

**TOWN OF VALDESE
TOWN COUNCIL REGULAR MEETING
NOVEMBER 4, 2019**

The Town of Valdese Town Council met on Monday, November 4, 2019, at 6:00 p.m., in the Town Council Chambers at Town Hall, 102 Massel Avenue SW, Valdese, North Carolina. The following were present: Mayor John F. "Chip" Black, Jr., Councilman Keith Ogle, Councilwoman Frances Hildebran, Councilwoman Susan Stevenson, Councilman J. Andrew Thompson, and Councilman Roy F. Sweezy. Also present were: Town Attorney Marc Mitchell, Town Manager Seth Eckard, Deputy Town Clerk Courtney Kennedy, and various department heads.

Absent: None.

A quorum was present.

Mayor Black called the meeting to order at 6:00 p.m. He offered the invocation and led in the Pledge of Allegiance to the Flag.

OPEN FORUM/PUBLIC COMMENT:

RAILROAD TRACKS-JAN MARIE COLE, 705 BERTIS STREET, VALDESE: Ms. Cole expressed her concern with the condition of the railroad tracks on Praley Street SW and Rodoret Street S. Ms. Cole asked Council to identify the responsible party to find a solution to the issue.

PHOTO COMPETITION-CADENCE DAVIS, 624 MILTON AVE SW, VALDESE: Mr. Davis informed Council that he is speaking on behalf of the Burke Youth Health Coalition with regard to the photo competition that was started a few years ago. The Coalition received sponsorship from various entities and organizations throughout the county and would like to provide an opportunity for the Town of Valdese to participate. Mr. Davis shared that the sponsorship does not need to be monetary and could be as simple as Council attending the photo competition event in May 2020. Mr. Davis will provide more information when it is available.

VALDESE LIBRARY PROJECT UPDATE-BURKE COUNTY PUBLIC LIBRARY, 204 S. KING STREET, MORGANTON: Ms. Paige Anderson, Ms. Amber Mason, and Ms. Edwina Jones expressed their appreciation for Council's support of the library, provided an update on the Valdese Public Library Project and shared the following statistics and information on programs the library offered this year: over 26,000 visits were recorded; over 52,000 books were signed out; and approximately 330 programs we offered for individuals of all ages. The grand reopening celebration for the Valdese Public Library will be held on Friday, November 15, 2019 at 10:30 a.m.

CONSENT AGENDA: (enacted by one motion)

APPROVED REGULAR MEETING MINUTES OF OCTOBER 7, 2019

SET PUBLIC HEARING DATE FOR STORMWATER ORDINANCE AMENDMENT FOR DECEMBER 2, 2019, 6:00 P.M.

Councilman Ogle made a motion to approve the aforementioned items on the Consent Agenda, seconded by Councilwoman Stevenson. The vote was unanimous.

End Consent Agenda

ITEMS REMOVED FROM CONSENT AGENDA: None.

INTRODUCTION OF NEW EMPLOYEE: Town Manager Seth Eckard introduced Deputy Town Clerk/Human Resources Director Jessica Lail.

WPCOG CODE ENFORCEMENT UPDATE: WPCOG Code Enforcement Officer Billy Rickles provided Council with an update on current code enforcement cases and shared that an abatement packet will be delivered to staff by Friday of this week for the property on Bass Street. Mr. Rickles informed Council that

going forward, he will provide a monthly update to be included as Reading Material in each agenda packet.

RESOLUTION FOR OFFER TO PURCHASE TOWN-OWNED PROPERTY, LOCATED AT 118 FAT AVENUE: Planning Director Larry Johnson provided Council with an explanation on how the Town acquired the property and presented the following resolution:

RESOLUTION
(Sale of Property at 118 Fat Avenue NE)

WHEREAS, Heather Gough (Gough) has offered to purchase from the Town of Valdese for the sum of \$3,500 that parcel which has been assigned REID No. 693 and PIN 2743541703 by the Burke County Tax Office (the Property); and

WHEREAS, the town council proposes to accept Gough's offer; and

WHEREAS, pursuant to G.S. 160A-269, Gough is required to deposit with the town clerk an amount equal to 5% of her bid; and

WHEREAS, the town council is required to publish a notice containing a general description of the property, the amount and terms of the offer and notice that within ten (10) days any person may raise the bid as provided by G.S. 160A-269;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The town council authorizes the sale of the property through the upset bid procedure of N.C. General Statute §160A-269.
2. The town clerk shall cause a notice of the proposed sale to be published as required by G.S. 160A-269.
3. Any person may submit an upset bid to the office of the town clerk within ten (10) days after the notice of sale is published. Once a qualifying high bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the town clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a ten (10) day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the town council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and 5% of the remainder of that offer.
6. A qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made by cashier's check or certified check. The town will return any deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The town will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that: (a) the town council must approve the final high offer before the sale is closed, (b) title will be conveyed by special warranty deed subject to all existing easements, if any, and (c) the buyer must pay the entire purchase price at the time of closing.
8. The town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the town reserves the right to reject all bids at any time.

