

**LENOIR CITY COUNCIL
TUESDAY, AUGUST 3, 2021
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood, David Stevens and Ben Willis. City Attorney T. J. Rohr, City Manager Scott Hildebran, and City Clerk Shirley Cannon were also present.

ABSENT: Mayor Pro-Tem Crissy Thomas.

Department Directors in attendance were Communications Director Joshua Harris, Fire Chief Ken Hair, Police Chief Brent Phelps, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Economic Development Director Kaylynn Horn, Public Works Director Jared Wright and Public Utilities Director Radford Thomas. Carmen Boone, News-Topic was also in attendance.

Finance Director Donna Bean participated in the meeting via Zoom.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance as led by Mayor Gibbons.
- B. On behalf of City Council, Mayor Gibbons encouraged everyone to continue to pray for the community and also consider getting the COVID-19 vaccine due to the recent surge of the highly contagious Delta Variant in different areas of the country. Mayor Gibbons further asked everyone to be safe and wear a mask during this time.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval.
 - 1. Minutes: Approval of the minutes of the City Council meeting of Tuesday, July 20, 2021 as submitted.
 - 2. FY2020 Tax Collector's Settlement Report and the FY2021 Tax Collection Charge Report as recommended by City Staff. (A copy of these reports is on file in the City Clerk's office.
 - 3. AMI Implementation Project Change Orders Numbers 1-6: Staff recommends City Council approval of Change Orders 1 through 6 as listed on the Council Action form and as recommended by MeterSys for the AMI Implementation Project. (A copy of the change orders are hereby incorporated into these minutes by reference. Refer to pages 295-303.)

Upon a motion by Councilmember Stevens, Council voted 6 to 0 to approve the above items listed on the Consent Agenda as recommended and as presented by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CRUISE-IN: 1. A Cruise-In event will be held on Saturday, August 7 from 3:00 p.m. – 8:00 p.m. in downtown Lenoir.

CITY/COUNTY SERVICES COMMITTEE:

2. The City/County Services Committee will meet on Monday, August 9 at noon.

EDC: 3. The Caldwell County Economic Development Commission will meet on Tuesday, August 10 at 8:00 am.

LENOIR BUSINESS ADVISORY

BOARD: 4. The Lenoir Business Advisory Board will meet on Thursday, August 12 at 6:00 p.m. at City Hall, Third Floor.

SUMMER CONCERT

SERIES: 5. A Summer Concert Series will be held on Friday, August 13 with the band Fracxured playing on the square at 6:30 p.m.

GOSPEL SINGING;

MLK CENTER: 6. A Gospel Singing will be held on Saturday, August 14 at the Martin Luther King, Jr. Center beginning at 6:00 p.m.

PARKS & RECREATION ADVISORY

BOARD: 7. The Parks and Recreation Advisory Board will meet on Monday, August 16 at 6:00 p.m. at the Mulberry Recreation Center.

SOUTHERN SUNDOWN

4-MILER RACE: 8. The Southern Sundown 4-Miler Race will be held on Saturday, August 21 beginning at 7:00 p.m. in downtown Lenoir.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD

ANNOUNCEMENTS:

- A. Mayor Gibbons announced upcoming vacancies on the Lenoir ABC Board and the Lenoir Tourism Development Authority. Individuals will be presented for consideration of approval by City Council for these two Boards at the August 17, City Council meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:12 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

CHANGE ORDER # 1
REVISEDDate: 9/28/20Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645

You are hereby directed to make the following change to your contract dated May 31, 2019
The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will increase the contract sum by \$11,390.40. The details of the Changer Order are below.

Description	Qty	Unit Price	Extended Price
Mi.Net Repeaters	1	\$ 1,714.00	\$ 1,714.00
MVR 160 - 2"	10	\$ 613.44	\$ 6,134.40
Tripod Antenna Mount	1	\$ 3,542.00	\$ 3,542.00
Total			\$ 11,390.40

This change order provides for changes in the work of this contract according to the attached itemization.

