

COUNCIL MINUTES
REGULAR MEETING

October 18, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, October 18, 2011 beginning at 7:00 PM in the Council Chambers of City Hall. Present were: Mayor Sammy Phillips presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry Bittner, Fannie K. Coleman, Randy Thomas, Bob Warden, and Jerome Willingham. Also present were: Richard Woodruff, City Manager; Ronald Massey, Assistant City Manager, Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Mike Yaniero, Police Chief; Rick McIntyre, Fire Chief; Tim Chesnutt, Recreation and Parks Director; Grant Sparks, Public Services Director; Reggie Goodson, Planning and Development Services Director; Carmen Miracle, City Clerk; and John Carter, City Attorney. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 7:06 PM.

PLEDGE OF ALLEGIANCE

Mayor Phillips recognized Boy Scout Troops 597 and 87 who were in attendance to work on their Citizenship in the Community Merit Badge. The members led the Pledge of Allegiance.

INVOCATION

Mr. John Carter pronounced the invocation.

ADOPTION OF AGENDA AND CONSENT ITEMS

A motion was made by Councilman Warden, seconded by Councilman Thomas, and unanimously approved to adopt the agenda as amended to remove the property acquisition discussion from Closed Session.

ADOPTION OF MINUTES

A motion was made by Councilman Thomas, seconded by Council Member Coleman, and unanimously adopted to approve the minutes of a Special Workshop Meeting held October 4, 2011 as presented and the minutes of the Regular Meeting held October 4, 2011 as presented.

PRESENTATIONS

RECOGNITION OF SERVICE – COUNCILMAN BITTNER

Mayor Phillips recognized Councilman Bittner for 20 years of service with the City and presented him with his 20-year pin. Councilman Bittner stated it was a source of pride to have been an employee of this community and elected to serve as a representative of the people. Jacksonville was his community and he had spent more years here than in any other place.

RECOGNITION OF JACKSONVILLE AS AN OFFICIAL REGIONAL SITE FOR VETERAN'S DAY OBSERVANCES

Paul Levesque, President of the Rolling Thunder, stated that Rolling Thunder was not a motorcycle club, but a national organization with the mission of educating the public on the POW/MIA issue. Seven years ago Rolling Thunder began organizing the Jacksonville-Veterans Day Parade. An application was submitted to the Department of Veterans Affairs to recognize Jacksonville as an official regional site for Veteran's Day Observances. Mr. Levesque reported that the City of Jacksonville had received this prestigious designation and Jacksonville was now one of only six other communities to have received the honor. He presented the Mayor with the Recognition Certificate along with a framed copy of the 2011 Veteran's Day Poster, designed by a Vietnam Veteran. Mayor Phillips thanked the members for all their organization did.

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Phillips read a Proclamation naming October as Domestic Violence Awareness Month. Following the reading of the Proclamation, Police Chief Mike Yaniero, an Onslow Women's Center board member, accepted the Proclamation.

PROCLAMATION – MINORITY ENTERPRISE DEVELOPMENT DAY

Mayor Phillips read a Proclamation naming October 21, 2011 as Minority Enterprise Development Day. Following the reading of the Proclamation, Mona Padrick, Jacksonville-Onslow Chamber of Commerce President, and Million Heir-Williams, Minority Business Services Division Manager accepted the Proclamation.

MAYOR'S COMMITTEE FOR PERSONS WITH DISABILITIES AWARDS

Council Member Fannie K. Coleman, Liaison to the Mayor's Committee for Persons with Disabilities, assisted Mayor Phillips in presenting the Individual Distinguished Service Awards to Laura Quinn and Dora Gaskin for their volunteer work with Special Olympics.

PUBLIC HEARINGSVOLUNTARY ANNEXATION PETITION – BHP WESTERN – WELLINGTON GROVE – 5.57 ACRES

Ronald Massey, Assistant City Manager, stated a voluntary annexation petition was received from John Pierce, Managing Partner, for BHP Western. The property proposed for voluntary annexation was two parcels contiguous to the City limit boundaries totaling 5.57 acres. Tract one (2.05 acres) was located adjacent to Carolina Forest Blvd across from The Arbors in Carolina Forest. Tract two (3.52-acres) was located adjacent to Emerdale Apartments in Carolina Forest. These two tracts were planned as additional acreage for abutting property that was already inside the City limits. A future project (Wellington Grove) was proposed for a six building/88 unit 94,839 square foot apartment complex. A site plan was recently submitted; however, it had not at this time been reviewed or approved. The two tracts were a small portion of the overall proposed project; therefore, a detailed analysis of costs and revenues could not be prepared with any degree of accuracy specific to this annexation. The annexation area did not require significant infrastructure investment on the City's behalf.

