



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, August 28, 2023 – 7:00 PM

DATE: 8/25/2023

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 August 14, 2023 Board of Commissioners Workshop
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Consent Agenda Item B	Minutes of the August 15, 2023 Recessed Board of Commissioners Meeting
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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. RECOGNITIONS/PRESENTATIONS:

A. NCLM Law Enforcement Risk Management Recognition of the Havelock Police Department

NCLM Public Safety Risk Management Consultant Joseph Graziano shall appear before the Board of Commissioners this evening to recognize the Havelock Police Department for completing the Law Enforcement Risk Review Process. The Law Enforcement Risk Review Process is designed to assess an agency's adherence to best practices, court decisions, and policies and procedures related to high liability activities in law enforcement. The goal of a review is to mitigate liability exposures, enhance officer safety, and validate that training and operating procedures are meeting industry standards. The NCLM initiative is also supported by the North Carolina Association of Chiefs of Police.

After an inspection and review of the department's policies and procedures, it was determined that not only has the department met the standards and expectations, but exceeded them in some areas. As a result, Mr. Graziano would like to formally recognize the police department's efforts in risk reduction by completing the review process and adhering to industry standards

City Code References: N/A

Request: NCLM Public Safety Risk Management Consultant, Joseph Graziano would like to publicly recognize the Havelock Police Department for completing the Law Enforcement Risk Management Review and proactively serving the community in a professional manner while taking steps to minimize risks to citizens and officers.

City Manager's Opinion: This recognition is well deserved and the Havelock Police Department should be commended for their proactive approach from a risk management point of view.

Item #2. Monthly Financial Presentation: *July 2023 Report*

Interim Deputy Finance Officer Kimberly Walters shall appear before the Board of Commissioners this evening to present the July 2023 monthly financial report (**Exhibit #2A**). The Interim Deputy 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 #3. Official Traffic Map Update: *Request for Amendment*

Staff received a complaint from a resident on Lynnwayne Circle concerning motorists speeding on the road. While investigating the complaint, staff identified that the only speed limit sign posted on that road is situated on the north side of Lynnwayne Circle. Staff is requesting that the Board approve relocating the sign to the section of Lynnwayne Circle located near the entrance, 250' from the intersection of the US 70 service road. An excerpt of the Official Traffic Map is attached (Exhibit #2A) that shows the location of the one speed limit sign and the proposed location. Upon approval, staff will relocate the sign.

City Code References: 71.20

Request: To amend the Official Traffic Map, a Commissioner's motion and a second is being sought to adopt Ordinance Ament #23-O-09, an ordinance to amend the City's Traffic Map to relocate the current location of the speed limit sign on Lynnwayne Circle to the entrance, 250 feet from the intersection of the service road.

City Manager's Opinion: The manager's concurs with adoption as requested for the overall safety of all motorists and residents.

Item #4. WWTP Influent Repairs: *Consideration to Award Project*

The existing convergence of influent lines at the head of the sewer plant has suffered collapse as evidenced from a sinkhole that occurred in 2017 at manhole MH2 and a recent, more emergent one that occurred on May 28, 2023 at manhole MH3 which transports all City wastewater directly to the plant's bar screen. The manhole and line depth vary from 18 to 20 feet. The project will require well points to dewater the area prior and during excavation and consists of the following:

- Replacements of manholes MH2, MH3 and MH4;
- Replacement of 16" gravity SS line from MH2 to MH3 (approx. 30 ft);
- Replacement of 20" gravity SS line from MH4 to MH3 (approx. 12ft);
- Replacement of approx. 40ft. of PVC C900 12" force main coming from Rose Brothers lift station to MH4, with approx. 19 ft. drop to bottom of manhole.
- Replacement of 24" gravity SS line from MH3 to bar screen vault (approx. 16ft);
- Replacement of one section of 20" gravity SS line from MH5 to MH4 (approx.. 20ft); and
- Replacement of 1 section of 15" gravity SS line as necessary from influent junction box to MH3 (approx. 20ft).