Amount of Original Contract:	<u>\$ 3,656,097.34 pretax</u>
Additions approved to date:	<u>\$</u>
Deductions approved to date:	<u>\$</u>
Contract amount to date:	<u>\$ 3,656,097.34 pretax</u>
Amount of this Change Order (Add):	<u>\$ 11,390.40 pretax</u>
Revised Contract Amount:	<u>\$ 3,667,487.74 pretax</u>

Approved: City of Lenoir, NCApproved: Mueller SystemsBy: *Scott Hildebrand*
OwnerBy: *Alexander Zafra*
ContractorPrinted Name: Scott HildebrandPrinted Name: Alexander ZafraTitle: City ManagerTitle: Project Manager

Metersys Change Orders			
Change Order #1 -Revised			
Description	Qty	Unit Price	Extended Price
Mi.Net Repeaters	1	\$ 1,714.00	\$ 1,714.00
MVR 160 - 2"	10	\$ 613.44	\$ 6,134.40
Tripod Antenna Mount	1	\$ 3,542.00	\$ 3,542.00
Total			\$ 11,390.40
Change Order #2 - Amended			
Description	Qty	Unit Price	Extended Price
Out of Scope Labor Per hour	24	\$ 90.00	\$ 2,160.00
5/8 and 1" non standard install	52	\$ 550.00	\$ 28,600.00
1.5" and 2" non standard install	49	\$ 950.00	\$ 46,550.00
Box Reset	50	\$ 135.00	\$ 6,750.00
2" flange kits	30	\$ 180.00	\$ 5,400.00
Mueller Setter	11	\$ 198.00	\$ 2,178.00
3" fl x pe spool 2'	4	\$ 149.15	\$ 596.60
3" uniflange	4	\$ 35.00	\$ 140.00
3" fl acc kits	8	\$ 8.50	\$ 68.00
4" fl x pe spool 2'	4	\$ 131.26	\$ 525.04
4" uniflange	4	\$ 44.00	\$ 176.00
4" fl acc kits	8	\$ 10.00	\$ 80.00
6" fl x pe spool 2'	8	\$ 197.00	\$ 1,576.00
6" uniflange	8	\$ 47.92	\$ 383.36
6" fl acc kits	16	\$ 13.00	\$ 208.00
8" fl x pe spool 2'	3	\$ 320.00	\$ 960.00
8" uniflange	3	\$ 66.56	\$ 199.68
8" fl acc kits	6	\$ 14.79	\$ 88.74
6 HPP ecoder usg w/25' nicor	2	\$ 155.00	\$ 310.00
1.5 T10 ecoder usg w/6' nicor	2	\$ 140.00	\$ 280.00
Mi.Node Radio with Nicor	26	\$ 76.00	\$ 1,976.00
Mi.Net TTLA Lid Antenna	1312	\$ 12.00	\$ 15,744.00
5/8 x 3/4 RDM with ME8	600	\$ 255.00	\$ 153,000.00
Install 5/8 x 3/4 RDM	600	\$ 48.00	\$ 28,800.00
Total			\$ 296,749.42
Change Order #3			
Description	Qty	Unit Price	Extended Price
1" 452 ME8 with Nicor	-75	\$ 165.00	\$ (12,375.00)
1.5" 562 with Nicor	-100	\$ 312.40	\$ (31,240.00)
2" 572 with Nicor	-50	\$ 365.00	\$ (18,250.00)
Total			\$ (61,865.00)
Change Order #4			
Description	Qty	Unit Price	Extended Price
5/8 x 3/4 RDM with ME8	450	\$ 255.00	\$ 114,750.00
Install 5/8 x 3/4 RDM	450	\$ 48.00	\$ 21,600.00
MVR160 2"	27	\$ 613.44	\$ 16,562.88
Total			\$ 152,912.88

CHANGE ORDER 2(Amendment)Date: 04/22/2021Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645You are hereby directed to make the following change to your contract dated May 31, 2019

The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will increase the contract sum by \$296,749.42 (previously \$291,899). The details of the Changer Order are below.