Mayor Phillips recessed the regular meeting at 7:33 PM in order to convene the Public Hearing.

With no one desiring to speak, Mayor Phillips closed the Public Hearing at 7:34 PM and reconvened the regular meeting.

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Warden, and unanimously approved to move to adopt the Annexation Ordinance as presented.

Ordinance 2011-58, Bk. 10, Pg. 519

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

NEW BUSINESSCONSENT ITEMSFY12 FIRST QUARTER GENERAL BUDGET AMENDMENT

During the first quarter of FY12 several departments submitted budget amendment requests. The details of the adjustments were shown in the staff report. This budget amendment decreased the use of appropriated fund balance in the General Fund by \$20,893, appropriated

\$8,596 of General Fund contingency, and increased the use of appropriated retained earnings in the Water/Sewer Fund by \$223,929.

Council approved the Budget and CIP Amendments.

Ordinance 2011-59, Bk. 10, Pg. 522

Ordinance 2011-60, Bk. 10, Pg. 528

2011 COPS HIRING PROGRAM (CHP) GRANT AWARD ACCEPTANCE

The Police Department has received notification of a 2011 COPS Hiring Program Grant Award to hire two police officers. The estimated amount of federal funds to be awarded over the three-year grant period is \$328,526.00. No local match was required. Equipment and supply costs will be borne by a combination of City funding and funding derived from the Police Department's participation in the Department of Justice Asset Forfeiture Program.

Council accepted the Grant and authorized the City Manager to sign the Grant documents, and approve the Position and Budget Amendments.

Ordinance 2011-61, Bk. 10, Pg. 527

Ordinance 2011-62, Bk. 10, Pg. 528

AWARD BID FOR PURCHASE OF FULLY AUTOMATED REFUSE TRUCK

The Sanitation Division continued to implement the conversion to automated refuse collections. To achieve this goal, bids were solicited, received and opened September 15, 2011 for the purchase of an automated refuse collection truck. Funds in the amount of \$240,000 had been budgeted by City Council for the purchase of a fully automated refuse collection truck.

Council awarded the bid to purchase a fully automated refuse collection truck to Trans Source, Inc., in the amount of \$235,427.00.

AUTHORIZATION TO CONDEMN FINANCIAL GUARANTEE

As directed by Council, staff requested authorization to process condemnation of the expiring financial guarantees held by the City if the developer was unable or unwilling to extend the Surety Agreement: Aragona Village Section XI-A; Aragona Village Section XI-A (NCDOT Turn Lane); Ivy Glen Section I; Ivy Glen Section II; Southpointe Section II-C at Carolina Forest.

Council authorized staff to process condemnation of the financial guarantee if the developer was unwilling or unable to extend the Surety Agreement.

MUNICIPAL AGREEMENT FOR TRANSPORTATION IMPROVEMENTS PLAN
(TIP) PROJECT - TIP PROJECT U-5132, NEW MARINE CORPS BASE
ENTRANCE GATE

The N.C. Department of Transportation (NCDOT) has plans to make improvements to NC 24 (Lejeune Boulevard) which includes constructing a trumpet interchange between SR 1308 (Bell Fork Road) and US 17 Bypass for new access to Camp Lejeune Marine Corps Base. This Project, known as New Marine Corps Base Entrance Gate, is expected to be advertised in April 2012. Once bids have been received, NCDOT will submit a Utility Agreement for the City to execute which will reflect actual bid prices for this work.

At the City's request, NCDOT has prepared a cost estimate to relocate these utilities in the amount of \$300,000. These utility lines have been designed by NCDOT and will be relocated by NCDOT's contractor during the construction of this project.

Council approved the Utility Agreement and Budget and CIP Amendments as presented.

Ordinance 2011-63, Bk. 10, Pg. 529

Ordinance 2011-64, Bk. 10, Pg. 530

AWARD BID FOR PURCHASE OF KNUCKLE BOOM/GRAPPLE TRUCK

Vehicle 120 is a 2001 model that is due to be replaced as per the Sanitation Division's replacement schedule. We are recommending the purchase of a new knuckle boom truck and to retain vehicle 120 as a backup unit within the Division.