Upon discovery of the more recent collapse and the influx of gravel and sediment into the head of the plant, City staff employed rental bypass pumps and lines to re-route all the incoming flow from the City to the bar screen vault. A force main from Rose Brothers is also in process of being re-routed. The main gravity line coming from the south requires a 12" pump and the line from Lynnwayne from the north requires an 8" pump. Due to the critical nature of the situation, the City also has backup pumps in place for each location.

A scope for repairs as described above was posted as is customary for a formal bid request. One bid was received and the project was re-posted. On August 15, 2023 the re-bid was opened, with again, only one bidder present, which was TA Loving in the amount of \$523,799.05.

The proposed sequence of work is complicated by the discovery that the slide gates that isolate the bar screen and the secondary grit removal basin were not operational. A separate informal bid request was posted and awarded to the contractor, Utilitech, in the amount of \$45,500 to repair the two gates. This work is in progress, and the bar screen gate must be rebuilt/replaced, which will incur additional costs. The additional costs incurred include a motor replacement for the bar screen slide gate in the amount of \$2,500.

The anticipated schedule for this work is in the November/December range based on a 6 -8 week lead time for manholes, the process of obtaining funding, and contracting with TA Loving.

Below is a cost estimate breakdown:

- \$523,799.05 Influent Line and Manhole Replacement
- \$48,000.00 Slide Gate Repair
- \$20,000.00 Additional Slide Gate Replacement
- \$157,015.25 Bypass Rental (\$22,430.75/month)
- \$3,700.00 Force main modification
- \$37,625.70 Contingency (5%)
- **\$790,140.00** **Total**

City Code References: N/A

Request: A Commissioner's motion and a second is being requested to allocate funding from Sewer Fund Retained Earnings in the amount of \$790,140 and officially award the WWTP Line and Manhole Repairs to TA Loving in the amount of 523,799.05 (*included in the total*).

City Manager's Opinion: The manager concurs with the described allocation request along with awarding the project to TA Loving.

Item #5. Consumption & Possession of Alcohol Beverages: *Proposed Exceptions Ordinance Amendment*

At the last workshop, the Board discussed the possibility of expanding our Code of Ordinances to allow the consumption and possession of malt beverages and unfortified wine at City properties/events as approved by the City Manager. As the Board may recall, this has been brought up at a couple of listening sessions by citizens, along with attendees at our concerts in the park.

The attached draft ordinance details the exceptions, along with the requirements for events **(Exhibit #5A)**. It should be noted that Staff sought the guidance of legal to assist in drafting the provided ordinance amendment to properly cover all the legalities.

City Code References: 130.09

Request: A Commissioner's motion and a second is being sought to adopt Ordinance Amendment #23-O-10, an ordinance including exceptions in regards to the consumption and possession of malt beverages and unfortified wine, as presented and effective at 12:01 a.m. on August 29, 2023.

City Manager's Opinion: The manager concurs with the adoption of the ordinance amendment as presented. Furthermore, as noted in the proposed ordinance, a permit must be received by the NC Alcohol Beverage Commission, along with liability coverage before an event will be considered.

Item #6. Governing Body Appointments: *Eastern Carolina Aviation Heritage Foundation*

The Retired US Marine/Navy Seat of the Eastern Carolina Aviation Heritage Foundation (ECAHF) has been vacant since the recent resignation of Georges LeBlanc **(Exhibit #6A)**. The Board of Directors of the ECAHF recommends the appointment of Mr. Guy Nelson **(Exhibit #6B)** to fill this unexpired term.

City Code References: N/A *(as directed by the ECAHF charter approved by the BOC)*

Request: After a vote by written ballot, a Commissioner's motion and a second is being sought to appoint Mr. Guy Nelson to the Retired US Marine/Navy Seat for a term beginning August 29, 2023 and expiring June 30, 2026 **(Ballots placed at table)**

City Manager's Opinion: The manager recognizes that appointments are made at the Board's discretion; and therefore does not offer an opinion.

Item #7. 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 #7A)** 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