

REGULAR MEETING CITY COUNCIL
November 16, 2015

The City Council of the City of Albemarle met in a regular session on Monday, November 16, 2015 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tem Troy E. Alexander, Bill Aldridge, Benton H. Dry, II, Martha Sue Hall, Martha E. Hughes, Dexter Townsend, and Chris Whitley. Absent, none.

Mayor Michael asked for a moment of silence for the victims in the Paris Terror Attacks.

Mayor Michael called the meeting to order.

The Mayor and City Council recognized two of its manufacturing businesses as part of its new Industry Recognition Program. It was noted that this will occur at City Council meetings over the next two years, recognizing two businesses every quarter. Each recognition will consist of a Proclamation from Mayor Michael, media coverage, a company product display in City Hall, and a tour of the company's facilities by Council.

The first two companies recognized tonight were Stanly Cabinet and Preformed Line Products. Economic Development Director Mark Donham stated that the City's goals include thanking local manufacturers for their quality products and investing in our community. Also, to inform Albemarle, Stanly County and the region about our industries and our training opportunities at Stanly Community College. There are currently 40 manufacturing companies in Albemarle.

Mr. Donham stated that Andre Burroughs is making videos for each industry that is recognized and there will be a video display on the City web site and on the Stanly Community College website. Asia Wilson with the Centralina Council of Governments helped the City tell our story in the Charlotte region.

Economic Team members are:

Paul Stratos and Krista Bowers with the Stanly County Economic Development

Kathy Almond with Stanly County Chamber of Commerce

Chris Lambert with Stanly County Convention and Visitors Bureau

Dana McDow with ADDC as Interim Director

Ms. Hillari Biby, and other representatives of Stanly Cabinet came forward and gave a brief summary of their business operations and that they do full service design, production, and installation of custom made cabinets. Also, a video was shown describing the process of making products in their shop. They have 14 employees and six of those are family members spanning over three generations.

Mayor Michael presented a framed resolution to the James Lowder family recognizing them for their fine service to the community.

Mr. John Ziebarth, Plant Manager with Preformed Line Products came forward and thanked the City of Albemarle for this special acknowledgement. He stated they are a worldwide designer, manufacturer, and supplier of high quality cable anchoring and control hardware and systems, fiber optic and copper splice closures and high speed cross-connect devices, as well as solar panel racking and subassemblies. They work closely with Stanly Community College and train the workforce in our area to keep Preformed Line Products successful, competitive, and productive for many years to come. Mr. Ziebarth also stated they have been in Albemarle for 33 years since 1982. A video was displayed showing their major operations in the plant.

Mayor Michael presented a framed resolution to Mr. Ziebarth with Preformed Line Products recognizing them for their fine service to the community. Mayor Michael thanked both industries for being here and being the first two industries to be recognized by the City for their contribution to the community.

The Council came forward and thanked everyone present from both industries for their contributions.

Economic Development Director Mark Donham stated that City Council will also be touring the industries facilities.

Mr. Eddy Wall, Sr. of Park West Drive came before City Council as an unannounced delegate concerning a request for a water bill adjustment. He came forward representing his tenant, Sonya Williams located at 702 Furr Street. Public Utilities Director Mike Leonas came forward and stated that the water bill for this account was \$393.64 where the average water cost is around \$27.29 a month. Council received a copy of the utility billing statement of billing period from September 11, 2015 until October 12, 2015 and also a memo from Eddy Wall, owner of this property.

Mr. Wall stated that Ms. Williams reported to him on October 17, 2015 that she had a water leak. The water was turned off from October 17-21 until he could locate the problem. On October 21, 2015 the problem found was the water flow valve in the commode tank and it was replaced on October 21. He is asking for a water adjustment to Ms. Williams' water bill.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved a water bill adjustment in the amount of \$183.18 for Sonya Williams located at 702 Furr Street.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the City Council approved the November 2 regular session and November 2 closed session minutes as submitted.

The Mayor stated that Council had a copy of the monthly departmental reports in their agenda packets and asked if anyone had any questions.

The Mayor and City Council reviewed the bid information for Phase III of the HVAC project for the Department of Public Housing. It was noted that three sealed bids were received for bid opening on Sept 29, 2015 for this project. The low bidder for the project asked to withdraw their bid due to a mathematical error made in calculating the number of systems to be provided at the opening. The remaining bids, along with the letter of protest were received from the high bidder.

There were a variety of issues with the second low bid received which constituted the bid to be invalid.

