

MINUTES
REGULAR MEETING
CITY COUNCIL

January 3, 2022

Ronnie Thompson, Mayor

Sally W. Sandy, City Manager
City Attorney absent

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

Interpreters
Danette Steelman-Bridges
Ernest Williams, IV

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. Ryan Sebastian, Student/Youth Pastor, Summit Church.

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

VI. Retirement Resolutions

a. The Mayor read a resolution honoring David W. Abernathy who retired from the City of Morganton on January 1, 2022, with 29 years, four months' service. David retired as Traffic Sign Technician in the Public Works Department. David was unable to attend and will receive his resolution at a later time.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council adopted Resolution #22-01 honoring retiree David W. Abernathy.

b. The Mayor read a resolution honoring Alan L. Clark who retired from the City of Morganton on January 1, 2022, with 24 years, seven months' service. Alan retired as a Line Technician III in the Electric Department.

Upon motion by Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council adopted Resolution #22-02 honoring retiree Alan L. Clark.

The retirement resolution was presented by Councilman Hawkins with grateful thanks from Council. Clark thanked the City for his time as an employee.

c. The Mayor read a resolution honoring Allen P. Davis who retired from the City of Morganton on January 1, 2022, with 23 years, five months' service. Allen retired as a Fire Engineer I in the Public Safety Department.

Upon motion by Councilman Jernigan, seconded by Councilman Hawkins, and carried unanimously, the Council adopted Resolution #22-03 honoring retiree Allen P. Davis.

Historically, the City has followed the North Carolina General Statutes and awarded a retiring member with their fire services helmet. This has been done by the Council declaring the particular item as surplus.

Upon motion by Councilwoman Cato, seconded by Councilman Hawkins, and carried unanimously, the Council declared fire services helmet, model # 1044DSR as surplus and be presented to retired Fire Engineer Davis.

The retirement resolution was presented by Councilwoman Cato. Davis' fire services helmet was presented to him at the time of his retirement party.

Davis reminisced about his employment with the City. He wanted to express his gratitude to those who worked with him in the firehouse and for the years of friendship.

d. The Mayor read a resolution honoring Susan P. Lail who retired from the City of Morganton on January 1, 2022, with 18 years, 4 months' service. Susan retired as Lead Customer Service Specialist in the CoMPAS Cable Department. Susan was presented her resolution at her retirement luncheon.

Upon motion by Councilman Hawkins, seconded by Councilman McSwain, and carried unanimously, the Council adopted Resolution #22-04 honoring retiree Susan P. Lail.

e. The Mayor read a resolution honoring Leo Watson who retired from the City of Morganton on January 1, 2022, with 24 years, five months' service. Leo retired as Technical Services Supervisor in the Electric Department.

Upon motion by Councilwoman Cato, seconded by Councilman Jernigan, and carried unanimously, the Council adopted Resolution #22-05 honoring retiree Leo Watson.

The retirement resolution was presented by Councilman McSwain who stated he was delighted to present the resolution to Leo with the Council's gratitude.

Watson stated it had been an honor working with the City. He said he is taking on a new adventure, starting a business with his son.

VII. 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.

- Brad Buchanan is a Lieutenant II in the Public Safety Department with 20 years' service. Buchanan stated it's been an honor and privilege working for the City and that 20 years has flown by.

- Keith Bowman works with the Public Safety Department as a Captain II with 20 years' service. Bowman was unable to attend and his pin will be presented at a later time.

VIII. Public Advocacy Issues and Strategies – The Mayor stated that the CoMPAS broadcast of this meeting is the first in 4HD saying the picture quality should be even clearer.

IX. North Carolina Municipal Power Agency Number 1 Update – There are no updates at this time.

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

Upon motion by Councilwoman Cato, seconded by Councilman Jernigan, 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 December 6, 2020.

