectriCities, applied for and received funding for two DC Fast Charge EV Charging Stations. These EV Charging Stations will be located at 111 Bush Drive and 201 North College Street. Funding for this grant was from the Volkswagen settlement with the State of North Carolina and is being administered by the North Carolina Department of Environmental Quality (NCDEQ). The City entered into a grant agreement for each location with the NCDEQ and this purchase is the next step in fulfillment of the grant agreements.

The total costs for these two charging stations and site preparation is \$285,922. The EV Charging machines will be purchased from National Car Charging, a vendor of Charge Point Charging machines and listed on the NC State Contract for procurement at a cost of \$112,408 for each station. Site preparation, transformers, and design and installation costs total \$30,553 for each station. The City is required to contribute \$50,670 or 18% as a match to the grant.

The third EV Charging station is a "Level II" Charging Station and will be located at 110 East Meeting Street. Funding for this station is provided from a "Smart Communities" grant from ElectriCities in the amount of \$5,000 with the remaining \$6,242 from electric funds. The total cost for the EV Level II charging equipment is \$11,242. Site prep and installation will be provided by City forces.

This project was previously budgeted (2019) but never occurred because the State budget was never passed. Consequently, a budget amendment is required to move forward. The amendment is for \$297,164 and includes grant funding of \$240,252 with the remaining \$56,912 from City funds.

The Mayor clarified that the 110 E. Meeting Street location is the Chamber of Commerce.

The City Manager stated the funds to provide these stations are coming from grant money from the State, grant money from ElectriCities, and the remainder will come from the City's Electric Fund.

Councilwoman Cato asked if there is a charge to the customer to use these charging stations. Lookadoo stated there is and that would be addressed further in the process.

Upon motion by Councilman Hawkins, seconded by Councilman McSwain, and carried unanimously, the Council awarded a contract to National Charging, LLC for an amount not to exceed \$236,058 for the purchase of two DC Fast Charge Electric Vehicle Charging Stations and one Level II Electric Vehicle Charging Stations.

Upon motion by Councilman Jernigan, seconded by Councilwoman Cato, and carried unanimously, the Council approved a budget amendment (Ord. #21-54) in the electric fund for \$297,164 to purchase and install 3 EV charging stations.

6. Consideration of Award of an Engineering Contract for Hwy 181 / Bost Road Sewer Improvement Project

Water Resources Director Brad Boris stated that the area of North Green Street, St. Mary's Church Road, and Bost Road has the potential for housing construction and development of businesses. However, the sewer system, including the Bost Road pump station, is old, approaching end-of-life, and experiencing capacity concerns.

A review of the existing facilities, development of a preliminary engineering report (PER), and full design of an upgrade/replacement is necessary to ensure adequate sewer service to existing and future customers in this area.

Merrick & Company, an engineering firm that has designed multiple projects for the City's Water Resources department, has provided a scope-of-work for engineering services that would include a preliminary engineering report (PER) and full project design for a fee of \$355,000. The engineering oversight for bidding and construction is \$150,000, making total engineering \$505,000. The project is estimated to cost approximately \$3.5 million.

Additional services & fees could be required during design if certain conditions are found. Additional engineering could include floodplain modeling & permitting for \$30,000 and/or NEPA/SEPA Environmental Assessment for \$38,000.

It is anticipated that the City will use ARPA funding for this project. The City staff has also submitted requests for some private funding to support up to one-half of the expenditures associated with this project. Due to the length of time required to get this project designed, bid, and constructed, City staff recommends award of the engineering contract as soon as possible.

The funding for this engineering work out of ARPA funds does not require a budget amendment as those funds are already in the Capital Projects Fund. However, a separate project line item will be established in the fund to keep all transactions for this project accounted for separately from other ARPA funded projects.

Upon motion by Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council approved and authorize an engineering services contract with Merrick & Company to complete a PER full project design bidding and construction administration for an amount not to exceed \$505,000 (Ord. #21-53).

7. Consideration of Approval of a Loan Request from Sterling Grill and Lounge

The City Manager stated that the Main Street budget for fiscal year 2021/2022 includes \$75,000 for restaurant recruitment. As you know, restaurants are still struggling with finding help and hours, especially lunch hours and early week hours, are limited. This funding was intended to be a low-interest loan to help with start-up costs of new restaurants. This is the second year it has been budgeted and not used yet.

