

**CITY OF LAURINBURG
COUNCIL MEETING
AUGUST 20, 2013
MUNICIPAL BUILDING
303 WEST CHURCH ST.
LAURINBURG, NC
7:00 P.M.**

MINUTES

The City Council of the City of Laurinburg held its regular monthly meeting on August 20, 2013 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Thomas W. Parker, III, Mayor, presiding. The following Councilmembers were present: Mary Jo Adams, Curtis B. Leak, Andrew G. Williamson, Jr. and J. D. Willis.

Also present were: Charles D. Nichols III, City Manager; Jennifer A. Tippet, City Clerk; and William P. Floyd, Jr., City Attorney.

Mayor Parker called the meeting to order at 7:00 p.m.

The invocation was given by Councilmember Williamson.

APPROVAL OF AGENDA

Mayor Parker explained that the agenda needed to be amended as follows:

- a) Under Delegations, Jim Willis and Miller Slaughter will not be here to present LDRC's Plans for the Farmers Market. That will be added to the September agenda.
- b) Under City Manager Reports – after Item 11 – add Consider Awarding Bid for Elevated Water Tank and authorize the City Manager to execute the Notice to Proceed
- c) Following Closed Session – add Acquisition of Land

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to adopt the agenda as amended.

PUBLIC COMMENT PERIOD

There was no one present to speak

RECOGNITION OF RETIREE

Mayor Parker recognized retiree Loren Dunn as follows;

IN SINCERE APPRECIATION

to

***LOREN D. DUNN
SENIOR TREATMENT PLANT OPERATOR***

FEBRUARY 1997 – AUGUST 2013

In special tribute for his 16 years of dedicated public service as an employee of the City of Laurinburg, first serving as a Line Mechanic, then Treatment Plant Operator I, and then as Senior Treatment Plant Operator from July 1, 2001-August 31, 2013 in the Water Treatment Plant. As a Vietnam Veteran, Loren has a long demonstrated history of service to this Country and this City.

The Mayor and the Laurinburg City Council express their sincere appreciation for his unselfish professional service to the citizens of Laurinburg and to our Country.

His acute attention to detail in ensuring that the City of Laurinburg water was safe and abundant made him a most valuable public servant. Also, his participation in the City's Employee Fitness Day made him an inspiration to all. As the winner four times, he was always in the top three finishers each time. He worked tirelessly and effectively to serve the citizens to make our City a better place to live for all the citizens of Laurinburg.

We wish his many more years of continued success in the next chapter of his life.

Presented this the 20th day of August, 2013.

*Thomas W. Parker, III
Mayor*

*Mary Jo Adams
Mayor Pro Tempore*

*Curtis B. Leak
Councilmember*

*Andrew G. Williamson, Jr.
Councilmember*

*J. D. Willis
Councilmember*

Mr. Dunn thanked the City for the opportunity to work for such an organization.

Mayor Parker explained that James Monroe, Sanitation Supervisor, was not present and he hoped he would appear at the September meeting to be recognized for his 31.5 years of service to the City.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of May 14, 2013 reconvened meeting and agenda workshop; May 21, 2013 regular meeting; May 28, 2013 reconvened meeting and budget workshop; June 4, 2013 reconvened meeting and budget workshop; and June 11, 2013 agenda workshop
- b) Authorize Mayor to execute Order to Collect Taxes
- c) Consider Ordinance No. O-2013-20 amending budget appropriations ordinance (Ordinance No. O-2013-17) to receive North Carolina Get Alarm Grant funds
- d) Consider Ordinance No. O-2013-21 amending the budget appropriations ordinance

(Ordinance No. O-2013-17) to receive funds for the NCDOT Pedestrian Planning Grant, NC Department of Health and Human Services Community Transformation Grant and North Carolina Urban Forestry Grant

e) Consider Resolution No. R-2013-14 authorizing the Mayor, City Manager and City Clerk to execute any documents related to the NC Department of Transportation 2013 Pedestrian Planning Grant

f) Consider Resolution No. R-2013-15 authorizing the Mayor, City Manager and City Clerk to execute any documents related to the NC Department of Health & Human Services 2013 Community Transformation Grant

g) Consider Resolution No. R-2013-16 authorizing the Mayor, City Manager and City Clerk to execute any documents related to the North Carolina Urban Forestry Grant

Councilmember Adams moved to approve the Consent Agenda as presented. Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Adams, Leak, Williamson, Willis

Nays: None

PUBLIC HEARINGS

SECOND CDBG HEARING

Mayor Parker opened the public hearing.

The City Manager explained that staff recommends that Council continue the public hearing to September 17, 2013 in order to allow more information from the Commerce Department regarding the FY 2013 grant cycle.

Mrs. Brandi Deese explained that the public hearing is a requirement to obtain CDBG funding and that once the Commerce Department provides more information concerning the grant process and amount of grant funding available, a grant application for an infrastructure project will be submitted.

Mayor Parker closed the public hearing.

Motion was made by Councilmember Williamson, seconded by Councilmember Willis, and unanimously carried to continue this public hearing to September 17, 2013 at 7:00 p.m. in the Council Chambers of the Municipal Building.