B. Approved tax releases in the amount of \$598.57.

C. Approved Updated Pay Ranges as submitted.

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

XII. New Business

1. Consideration of Approval of a Memorandum of Understanding with The Industrial Commons Regarding Use and Application of Grant Funds

The City Manager stated that The Industrial Commons ("TIC") is a North Carolina not-for-profit corporation based in Morganton, which seeks to encourage and enable

development and growth of employee-owned industries, and the development of workforce housing for those employees. Like the City, TIC is well aware of the great and continuing need for decent, affordable housing throughout our community. TIC has acquired about 10 acres of vacant land on Church Street, adjoining the Norfolk Southern railroad tracks—the site of a former Drexel Furniture plant—and plans to develop workforce housing on that site.

The City has received a grant from the Dogwood Health Trust for the development of affordable housing, and \$446,125 of that grant is specifically for infrastructure to support a workforce housing project on the Church Street site.

TIC has requested the City to use this grant funding to assist in the development on this site of a project for at least 37 residences, either single-family or in multi-family buildings. The funding would be on a reimbursement basis, distributed only after submission to the City by TIC of periodic requests with supporting documentation. TIC would be solely responsible for design, development and construction of this project; the City would not be involved except as to enforcement of zoning, building code and similar regulations. Construction on this project would begin within 18 months, and if it does not, the agreement would become void.

To set out all the terms for use and distribution of this grant money, the parties have drafted a proposed Memorandum of Understanding, which must be approved both by the City Council and by TIC's board of directors.

The City Manager introduced Sara Chester and Erin Kizer with The Industrial Commons who shared more information about project.

The Mayor asked how many units there would be in the development. Kizer stated they are working with West Consultants and expect about 37 units. The City Manager stated that the City has already received the money and this MOU sets out the details about how that will be disbursed. She stated that, as she has said before, we do our best work when we partner with others to accomplish projects and this is a great example of that.

Councilman Cato asked when construction was expected to begin. Kizer stated she hoped the infrastructure portion would be kicked off this year.

Upon motion by Councilman McSwain, seconded by Councilwoman Cato, and carried unanimously, the Council approved a Memorandum of Understanding with The Industrial Commons for the use of Dogwood Health Trust grant funds for the development of affordable housing in Morganton, 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 a Contract with the Western Piedmont Council of Governments to Administer a Building Reuse Grant and Associated Budget Amendments / EJ Victor (Project Umbrella)

The City Manager said this agreement with the Western Piedmont Council of Governments is for administrative assistance with the North Carolina Department of Commerce Rural Economic Development Division Building Reuse Grant for expansion at EJ Victor (Project Umbrella). This project is expected to create 30 new jobs. The agreement term ends December 9, 2023.

The project budget ordinance is attached which establishes the budget. Morganton and Burke County will share the administrative costs equally. The grant is for \$240,000 and the administration costs are \$12,000. WPCOG will be providing the administration for the grant.

Upon motion by Councilman Jernigan, seconded by Councilwoman Cato, and carried unanimously, the Council approved the contract with WPCOG to administer the EJ Victor (Project Umbrella) Building Reuse Grant.

Upon motion by Councilman Hawkins, seconded by Councilman McSwain, and carried unanimously, the Council approved a budget ordinance (Ord. #22-01) for \$240,000 in grant funds and \$12,000 in administration costs.

3. Consideration of Adoption of Ordinance Concerning Disposal of Human Waste

Phillip Lookadoo, Director of Development and Design, stated that recently the Code Enforcement Officer, along with City staff, have been asked to address multiple situations involving the accumulation or disposal of human excrement or urine. In addition to the obvious unpleasantness, these situations clearly pose threats to the general public health and safety. The City's existing ordinances do not adequately address this issue. Therefore, City staff recommends adoption of a new ordinance and amendment of existing ones, all within Part 8 of the Code concerning nuisances. The City Attorney and Code Enforcement Officer have worked together to develop a proposal, relying substantially on ordinances adopted in other cities.