ADOPTED THIS, THE 4th DAY OF NOVEMBER, 2019.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

Councilman Ogle made a motion to adopt the aforementioned resolution, seconded by Councilman Sweezy. The vote was unanimous.

FIRE CODE ORDINANCE AMENDMENTS: Fire Chief Greg Stafford reviewed the proposed amendments and presented the following resolution:

RESOLUTION ADOPTING
AMENDMENTS TO THE TOWN OF VALDESE
FIRE PREVENTION AND PROTECTION CODE

WHEREAS, the Town of Valdese Fire Prevention and Protection Code (the Code) is set forth in Section 3-2021 of the Code of Ordinances of the Town of Valdese; and

WHEREAS, the town council desires to amend the Code to refer to the “North Carolina Fire Code” as opposed to the “North Carolina International Building Code” and to adopt specific appendices in connection with the adoption of the North Carolina Fire Code; and

WHEREAS, the town council also desires to remove the Schedule of Inspection Fees and Schedule of Civil Penalties referred to in the Code from the ordinance and adopt those schedules separately; and

WHEREAS, the amendment in which the town adopts only appendices B,C and D in connection with the town’s adoption of the North Carolina Fire Code may not take effect until those changes have been approved by the North Carolina Building Code Council;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. Section 3-2021 of Code of Ordinances of the Town of Valdese is amended to read as set forth in the revised Section 3-2021 presented to the town council of the Town of Valdese.
2. The town council adopts the Schedule of Inspection Fees and Schedule of Civil Penalties, which have also been presented to the town council for consideration.
3. The amendment adopting only appendices B, C and D to the North Carolina Fire Code shall not take effect until that amendment has been approved by the North Carolina Building Code Council. The other Code amendments and the new Schedule of Inspection Fees and Schedule of Civil Penalties shall take effect upon their adoption.

Adopted the 4th day of November, 2019.

/s/ John F. Black, Jr., Mayor

ATTEST: /s/ Town Clerk

After a brief discussion, Councilman Sweezy made a motion to adopt the aforementioned resolution, seconded by Councilman Thompson. The vote was unanimous.

CAPITAL IMPROVEMENT PLAN REPRIORITIZATION-HARRIS STREET SEWER PROJECT: Public Works Director Bryan Duckworth requested approval of funding for an emergency manhole and sewer line repair at the old sewer plant on Harris Street. Mr. Duckworth informed Council that funding for the project has not been identified in the FY19-20 budget but stated that funds identified in the FY19-20 Capital Improvement Plan for the demolition of the Industrial Arts Building could be re-appropriated for this project, or fund balance could be utilized due to the emergency status of the project. The lowest bidder was Max Prestwood Water and Sewer, Inc. in the amount of \$29,920.00. (Other bids: Iron Mountain Construction Co., Inc.-\$39,690.00)

Councilwoman Stevenson made a motion to authorize a fund balance appropriation for the project and to award the bid for the Harris Street Sewer Project to Max Prestwood Water and Sewer, Inc. in the amount of \$29,920.00, seconded by Councilman Ogle. The vote was unanimous.

SCADA UPGRADE PROJECT FUNDING REQUEST: Public Works Director Bryan Duckworth requested approval of funding to upgrade the existing SCADA system which services the Triple District. Mr. Duckworth informed Council that funding for the project has been identified in the FY19-20 budget in the Utility Fund Capital Improvement Plan. The lowest bidder was ForTech Inc.in the amount of \$22,420.00. (Other bids: Instrumentation Services, Inc. - \$34,000.00)

Councilman Ogle made a motion to authorize the funding out of the Utility Fund Capital Improvement Plan for the project and to award the bid for the SCADA Upgrade to ForTech, Inc. in the amount of \$22,420.00, seconded by Councilwoman Hildebran. The vote was unanimous.

PARTF GRANT AGREEMENT: Public Parks & Recreation Director Doug Knight informed Council that the Town has been awarded a grant in the amount \$285,000.00 from the Parks and Recreation Trust Fund for Phase 1 of the Lakeside Park Project. Matching funds for the grant have been identified from private donations. Mr. Knight informed the Council that no town funds will be used.

Councilwoman Hildebran made a motion to approve the aforementioned grant agreement, seconded by Councilman Sweezy. The vote was unanimous.

VALDESE LAKESIDE PARK PHASE I CAPITAL PROJECT ORDINANCE:

TOWN OF VALDESE
LAKESIDE PARK – PHASE I
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the Town Council of the Town of Valdese that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted.

Section 1. The project authorized is Lakeside Park – Phase I. Project proposes a greenway, dog park, bird watching platform, kayak launch, walking trails, parking areas, and restrooms. The project is to be financed by an NC DEQ grant, PARTF grant, and private donations.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the program ordinance and the budget contained herein.