FCC FINANCING

The City Manager explained that this Resolution will authorize the City Manager & Finance Director, with advice from the City Attorney to authorize and solicit proposals from financial institutions to finance the Capital Projects needed for the improvements and expansion of City's water, sewer and electrical system for a principal amount not to exceed \$9,000,000.

Mayor Parker opened the public hearing.

Mrs. Cindy Carpenter explained that this resolution will authorize the City Manager to begin negotiating financing not to exceed \$9,000,000.00 to extend City water, sewer and electric for the FCC Project. She added that this was necessary in order to meet the Local Government Commission's deadline for its October agenda.

There was no one else present to speak regarding this matter.

Mayor Parker closed the public hearing.

Councilmember Willis moved to approve Resolution No. R-2013-17 which authorizes the negotiation of an installment financing contract and provides for certain other related matters thereto. The motion was seconded by Councilmember Leak, and the vote was as follows:

Ayes: Willis, Leak, Adams, Williamson

Nays: None

(Resolution No. R-2013-17 on file in the City Clerk's Office)

DELEGATION

W.K. DICKSON – CONSIDER RESOLUTION AUTHORIZING APPLICATION FOR CLEAN WATER SRF FUNDING

Mr. T. Carter Hubard of W.K. Dickson appeared before council and explained that Mrs. Angie Mettlen, grant specialist, discovered this possible grant source for the Leith Creek Outfall sewer rehabilitation project presented to Council in February, 2013. He added that the project cost as presented was \$338,000.00 and City has a good opportunity to obtain a low interest loan with principal forgiveness through this program. He further added that the application deadline is in September.

The City Manager explained that the resolution does not bind the City, but allows it to apply for the funds.

Councilmember Adams moved to approve Resolution No. R-2013-18 which authorizes application for Clean Water SRF Funding from NC Department of Environment and Natural Resources. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Adams, Williamson, Willis, Leak

Nays: None

(Resolution No. R-2013-18 on file in the City Clerk's Office)

CITY MANAGER REPORTS

CONSIDER ORDINANCE AMENDING THE FY 2013-2014 BUDGET APPROPRIATIONS ORDINANCE

The City Manager explained that as Council directed, this budget amendment moves \$2,500.00 from the Farmers Market line item to Contingency.

Councilmember Williamson motioned to approve Ordinance No. O-2013-22 amending the FY 2013-2014 Budget Appropriations Ordinance (O-2013-17) by transferring \$2,500.00 from the Farmers Market line item to Contingency. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Leak, Willis, Williamson, Adams

Nays: None

(Ordinance No. O-2013-22 on file in the City Clerk's Office)

CONSIDER AWARDING BIDS FOR FCC PROJECT

The City Manager explained that Willis Engineering opened bids for the FCC Project on August 13, 2013 for wastewater services. He added that all bids were under the estimated amounts, and Willis Engineering recommended bids be awarded as follows:

- a. Contract 1.0 – Pipelines – Sanford Contractors in the amount of \$336,000.00
- b. Contract 2.0 – Pump Station to Dellinger Inc. for \$1,660,118.00
- c. Contract 3.0 – Force Main to Sanford Contractors for \$567,000.00

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to award bids as follows on the FCC Project:

- a. Contract 1.0 – Pipelines – Sanford Contractors in the amount of \$336,000.00
- b. Contract 2.0 – Pump Station to Dellinger Inc. for 1,660,118.00
- c. Contract 3.0 – Force Main to Sanford Contractors for \$567,000.00

CONSIDER AWARDING BID FOR FCC SITE WATERLINE CONNECTION PROJECT AND AUTHORIZE CITY MANAGER TO EXECUTE NOTICE OF AWARD

The City Manager explained that bids were opened on August 12, 2013 for the FCC Site Waterline Connection Project and the lowest responsive bidder was T&H Construction of NC, Inc. in the amount of \$157,756.31. He added that Ms. Emily Rogers of Municipal Engineering Services Inc. was present to answer any questions.

Upon question by Councilmember Adams, the City Manager explained that construction of the tank would take approximately six (6) to eight (8) months.

Upon question by Councilmember Leak, Ms. Rogers stated that the water tank would hold 750,000 gallons.

The City Manager added that he, staff and representatives from Municipal Engineering Services will be meeting with FCC representatives and the Construction Supervisor about alternate fire protection until the water tank is constructed.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to award the bid for the FCC Site Waterline Connection Project to T&H

Construction of NC, Inc. in the amount of \$157,756.31 and to authorize the City Manager to execute the Notice of Award to T&H Construction of NC, Inc.

CONSIDER AWARDING BID FOR ELEVATED WATER TANK AND AUTHORIZE CITY MANAGER TO EXECUTE NOTICE OF AWARD

The City Manager explained that bids were opened earlier today for the elevated water tank. He added that bids were initially accepted on August 12, 2013; however, only two (2) bids were received. NC General Statute 143-132(a) requires that if at least three (3) bids are not received for construction contracts, a second advertisement must be made, after which a contract may be awarded even if fewer than three (3) bids are received. The project was rebid on August 12, 2013, and Municipal Engineering Services Company, PA (MESCO) recommends that the bid for the elevated water tank for the FCC Project be awarded to Caldwell Tanks, Inc. in the amount of \$1,757,001.00.

