



City of Havelock, North Carolina
Board of Commissioners

AGENDA COMMUNIQUE

TO: Mayor William L. Lewis, Jr.
Board of Commissioners
City Attorney Troy Smith

FROM: City Manager Chris McGee
Assistant City Manager Cindy Morgan

SUBJECT: Board of Commissioners Meeting – Monday, February 27, 2023 – 7:00 PM

DATE: 2/24/2023

CC: Department Heads; Press

I. CALL TO ORDER:

Mayor Will Lewis will call the meeting to order.

II. OPENING PRAYER/MOMENT OF SILENCE:

The Mayor or a Board member shall request a clergy member to offer the opening prayer or the Board shall conduct a moment of silence.

III. PLEDGE OF ALLEGIANCE:

Mayor Will Lewis will lead the Commissioners and those in attendance in reciting the Pledge of Allegiance to the Flag.

“I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

IV. REGULAR & CONSENT AGENDA:

The City Clerk respectfully submits to Board, the Regular Agenda and the below Consent Agenda items, which there is thought to be of general agreement and little public interest or no controversy. These items may be voted on as a single group without Board discussion “or” if so desired, the Board may vote to remove any item(s) from the consent agenda and place same on the regular agenda for discussion and consideration.

Consent Agenda Item A	Minutes of the February 13, 2023 Board of Commissioners Workshop
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Consent Agenda Item B	Minutes of the February 21, 2023 Board of Commissioners Special Meeting
Consent Agenda Item C	Revisions to City Travel Policy No. 08-CM-04
Consent Agenda Item D	Contract to Audit City of Havelock Accounts for FY 2022-2023 with Martin Starnes & Associates in the amount of \$39,445

Request: Commissioners motion and second are being sought as to approving or not, the following agenda matters:

- A. Consent Agenda as presented; and
- B. Regular Agenda as presented.

City Manager's Opinion: The Board may by majority vote add items to or subtract items from both the proposed consent and regular agenda. As of this writing, the manager understands that the presented consent agenda items are routine and therefore concurs with adopting the presented consent agenda.

V. PUBLIC COMMENTS:

If any citizen wishes to address the City of Havelock Board of Commissioners during this "Public Comments" segment of this meeting, they may do so by signing up prior to the beginning of the meeting.

The City Clerk shall provide the sign-up sheet, which lists the name and address. It should be noted that comments shall be limited to five (5) minutes and Board reserves the right not to act on requests first presented this evening.

VI. REGULAR AGENDA ITEMS:

Item #1. **Yard Waste - Collection Procedures:** *Ordinance Amendment No. 23-O-04*

In 2018, the City made extensive revisions to Chapter 50: Garbage & Refuse of the City's Code of Ordinances. Part of those changes consisted of the required use of biodegradable paper bags or a container for leaf collection outside the season. Currently, residents are allowed to place their leaves in a neat pile off the street pavement from November 1 to January 31.

After reviewing other municipal ordinances and taking into consideration the length of leaf season, it has been recommended to extend that allowance through the last day of February. Based on the Board's February 13, 2023 direction, Ordinance Amendment No. 23-O-04 is provided for the Board's adoption consideration (**Exhibit #1A**).

City Code References: 50.20(C)(3)(c)

Request: A Commissioner's motion and a second is being requested to adopt Ordinance Amendment No. 23-O-04, an ordinance extending the allowance of leaves to be placed in a neat pile off the street pavement through the end of February for collection, effective at 12:01 a.m. on February 28, 2023.

City Manager's Opinion: The manager supports the adoption of the proposed ordinance amendment as presented. In addition to website edits, City Staff will revise all printed materials (forms, brochures, etc.) to include any changes made this evening.

Item #2. Fairview Street Culvert Repair: *Award of Contract/ Bid*

As part of the current FY 2022-23 budget, the City received state funding in the amount of \$300,000 for the Fairview Street culvert repair. This culvert began shifting in late 2021 and the road was closed due to safety concerns.