Section 3. The following revenues are anticipated to be available to contribute to this project:

Source	Amount	Assigned Account Number
Donations - Hospital	\$ 50,000	34.3970.001
Donations - Kellex	35,001	34.3970.002
Donations – Rostan	115,000	34.3970.003
Donations – Other	77,000	34.3970.004
Grant – NC DEQ	200,000	34.3970.005
Grant – PARTF	285,000	34.3970.006

	\$ 762,001	
	=====	

Section 4. The following amounts are appropriated for the project:

Source	Amount	Assigned Account Number
Construction	\$ 614,841	34.6200.760
Engineering	48,000	34.6200.140
Design	89,160	34.6200.150
Survey	10,000	34.6200.160

	\$ 762,001	
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Section 5. The finance officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to provide the accounting to town council required by the program procedures, loan agreement(s), grant agreement(s) and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The finance officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 8. The budget officer is directed to include a detailed analysis of the past and future cost and revenues on this project in every budget submission made to this board.

Section 9: Copies of this project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 4th day of November, 2019.

/s/ John F. Black, Jr., Mayor

/s/ Deputy Town Clerk

Councilman Sweezy made a motion to approve the aforementioned capital ordinance, seconded by Councilman Thompson. The vote was unanimous.

BUDGET AMENDMENTS: Finance Director Bo Weichel presented the following budget amendment and capital project ordinance amendments:

Valdese Town Council Meeting 11/4/2019
 Budget Amendment # 8
 Subject: SCADA Upgrades, project identified and scheduled in adopted utility CIP

Proposed Action:
 BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2020:

Section I:
 The following revenues available to the Town will be increased:

Account	Description	Decrease/ Debit	Increase/ Credit
30.3990.000	Fund Balance Appropriated-Utility		22,420
Total		\$0	\$22,420

Amounts appropriated for expenditure are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
30.8120.740	Capital Outlay	22,420	
Total		\$22,420	\$0

Section II:
 Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Valdese Town Council Meeting 11/4/2019
 Capital Project Ordinance Amendment # 1-55

Subject: To amend capital project ordinance Fund 55 2018 WATER SYSTEM IMPROVEMENTS (originally adopted 8/6/2018) Construction bid award amount was lower than original budget. This reduces the originally anticipated project costs
 CPO original \$ 1,205,334
 CPO amendment #1 \$ 916,781

Proposed Action:
 BE IT ORDAINED by the Council of the Town of Valdese that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the capital project ordinance for various capital projects funded from a variety of sources is hereby amended as follows.

Section I:
 Revenues available to the Town to complete the projects are hereby amended as follows:

Account	Description	Decrease/ Debit	Increase/ Credit
55.3970.000	Town Contribution (Utility Fund)	5,658	
55.3480.002	DWSRF Loan (zero interest loan)	282,895	
Total		\$288,553	\$0

Amounts appropriated for capital projects are hereby amended as follows:

Account	Description	Increase/ Debit	Decrease/ Credit
55.8120.042	NCDEQ Loan Administration Fee		5,658
55.8120.760	Contingencies		58,926
55.8120.761	Construction		223,969
Total		\$0	\$288,553

Section II:
 Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Councilwoman Stevenson made a motion to approve the aforementioned budget amendment and two capital project ordinance amendments as presented, seconded by Councilwoman Hildebran. The vote was unanimous.

MANAGER'S REPORT: Town Manager Seth Eckard made the following announcements:

Faith "Cutie" Kaplan will be this year's Grand Marshal for the Annual Christmas Parade on Saturday, December 7, 2019, at 10:00 a.m. Council members will meet at the Fire Department at 9:15 a.m.

A list of upcoming events for November and December is included in Reading Material.

Town Manager Seth Eckard thanked the outgoing Deputy Town Clerk, Courtney Kennedy, for her service to the Town of Valdese.

MAYOR AND COUNCIL COMMENTS: Mayor Black distributed a book, *13 WAYS TO KILL YOUR COMMUNITY*, by Doug Griffins, for the Council to read. Mr. Black informed Council that he received this book when he attended the annual NADO Conference, which focused on economic development in small communities. Mr. Black shared that this may be a future workshop, in conjunction with the WGCOG annual meeting.

Councilman Ogle expressed concern with the parking at the Halloween event that was held at the Valdese. Mr. Ogle shared that due to the amount of traffic and number of people attending, that someone should have reached out to Community Affairs Director Morrissa Angi to fill out a Special event application.

Councilwoman Hildebran expressed her gratitude to Courtney Kennedy for her service to the Town of Valdese. Ms. Hildebran welcomed the new Deputy Town Clerk, Jessica Lail, to the Town of Valdese.

Councilwoman Stevenson expressed her excitement for the concert she attended at the Old Rock School. Ms. Stevenson encouraged everyone to attend the amazing events at the Old Rock School.

Councilman Sweezy expressed his excitement for the things happening in Valdese. This is all due to the Citizens in Valdese and the employees especially in leadership within the Town of Valdese.

ADJOURNMENT: At 7:02 p.m., there being no further business to come before Council, Councilman Ogle made a motion to adjourn, seconded by Councilwoman Hildebran. The vote was unanimous.

The next regular Council meeting is scheduled for Monday, December 2, 2019.

Town Clerk

Mayor

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