Paul and Loretta Cordell have been operating the former Reece Winery as a pub and grill. They are purchasing the business from the owner of Reece Winery. The existing kitchen equipment has been assessed and determined to need some upgrades. The current business is more than can be supported by the existing set-up. See attached memo from Sharon Jablonski.

In order to allow the Cordells to complete the purchase of the business and invest in a proper and efficient commercial kitchen, VEDIC is willing to loan \$30,000 contingent on the City loaning \$30,000. City staff and the VEDIC loan committee have reviewed financials, a business plan, and quotes for the new equipment.

City staff is recommending a loan of \$30,000 to match VEDIC's loan. The City loan would be at 3% interest amortized over 9 years with the understanding that after 5 years of on-time payments, the remaining principal would be forgiven as a grant. This is consistent with our small business CDBG loans and results in a payback of 50% of principal. All payments received will be accumulated and available for future assistance with other businesses. The City loan would be secured with a personal guaranty.

Councilman McSwain asked for clarification regarding the payback saying, that is if they are still in operation? The City Manager stated that is correct, it would need to remain a viable business.

Councilwoman Cato asked if the equipment would be an asset for the loan. The City Manager stated the Cordells would be providing personal guaranties.

Upon motion by Councilman McSwain, seconded by Councilman Hawkins, and carried unanimously, the Council approved a \$30,000 loan as per the loan agreement to Paul and Loretta Cordell / Sterling Grill and Lounge.

8. Appointments to Boards and Commissions

a. Historic Preservation Commission – The City Manager stated the terms of HPC Board Members Darren Lathan, Dottie Ervin, and Joan Malloch are expiring in November. These members have been excellent participants on the Historic Preservation Commission and have agreed to continue serving.

Upon motion by Councilman Hawkins, seconded by Councilwoman Cato, and carried unanimously, the Council reappointed Darren Lathan, Dottie Ervin, and Joan Malloch to the Historic Preservation Commission for terms to expire June 1, 2024.

9. 30-Day Notice Boards and Commissions

a. Airport Authority – The terms of Robert Pruett and Councilman Butch McSwain, vacancies will expire on December 31, 2021. The Mayor stated if anyone has any interest in serving on the board they should send an application to the City Clerk's office.

XII. Other Items from City Manager and City Council Not on Agenda – Consideration of a Resolution Declaring the Intent to Consider Closing a Portion of Agnes Street

The City Attorney stated the City has received a petition from Dusty Georges Investments, LLC, seeking to close a portion of an unopened street known as Agnes Street, and have the City abandon any claims for right-of-way. The petition is in proper form, and the required \$1,000 fee has been paid. If approved, the resolution will be published for four consecutive weeks in the News Herald, and a public hearing on the closure will be conducted at the December 6, 2021 regular City Council meeting.

A map showing the location of this street right-of-way, running north from Jamestown Road toward Carbon City Road, right beside the old Great Lakes Carbon parking lot, was shared with Council. Agnes Street was a dedicated 40-foot right-of-way on an old subdivision plat, but has never been maintained as a City street. From Carbon City Road, this "street" serves as access to a few homes, but the portion which petitioner wants to close has never been opened or developed.

City staff cannot identify any possible municipal use for this street, and has no reason to oppose the petition. If Council wishes to proceed, you must adopt a Resolution of Intent, calling for a public hearing at the next Council meeting.

Upon motion by Councilman Jernigan, seconded by Councilman McSwain, and carried unanimously, the Council approved a Resolution Declaring the Intent to Consider Closing a Portion of Agnes Street and called for a public hearing at the December 6, 2021 City Council meeting (Res. #21-28).

XIII. Reports – Reports were distributed to Council.

XIV. 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 Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council approved going into closed session, pursuant to N.C.G.S. sec. 143-318.11(a)(4) to discuss economic development matters, and pursuant to N.C.G.S. sec. 143.318.11(a)(6) to discuss a particular personnel matter.

Council moved to Conference Room 4 at 6:49 p.m.

The Council returned to Open Session at 8:01 p.m.

XV. Adjournment –The Mayor adjourned the meeting at 8:02 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