Council awarded the bid to Triple T Freightliner in the amount of \$109,992.00 for the purchase of a Knuckle Boom Truck and authorized the retention of vehicle 120 as a backup unit.

NON-CONSENT ITEMS

DEPARTMENT OF TRANSPORTATION MOWING AGREEMENT

Michael Liquori, Parks Superintendent, stated that since July 2010 the Parks Division took over the mowing of Western Boulevard Extension from Highway 17 to Gateway North. They had been able to mow it on a weekly basis, while the State only mowed it six times during the year. An analysis would be presented to Council on November 9, 2011 in their Annual Report. Staff requested Council to approve the Mowing Agreement with North Carolina Department of Transportation (NCDOT) which would allow the City to receive reimbursement for the mowing of Western Boulevard Extension on an annual basis and to amend the Recreation and Parks Department budget to appropriate the funds received from NCDOT.

Councilman Bittner stated that he thought the City made a good decision to mow and clean this major City thoroughfare more often than the State was able to.

Councilman Thomas stated he had received frequent negative feedback on this area prior to the City taking over and it had turned out fantastic. Mayor Phillips agreed.

A motion was made by Councilman Bittner, seconded by Warden, and unanimously approved to authorize the City Manager or his representative to sign the NCDOT Mowing Agreement and approve the Budget Amendment.

Ordinance 2011-65, Bk. 10, Pg. 531

BID AWARD – CITY HALL EXTERIOR ENVELOPE PROJECT

Wally Hansen, Infrastructure and Capital Projects Manager, stated that City Staff began to identify water infiltration issues upon occupying City Hall after its renovation. Staff attempted to work with the contractor to address the issues with no success. Following the recommendations of previous environmental studies, the City hired John Sawyer Architects, PC to design the necessary repairs. The City worked with the architect to prequalify bidders who had experience in restoration projects similar to the type of work required for the rehabilitation of City Hall. Bids were received and opened on October 11, 2011.

Using the PowerPoint presentation attached to the official minutes as Exhibit A, Mr. John Sawyer presented the scope of the bid and provided an overview of the work to be completed. The water intrusion had been primarily caused by poor flashing of the masonry work on the building. To fix it required removal of a substantial portion of the masonry on the building, but a number of items needed to be addressed.

Councilman Thomas asked how long the project was anticipated to take. Mr. Sawyer stated the construction time was about 9 months. After the bid was awarded, work wouldn't be seen on the site immediately because the contractor must have materials ready before the building work could begin.

Mr. Carter stated that there was litigation underway and the mandatory legal mediation had been recessed until Mr. Sawyer's firm was involved and provided plans. The legal meditation was scheduled to reconvene between now and the end of the year. The City's outside legal counsel were privy to all of the information to make sure they agreed to move forward in this manner.

A motion was made by Councilman Bittner, seconded by Councilman Warden, and unanimously adopted to approve the Budget and CIP Amendments and award the bid to Progressive Contracting Co., Inc. in the amount of \$1,033,000.

Ordinance 2011-66, Bk. 10, Pg. 532

Ordinance 2011-67, Bk. 10, Pg. 533

DESIGNATION OF VOTING DELEGATE FOR THE NATIONAL LEAGUE OF
CITIES CONGRESS OF CITIES ANNUAL BUSINESS MEETING

The National League of Cities (NLC) Congress of Cities was scheduled to be held in Phoenix, Arizona, from November 9-12, 2011. The Annual Business Meeting would be held on Saturday, November 12, 2011 from 2:30 PM to 4:30 PM. To be eligible to cast votes for the City of Jacksonville at the Annual Business Meeting, the City must officially appoint a voting delegate and alternate voting delegate (if needed) and submit that information to the NLC by October 30, 2011. Council Member Jerome Willingham was currently registered to attend the NLC Congress of Cities.

Mayor Pro-Tem Lazzara nominated Councilman Jerome Willingham to serve as the City's voting delegate to cast the Cities votes at the NLC Congress of Cities Business Meeting.

A motion was made by Councilman Bittner, seconded by Councilman Warden, and unanimously adopted that nominations be closed and Councilman Willingham be approved by acclamation.