Ms. Emily Rogers of MESCO Services explained that even though the bids have been opened and recommendation for award made, the actual contract should not be signed until the CDBG funds are released. She added that this will not delay the construction schedule because the City still has to receive financing approval from the Local Government Commission (LGC).

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to award bid to Caldwell Tanks, Inc. in the amount of \$1,757,001.00 for the elevated water tank and to authorize the City Manager to execute the Notice of Award to Caldwell Tanks, Inc.

CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT WITH MUNICIPAL ENGINEERING SERVICES COMPANY, PA

The City Manager explained the Municipal Engineering Services Company, PA (MESCO) is managing the water portion of the FCC Project. He added that this contract will provide for technical services associated with test well installation and hydrogeologic analysis necessary. The contract for wells is \$85,000.00 per site (number of sites to be determined), for hydrogeologic modeling fees for the elevated tank site is \$30,300.00, and hydrogeologic modeling fees per well site is \$24,500.00. He added that staff will come back to Council with more firm numbers in the future.

Motion was made by Councilmember Leak, seconded by Councilmember Williamson, and unanimously carried to authorize the City Manager to execute the contract with Municipal Engineering Services Company, PA for test well installation and hydrogeologic analysis and for hydrogeologic modeling fees for the elevated tank.

CONSIDER AWARDING BIDS FOR ELECTRICAL SUPPLIES AND EQUIPMENT

The City Manager explained that McGavran Engineering opened bids for electrical supplies and equipment on July 29, 2013, and recommends bids be awarded as follows:

- a. Award bid to HD Supply Company in the amount of \$128,284.87 for line equipment, hardware and UG mats.

- b. Award bid to Shealy Electric in the amount of \$34,730.00 for line equipment.
- c. Award bid to National Transformer Supply in the amount of \$279,775.00 for transformers.
- d. Award bid to Siemens Industry in the amount of \$33,330.00 for breakers.

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to award bids for electrical supplies and equipment as follows:

- a. Award bid to HD Supply Company in the amount of \$128,284.87 for line equipment, hardware and UG mats.
- b. Award bid to Shealy Electric in the amount of \$34,730.00 for line equipment.
- c. Award bid to National Transformer Supply in the amount of \$279,775.00 for transformers.
- d. Award bid to Siemens Industry in the amount of \$33,330.00 for breakers.

CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT LOWEST RESPONSIBLE BID FOR PURCHASE OF A GENERATOR FOR THE FCC PROJECT

The City Manager explained that G.S. 143-129 authorizes the governing board to delegate approval authority to the City Manager for purchase contracts in the formal range. McGavran Engineering will be conducting a bid opening for the purchase of a generator for the FCC project, which will be after the August Council meeting. He added that due to the time sensitive nature of getting awarded bids to the LGC for financing approval by the end of August and prior to the next regularly scheduled September Council meeting, consideration is requested to delegate the approval authority to the City Manager for the award of this formal purchase contract to the lowest responsive, responsible bidder.

Councilmember Williamson motioned to approve Resolution No. R-2013-19 which authorizes the City Manager to accept the lowest responsible bid for the purchase of a generator for the FCC Project. The motion was seconded by Councilmember Willis, and the vote was as follows:

Ayes: Williamson, Willis, Adams, Leak

Nays: None

(Resolution No. R-2013-19 on file in the City Clerk's Office)

CONSIDER AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE CONTRACT FOR ENGAGEMENT WITH GORDON, HICKS AND FLOYD, LLP

The City Manager explained that upon Mr. Gordon's resignation as City Attorney and Mr. Floyd's appointment as City Attorney, Council requested a contract for engagement with Mr. Floyd. The monthly retainer fee remains at \$500.00 per month and the hourly rate remains at \$150.00 per hour.

Motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to authorize the Mayor and City Clerk to execute Contract for Engagement with Gordon, Hicks and Floyd, LLP.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Willis expressed concern regarding the plan by the contractor building Walgreens pouring concrete at 3:00 a.m. on August 22, 2013.

Following discussion, Mrs. Deese explained that she would meet with the contractor to ensure that noise is kept to a minimum.

Mayor Parker thanked Willis Engineering and MESCO for their efforts to expedite the FCC Project.

CLOSED SESSION

At 7:38 p.m. Councilmember Adams motioned to go into closed session pursuant to NC General Statute 143-318(11)(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease and pursuant to NC General Statute 143-318(11)(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of employment of an individual public officer or employee. The motion was seconded by Councilmember Williamson, and unanimously carried.

At 8:24 p.m., Councilmember Adams motioned to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Williamson, and unanimously carried.

LAND ACQUISITION

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to purchase 3.0 acres of land at the intersection of US Hwy 401 and Heck Norton Road from Wallace Trucking for \$19,000.00.

ADJOURN

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to adjourn the meeting.

The meeting adjourned at 8:28 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippet, City Clerk