Mr. Stogner came forward and gave a brief history of the bid and the issues with that bid. The bid bond was submitted in the name of Hemco, LLC which was not found listed as a licensed HVAC contractor and the bid form shows an electrical subcontractor whose license shows he has his own company and he is not a Hemco employee. He stated that the options are to rebid with clarifications and/or modifications or award to next bidder, Central Builders, Inc. He recommends rebidding the project because these issues are not waivable. Also Council received an email response from the UNC School of Government representative, supporting Mr. Stogner's recommendations.

Attorney Charles Brown with Brown, Brown and Brown representing Hemco came forward and stated that he just received the information after 5:30 pm today and received a call from City Attorney David Beaver to review the report from Stogner Architecture and the UNC-SOG and to attend tonight's meeting. He stated that part of the issue has been corrected and he gave Council a copy showing the validation of Kyle Marks license for Hemco is registered, licensed and authorized to engage in the business of Heating Group 2, 3 – Class I from the NC State Board of Examiners of Plumbing, Heating, & Fire Sprinkler Contractors. Mr. Brown stated that the other issue is correctable. He stated City Council has the authority to ask rebid or to accept Hemco's bid as amended and asked that City Council allow Hemco a chance to amend their bid and resubmit.

Upon questioning, City Attorney David Beaver stated based on Frayda Bluestein's comments from the UNC-SOG, based on supporting documentation reviewed, it appears that the best option is to reject all bids and rebid the project. Mr. Bluestein further stated that it does appear the second lowest bidder, Hemco, is not eligible for the award but this is still up to the governing board to determine whether to award to the higher bid.

Ms. Bluestein also noted that if the board decides to award to the higher bidder and if the bid exceeds the budgeted amount, Council may want to consider rebidding rather than negotiating with the higher bidder. Mr. Stogner stated that the City may want to do fewer units or add extra funds to complete everything in this last phase. Public Housing Director Cedric Baldwin stated that there are sufficient funds in reserve and we would be able to do all units in one single phase.

Upon questioning, Facility Maintenance Supervisor Tony Poplin in Public Housing came forward and stated that there were some issues by Central Builders in responding in the past on the Lennox systems they installed. Mr.

Poplin further stated that we know we will request response service within 24 hours of being called for the next phase.

Councilmember Aldridge asked that Council defer decision until the next Council meeting so that Attorney Charles Brown has time to thoroughly review the information concerning his client (Hemco).

Mr. Stogner, Public Housing Director Cedric Baldwin, Facility Maintenance Supervisor Tony Poplin and Attorney Charles Brown answered any questions that Council had.

Councilmember Townsend moved to reject all bids and hold a rebid within 3-4 weeks at the discretion of Stogner Architecture. Councilmember Alexander seconded the motion. Voting for the motion were Councilmembers Alexander, Hall, Hughes, Townsend and Whitley. Voting against the motion were Councilmembers Aldridge and Dry. The motion carried.

The Mayor and City Council considered approval of renewal of indefinite quantity contract with Stogner Architecture, PA. This month, it is time to renew the City's contract with Stogner Architecture, PA for Architectural and Engineering services provided for an additional 12 months to the Department of Public Housing.

It was noted that this will be the final extension of a 5 year contract that began in 2011 with Stogner Architecture, PA which will end November 2016.

Mr. Stogner answered any questions that Council had.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the renewal of an indefinite quantity contract with Stogner Architecture, PA.

The Mayor and City Council considered change order no. 3 to the construction contract with Dellinger, Inc. for the Long Creek WWTP Improvements Phase II (Headworks).

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approve Change

Order No. 3 to the construction contact with Dellinger, Inc. for the Phase II Improvements (Headworks) at the Long Creek WWTP, increasing the contract by \$ 6,654.14 bringing the total construction contract amount to \$2,706,328.01 and authorize the City Manager to execute the Change Order and other ancillary documents associated with the change order.

The Mayor and City Council considered bids received for the purchase of transformers associated with stock replenishment for FY 15-16 and the 4kV system conversions.

Public Utilities Director Mike Leonas noted that based on the TEC analysis and the matrix of transformers required, the total cost for the transformers is \$253,197.00.

The purchase of transformers for both stock replenishment and to support the 4kV system conversions was budgeted for in the FY 15-16 Budget.

Public Utilities conducted a bid opening for transformers on November 9, 2015. The TEC analysis takes into account the electrical efficiency of the proposed transformer by calculating the cost of load losses and adding that cost to the bid price of the transformer.