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

REPORTS

DOWNTOWN DEVELOPMENT

Councilman Willingham stated he was overjoyed with the progress the City was making with respect to downtown redevelopment and the recreation areas. The improvements to Jack Amyette were a testament to the commitment the City made to improve the quality of life for our residents and a testament to our leadership and staff because a lot of the work had been completed by our employees. When we talked with private developers about getting affordable housing in the area, Staff took the most challenging areas and have made a great improvements.

ONWASA UPDATE

Councilman Bittner stated that ONWASA approved the agreement with NCDOT at their last meeting to allow the City to contract with the same NCDOT contractor for the construction

of a water line from Mike Loop Road up to Highway 17. It would be completed at the same time as the Piney Green construction which would save the City money. With Mr. Carter's assistance, the City entered into a contract with a title examiner to gain the easements necessary for the construction of the sewer line in the Piney Green corridor.

TRANSPORTATION UPDATE

Mayor Pro-Tem Lazzara stated that during the Council workshop Anthony Prinz provided a handout that gave an update of the local transportation projects. Mayor Pro-Tem Lazzara also provided Council with a copy of the NC Eastern Economic Development Review magazine. It was the first issue and very informative. Mayor Phillips stated he was pleased with the highway project updates.

Mayor Pro-Tem Lazzara added that today he attended a Regional Planning meeting for transportation which was something new and very historic because they were looking at transportation as a region versus communities, which helped the whole Eastern Region in terms of economic development and travel.

ARRA ENERGY GRANT REQUEST

Councilman Thomas stated that a few years ago the City was awarded an ARRA Energy Grant to install efficiencies for energy savings. He requested a report or workshop item on how that was progressing.

ANNUAL OYSTER ROAST

Councilman Thomas stated that the New River Foundation was having their Annual Oyster Roast on October 29 downtown. Tickets were \$30. This was their only fundraiser for the year and it was important to sell as many tickets as they could. To purchase tickets contact Betty Seavy at the New River Foundation or Councilman Thomas.

MAYOR'S COMMITTEE ANNUAL BANQUET

Council Member Coleman announced the Mayor's Committee for Person with Disabilities Annual Banquet would be held this Thursday evening, October 20 at the Trinity United Methodist Church starting at 6:30PM. Tickets were still available.

BEIRUT MEMORIAL SERVICE

Mayor Phillips reminded the public that the Beirut Memorial Service would be held on Sunday, October 23 at 2:00 PM at the Beirut Memorial. He encouraged everyone to attend as it was an ideal opportunity to remember those that gave their lives in Lebanon back in 1983.

HALLOWEEN

Mayor Phillips asked when Halloween Trick-or-Treating would be held this year. Mr. Massey stated that the City calendar indicated that Trick-or-Treating was on Monday, October 31 from 5-9 PM. Mr. Woodruff stated that it would be advertised on G-10.

CLEANUP EFFORTS RECOGNITION

Mr. Woodruff recognized Johnny Stiltner, Fred Williams, and Kerry Terrell for leading the effort on cleaning the City. He thanked the public for their cooperation. We were now back to regular horticultural pickup.

STREETSCAPE PLANS FOR NEW BRIDGE STREET

Mr. Woodruff stated that this past week there was a public workshop on streetscape plans for New Bridge Street. The Planning Board would be holding a formal meeting on November 14 where they would be asked to give specific recommendations to the Council relative to streetscape. The public was encouraged to attend and assist in the effort.

CONTAMINATION CLEANUP

Mr. Carter stated that one of the buildings taken down for the Public Safety Center Site was the old Southern Cleaners Building which had contained contamination. The City partnered with the Dry Cleaning Solvent Cleanup Fund and we received notification that the City would be reimbursed \$68,020 from the fund. Contamination cleanup would continue to take time, but the process was ongoing. Council deserved the credit for having the foresight to clean up the site.

BOY SCOUT TROOPS 597 AND 87

Mayor Phillips thanked Boy Scout Troops 597 and 87 for visiting and leading in the Pledge of Allegiance.

CLOSED SESSION

A motion was made by Councilman Thomas, seconded by Council Member Coleman, and unanimously approved to recess the Regular Meeting at 8:04 PM in order to convene a Closed Session for the purpose of discussing personnel matters, pursuant to General Statute 143-318.11, subsection (a-6).