The proposed ordinance would make it unlawful to dispose of any human waste except through appropriate sanitary facilities, and would add a new Section clarifying violations of the Chapter on "General Nuisances" are subject to the same civil penalties as provided in the Chapter on "Nuisances Related to Property".

Upon motion by Councilman Jernigan, seconded by Councilman Hawkins, and carried unanimously, the Council adopted Ordinance #22-02 adding new Sections 8-6020 and 8-6021, and amending Sections 8-1005(f) and 8-4002(a), of the Code of Ordinances concerning the regulation of disposal of human waste.

4. Consideration of Approval of a Construction Contract for Electric Work at Murphy's Farm

The City Manager stated this project involves the trenching and installation of PVC conduit for the installation of underground electrical to connect with electrical transformers to serve the Murphy's Farm Apartment complex.

Informal bid proposals were received by the City of Morganton Electrical Services Department on Tuesday December 28, 2021. Two bids and one no-bid were submitted for the project. The lowest responsible bid was submitted by Carl Grigg Electric & Supply Inc. of Shelby NC. The remaining bid was submitted by Mountain Crest, LLC of Lenoir NC, but was an incomplete bid. A third contractor, Carolina Power and Signalization, submitted a "No Bid" response.

The project was bid as a unit cost project. City staff recommends contracting with Carl Grigg Electric & Supply based on the unit cost submitted at a total price not to exceed \$30,000.

Upon motion by Councilman Hawkins, seconded by Councilwoman Cato, and carried unanimously, the Council approved a contract with Carl Grigg Electric & Supply, Inc. of Shelby, NC, not to exceed \$30,000, to perform the City of Morganton underground electrical installation project at Murphy's Farm.

5. Appointments to Boards and Commissions

a. Fireman's Relief

The City Manager stated the terms for Council appointee Mark Bradshaw and Public Safety appointee David Ferber have expired. These members have been excellent participants on the Board and have expressed interest in continuing to serve as members of the Board.

The terms for Council appointee Jessie Parris and Public Safety appointee Israel Gibson are set to expire next month. These members have also been excellent participants and wish to continue serving.

Upon motion by Councilman McSwain, seconded by Councilman Jernigan, and carried unanimously, the Council reappointed Mark Bradshaw and David Ferber for terms to expire on January 15, 2023; and reappointed Jessie Parris and Israel Gibson for terms to expire on January 15, 2024.

6. 30-Day Notice Boards and Commissions

a. Morganton Housing Authority

The City Manager stated there are currently two expiring terms on the Morganton Housing Authority Board.

Those with expiring terms are the Morganton Public Safety Lt. Brad Buchanan and tenant appointee Judy Owensby. Both have been consistent members of the Morganton Housing Authority and are willing to continue serving on this Board.

The City Manager stated if Council wishes they could go ahead and reappoint these members since they are willing.

Upon motion by Councilman Hawkins, seconded by Councilman McSwain, and carried unanimously, the Council reappointed Brad Buchanan and Judy Owensby as members of the Morganton Housing Authority Board with terms to expire February 1, 2027.

XIII. Other Items from City Manager and City Council Not on Agenda – The City Manager stated that in the last session of the General Assembly the City requested a change to the Charter. In the original Charter the City Manager was also the City Clerk. She stated that many places allow the City Manager to appoint a City Clerk and that is what the General Assembly has allowed for Morganton. The City Manager stated she was appointing Kelly Russell as the City Clerk and Carolyn Richardson, paralegal, as Assistant City Clerk.

Councilman Jernigan stated it has been wonderful to see the Courthouse Square is open and being used and enjoyed by many people. The City Manager stated the bathrooms are not open yet because there are still things to be done, but should be completed soon.

XIV. Adjournment –The Mayor adjourned the meeting at 6:36 p.m.

Preparation of Minutes. These minutes were prepared by Mikela D. Russell, 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

City Clerk