On February 17, 2023 the City received two (2) bids for this project (**Exhibit #2A**). Public Works Director Patrick Lee will appear before the Board this evening to provide an overview of the base bid (**Exhibit #2B- PPT**). In summary, Sunland Builders, Inc. provided the lowest base bid in the amount of \$270,000; however, they did not meet all of the submittal requirements. Based upon a review of the documents provided, Hazen Engineers recommends the award of this project to Trader Construction Co. in the amount of \$322,300.

The sewer replacement portion of this project (\$90,000) is not eligible for the state funding allocation (**Exhibit #2C**); therefore, Staff will also request an allocation of funds from Sewer Fund Retained Earnings for that particular item.

City Code References: N/A

Request: First, a Commissioner's motion and a second is being sought to allocate \$90,000 from Sewer Fund Retained Earnings for the Fairview Street Culvert Repair contract. Secondly, a Commissioner's motion and second is being sought to award the Fairview Street Culvert Repair Contract to Trader Construction in the amount of \$322,300.

City Manager's Opinion: Based upon the qualifications provided by Trader Construction Co., the manager supports the request as presented.

Item #3. Request to Abandon State Maintenance on Outer Banks Drive and Accept Shackleford Drive for City Maintenance

North Carolina Department of Transportation (NCDOT) has inquired about the City's interest to accept the maintenance on a short section of the state-maintained road at the end of Outer Banks Dr. (SR 1834), specifically the portion 437 feet in length from the intersection of Shackleford Drive to the cul-de-sac of Outer Banks Drive (**Exhibit #3A**). The state wants to abandon that section and asked if the City was interested in taking over the maintenance. The remainder of Outer Banks Drive is city-maintained. Staff discussed this request with the Board at the February 13, 2023 workshop and the Board directed staff to prepare the request for approval at the February 27, 2023 meeting. Staff has prepared the NCDOT Abandonment Petition (**Exhibit #3B**) and a resolution (**Exhibit #3C**) for the Board's approval.

When working on this request, the maintenance status of Shackleford Drive was discussed with NCDOT. Shackleford Drive is not state-maintained and it is not on the City's Powell Bill Map. This was discussed with the Board at the workshop and the Board directed staff to include adding Shackleford Drive (386 feet) to the Powell Bill map. Staff is requesting approval of both of these items this evening.

City Code References: N/A

Request: First, a Commissioner's motion and a second is being sought to adopt Resolution #23-R-04, resolution requesting the portion of Outer Banks Drive (SR1834) in the amount of 0.08 miles that is under NCDOT control be abandoned by NCDOT and released to the City of Havelock for maintenance and improvement. Secondly, an additional Commissioner's motion and a second is being sought to accept Shackleford Drive (386 feet) as a city-maintained street and add such to the City's Powell Bill Map.

City Manager's Opinion: Based on consistency and the conditions of both roads (recently paved), the manager is in favor of accepting the remaining portion of Outer Banks Drive and Shackleford Drive.

Item #4. Monthly Financial Presentation: *January 2023 Report*

Finance Director Lee Tillman shall appear before the Board of Commissioners this evening to present the January 2023 monthly financial report (**Exhibit #4A**). The Finance Officer as of this writing does not have any items on the watch list. The Board's questions and comments on the report are solicited and welcomed.

City Code References: 32.31(A)

Request: No action necessary.

City Manager's Opinion: The manager concurs with the financial report as presented.

Item #5. Elected/Appointed Officials Reports/Comments:

- a. **City Manager:** At this time, City Manager Chris McGee submits a manager's report as referenced in the agenda packet (**Exhibits #5A**) and at this evening's meeting may offer other comments.
- b. **City Attorney:** At this time, City Attorney Troy Smith is provided an opportunity to report on any related City business matters.
- c. **Commissioners:** At this time, Commissioners are provided an opportunity to report on any related City business matters.
- d. **Mayor:** At this time, Mayor Will Lewis is provided an opportunity to report on any related City business matters.

VII. ADJOURNMENT/RECESS