RECONVENE

Mayor Phillips reconvened the Regular Meeting at 8:27 PM and stated the City Attorney received his annual performance evaluation.

A motion was made by Mayor Pro-Tem Lazzara and seconded by Councilman Bittner, to award the City Attorney a 2% pay increase retroactive to July 1, 2011.

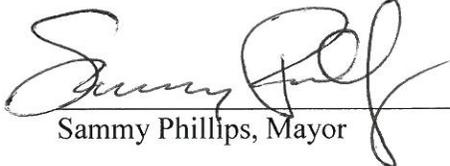
Councilman Bittner stated that he was pleased to report that Council thought the City Attorney provided excellent service in all of the facets of work provided. They were very pleased with his performance.

A vote was taken on the motion and was unanimously approved.

ADJOURNMENT

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously adopted to adjourn the meeting at 8:30 PM.

Adopted by the Jacksonville City Council in regular session this 9th day of November, 2011.


Sammy Phillips, Mayor

ATTEST:


Carmen K. Miracle, City Clerk

Jacksonville City Council



October 18, 2011

New Business

Bid Award

City Hall Envelope Project

Agenda Item #9



Overview

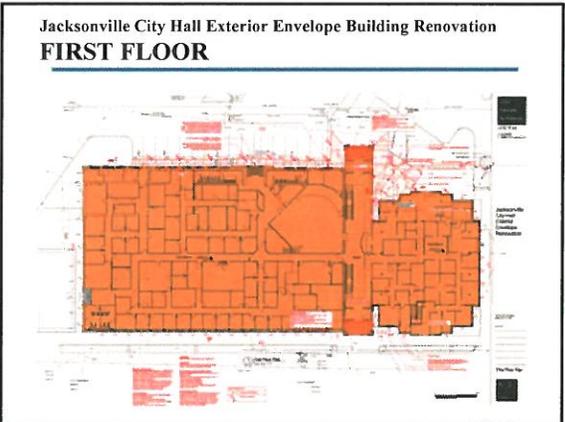
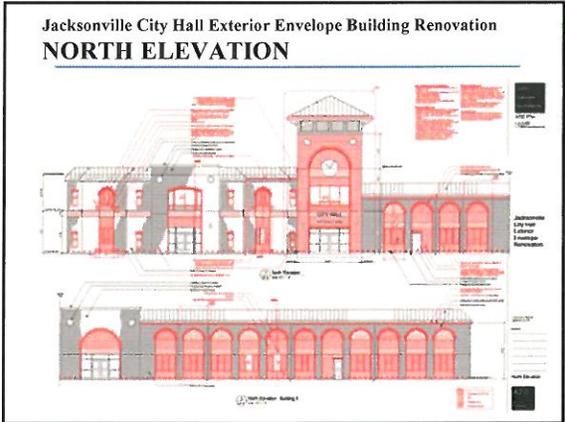
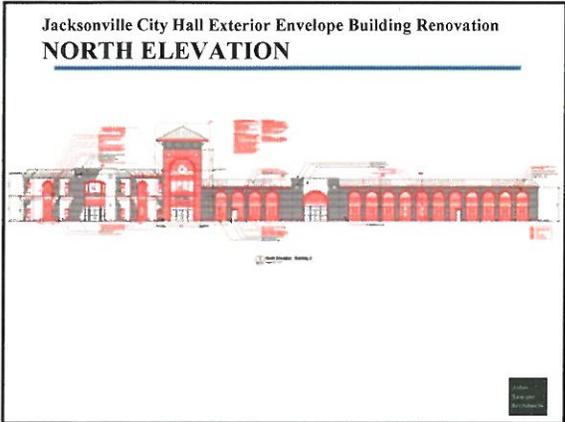
- Evidence of Water Infiltration
- 3 reports and an evaluation by a Structural Engineer
- Retained Architectural Services – John Sawyer Architects
- Developed plans for addressing and repairing infiltration areas
- Pre-qualified 5 bidders based on similar experience
- Received 4 bids



Jacksonville City Hall Exterior Envelope Building Renovation

John Sawyer Architects	John Sawyer Architects PC 124 Market Street Wilmington, NC 28401 Tel: (910) 762-0892
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Recommendation

Council approve the Budget and CIP amendments and award the Bid to Progressive Contracting Company.