Description	Qty	Unit Price	Extended Price
Out of Scope Labor Per hour	24	\$ 90.00	\$ 2,160.00
5/8 and 1" non standard install	52	\$ 550.00	\$ 28,600.00
1.5" and 2" non standard install	49	\$ 950.00	\$ 46,550.00
Box Reset	50	\$ 135.00	\$ 6,750.00
2" flange kits	30	\$ 180.00	\$ 5,400.00
Mueller Setter	11	\$ 198.00	\$ 2,178.00
3" fl x pe spool 2'	4	\$ 149.15	\$ 596.60
3" uniflange	4	\$ 35.00	\$ 140.00
3" fl acc kits	8	\$ 8.50	\$ 68.00
4" fl x pe spool 2'	4	\$ 131.26	\$ 525.04
4" uniflange	4	\$ 44.00	\$ 176.00
4" fl acc kits	8	\$ 10.00	\$ 80.00
6" fl x pe spool 2'	8	\$ 197.00	\$ 1,576.00
6" uniflange	8	\$ 47.92	\$ 383.36
6" fl acc kits	16	\$ 13.00	\$ 208.00
8" fl x pe spool 2'	3	\$ 320.00	\$ 960.00
8" uniflange	3	\$ 66.56	\$ 199.68
8" fl acc kits	6	\$ 14.79	\$ 88.74
6 HPP Ecoder usg w/25' nicor	2	\$ 155.00	\$ 310.00
1.5 T10 ecoder usg w/6' nicor	2	\$ 140.00	\$ 280.00
Mi.Node Radio with Nicor	26	\$ 76.00	\$ 1,976.00
Mi.Net TTLA Lid Antenna	1312	\$ 12.00	\$ 15,744.00
5/8 x 3/4 RDM with ME8	600	\$ 255.00	\$ 153,000.00
Install 5/8 x 3/4 RDM	600	\$ 48.00	\$ 28,800.00

Tuesday, August 3, 2021
Minutes-City of Lenoir Council Meeting

This change order provides for changes in the work of this contract according to the attached itemization.

Amount of Original Contract:	\$ 3,656,097.34 (pretax)
Additions approved to date:	\$ 11,390.40 (pretax)
Deductions approved to date:	\$ N/A
Contract amount to date:	\$ 3,667,487.74 (pretax)
Amount of this Change Order (Add):	\$ 296,749.42 (pretax) – previously \$291,899
Revised Contract Amount:	\$ 3,964,237.16 (pretax)

Approved By: Scott Hildebrand

Owner

Approved By: _____

Contractor

Printed Name: Scott Hildebrand

Printed Name: _____

Title: City Manager

Title: _____

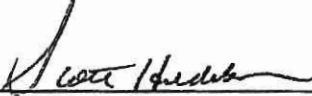
CHANGE ORDER #3 - REVISEDDate: 04/21/2021Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645

You are hereby directed to make the following change to your contract dated May 31, 2019
The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will decrease the contract sum by \$70,990 (pretax). The details of the Changer Order are below.

Description	Qty	Unit Price	Extended Price
1" 452 ME8 with Nicor	-75	\$ 165.00	\$ (12,375.00)
1.5" 562 with Nicor	-100	\$ 312.40	\$ (31,240.00)
2" 572 with Nicor	-50	\$ 365.00	\$ (18,250.00)

This change order provides for changes in the work of this contract according to the above itemization of meters returned.

Amount of Original Contract:	\$ 3,656,097.34 (pretax)
Additions approved to date:	\$ 308,139.82 (pretax)
Deductions approved to date:	\$ N/A
Contract amount to date:	\$ 3,964,237.16 (pretax)
Amount of this Change Order (Add):	\$ (61,865.00) pretax
Revised Contract Amount:	\$ 3,902,372.16 (pretax)

Approved By: 

Owner

Approved By: _____

Contractor

Printed Name: Scott Hildreth

Printed Name: _____

Title: City Manager

Title: _____

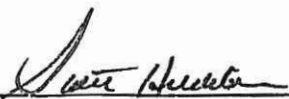
CHANGE ORDER #4 – REVISED TOTALDate: 04/22/2021Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645

You are hereby directed to make the following change to your contract dated May 31, 2019
The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will increase the contract sum by \$152,912.88 (pretax). The details of the Changer Order are below.

Description	Qty	Unit Price	Extended Price
5/8 x 3/4 RDM with ME8	450	\$ 255.00	\$ 114,750.00
Install 5/8 x 3/4 RDM	450	\$ 48.00	\$ 21,600.00
MVR160 2"	27	613.44	\$ 16,562.88

This change order provides for changes in the work of this contract according to the above itemization.

Amount of Original Contract:	\$ 3,656,097.34 (pretax)
Additions approved to date:	\$ 308,139.82 (pretax)
Deductions approved to date:	\$ (61,865.00) (pretax)
Contract amount to date:	\$ 3,902,372.16 (pretax)
Amount of this Change Order (Add):	\$ 152,912.88 (pretax)
Revised Contract Amount:	\$ 4,055,285.04 (pretax)

Approved By: 

Owner

Approved By: _____

Contractor

Printed Name: Scott Hildreth

Printed Name: _____

Title: City Manager

Title: _____

CHANGE ORDER #5Date: 07/14/2021Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645

You are hereby directed to make the following change to your contract dated May 31, 2019
The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will increase the contract sum by \$ 60,347.48 (pretax). The details of the Change Order are below.