Public Utilities Department recommends that Council award the bid for the purchase of transformers associated with stock replenishment for FY 15-16 and the 4kV system conversions:

WESCO	- 25 each, 25KVA 120/240V	\$ 18,725.00
Richardson Associates of NC	- 30 each, 10KVA 120/240V	18,420.00
	- 125 ea., 25KVA 120/240V	104,500.00
	-20 each, 10 KVA 120/240V	10,820.00
	-12 each, 75KVA 120/240V	17,868.00
	Anixter	-25 each, 50 KVA 120/240V
TEMA	-35 each, 50 KVA 120/240V	35,490.00
	-10 each, 25 KVA 277/480V	7,120.00
	- 7 each, 75 KVA 277/480V	9,079.00
Total		<hr/> \$253,197.00

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved WESCO, Richardson Associates of NC, Anixter, and TEMA and authorize the Public Utilities Department to award the bid for the purchase of transformers associated with stock replenishment for FY 15-16 and the 4kV system conversions to the above companies.

(Bid Tabulation)

The Mayor and City Council considered authorization to seek financing proposals for 800 MHz radios for the Fire Department in order to utilize the new Stanly County public safety communications system. The City's grant application was not successful, so the process of purchasing the needed radios and related equipment has begun.

The City Manager indicated in the agenda that the fire department budgeted in the current fiscal year for the possibility that our grant may not be successful. In total, we have \$45,000 in the Fire Department portion of the budget that can be utilized to make a first year payment. Originally, \$30,000 of this was designated as the grant match, while the remaining \$15,000 was added as a contingency in case the grant was not awarded (totaling \$45,000).

If Council approves financing, the City Finance Department will obtain financing quotes for the radios that will be submitted at a future meeting for Council's consideration. Chief Oke stated that the County provided the City with 15 portable radios and the City will need funding for the remainder 31 portable radios needed. Cost estimate for radios is \$208,934.

Fire Chief Oke answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council authorized the Fire Department to seek financing proposals for 800 MHz radios and the City Finance Department to obtain financing quotes.

The Mayor and Council were informed that the Stanly County COG meeting location has been changed to First Presbyterian Church at 207 South Main Street, Norwood, NC. for Tuesday, November beginning at 6:30 pm.

The City Manager stated that there will be a van furnished for those riding together from City Hall which will leave at 6 pm.

The Mayor and Council were informed City Offices will be closed on November 26 and 27 for the Thanksgiving Holiday.

Mayor Michael welcomed Public Utilities Director Mike Leonas back after being away for surgery.

The City Manager stated that Council had received a letter to review from Vicki Coggins who is the chairman of the grant committee of Keep Stanly Beautiful. This letter was to advise the City that we have received a grant through KSB for \$500 with the City matching \$500 for a project to install a split rail fence at Rock Creek Park by the Parks and Recreation Department. The Parks and Recreation Department will supply the labor while the grant funds should cover the cost of the material purchase.

Councilmember Townsend asked if anyone had a progress report on the Central School Project. The Mayor stated that around 2 weeks ago the project was waiting on inspections for the utilities. The sheetrock will be going up soon and they are pouring the foundation for the new building at the back of the property. They have also repaired and/or replaced most of the windows.

Councilmember Hall stated that at the recent National League of Cities meeting in Nashville, she and Councilmember Hughes saw where public/private partnerships are being used across the nation.

Councilmember Hall stated that she attended a Partnership for Children meeting today. She said that the General Assembly appropriates funds for this Pre-K program which is to benefit all kids ages 0-5. Stanly County received more monies than other surrounding counties about our size received.

Councilmember Dry asked what are they going to do with the sign at the Central School project site. The City Manager stated that he will contact the Land Mark Group and see what they are planning concerning the sign and get back with City Council.

Councilmember Dry said that he would like to thank ADDC Interim Director Dan McDow and all she has done so far.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318.11(a)(3)(5) - To Consult with the City Attorney and Real Estate Negotiations.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council reconvened to open session. Mayor Michael announced that a closed session was held pursuant to NCGS 143-318.11(a) (3) (5) - To Consult with the City Attorney and Real Estate Negotiations and there was nothing to report at this time.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the meeting was adjourned until Monday, November 23 at 6:00 pm for a joint meeting with the Business Development Task Force and the Economic Development Task Force in the Raymond I. Allen Room at City Hall.