Description	Qty	Unit Price	Extended Price
2" 572 with Nicor	5	\$ 365.00	\$ 1,825.00
MVR 160 (2")	42	\$ 613.44	\$ 25,764.48
MVR350 - 3"	19	\$ 912.00	\$ 17,328.00
MVR650 - 4"	5	\$ 1,226.00	\$ 6,130.00
Parts for 2" MVR (estimated cost)	42	\$ 200.00	\$ 8,400.00
1" Setters (estimated cost)	3	\$ 300.00	\$ 900.00

This change order provides for changes in the work of this contract according to the above itemization.

Amount of Original Contract:	\$ 3,656,097.34 (pretax)
Additions approved to date:	\$ 461,052.70 (pretax)
Deductions approved to date:	\$ (61,865.00) (pretax)
Contract amount to date:	\$ 4,055,285.04 (pretax)
Amount of this Change Order (Add):	\$ 60,347.48 (pretax)
Revised Contract Amount:	\$ 4,115,632.52 (pretax)

Approved By: Scott Henderson

Owner

Approved By: Alexander Zafra

Contractor

Printed Name: Scott HendersonPrinted Name: Alexander ZafraTitle: City ManagerTitle: Project Manager

Change Order #5			
Description	Qty	Unit Price	Extended Price
2" 572 with Nicor	5	\$ 365.00	\$ 1,825.00
MVR 160 (2")	42	\$ 613.44	\$ 25,764.48
MVR350 - 3"	19	\$ 912.00	\$ 17,328.00
MVR650 - 4"	5	\$ 1,226.00	\$ 6,130.00
Parts for 2" MVR (estimated cost)	42	\$ 200.00	\$ 8,400.00
1" Setters (estimated cost)	3	\$ 300.00	\$ 900.00
Total			\$ 60,347.48
Change Order #6			
Description	Qty	Unit Price	Extended Price
Postcards	7690	\$ 0.40	\$ 3,099.07
3/4" Setters	60	\$ 186.06	\$ 11,163.60
NMT Radio	1	\$ 3,150.00	\$ 3,150.00
Total			\$ 17,412.67
Total Change Orders			\$ 476,947.85
Summary			
Approved Budget			
Original Contract Amount Mueller			\$ 3,656,097.34
Contingency			\$ 395,472.66
Total Budgeted			\$ 4,051,570.00
Budget with Change Orders			
Change Orders			\$ 476,947.85
Original Contract Amount Mueller			\$ 3,656,097.34
New Contract Amount			\$ 4,133,045.19
Difference - Overage			\$ (81,475.19)
Anticipated Savings Due to Meter Needs Changes			
Anticipated Savings from New Meter Returns			\$ (64,000.00)
Anticipated Labor Saving due to Returned Meters			\$ (40,000.00)
Total Anticipated Savings			\$ (104,000.00)
Anticipated Change in Budget Needs - Under Budget			\$ (22,524.81)

CHANGE ORDER #6Date: 07/14, 2021Project: City of Lenoir AMI Implementation ProjectTo: City of Lenoir - 801 West Ave NW, Lenoir, NC 28645

You are hereby directed to make the following change to your contract dated May 31, 2019
The change and the work affected thereby are subject to all contract stipulations and covenants. This Change Order will increase the contract sum by \$ 17,412.67 (pretax). The details of the Change Order are below.

Description	Qty	Unit Price	Extended Price
Postcards	7690	\$ 0.40	\$ 3,099.07
3/4" Setters	60	\$ 186.06	\$ 11,163.60
NMT Radio	1	\$ 3,150.00	\$ 3,150.00

This change order provides for changes in the work of this contract according to the above itemization.

Amount of Original Contract:	\$ 3,656,097.34 (pretax)
Additions approved to date:	\$ 521,400.18 (pretax)
Deductions approved to date:	\$ (61,865.00) (pretax)
Contract amount to date:	\$ 4,115,632.52 (pretax)
Amount of this Change Order (Add):	\$ 17,412.67 (pretax)
Revised Contract Amount:	\$ 4,133,045.19 (pretax)

Approved By: [Signature]

Owner

Approved By: Alexander Zafra

Contractor

Printed Name: Scott HildebrandPrinted Name: Alexander ZafraTitle: City ManagerTitle: Mueller Project Manager