

**DURHAM, NORTH CAROLINA
MONDAY, DECEMBER 7, 2015
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers, First Floor at 101 City Hall Plaza with the following members present: Mayor William V. “Bill” Bell, Mayor Pro-Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Eddie Davis, Don Moffitt and Steve Schewel. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Deputy City Clerk Dianalynn Schreiber.

Mayor Bell called the meeting to order with a moment of silent meditation followed by the Pledge of Allegiance led by Council Member Brown.

SUBJECT: CITY COUNCIL ORGANIZATIONAL MEETING

A. Durham County Board of Elections – Michael Perry, Director of Elections and William J. Brian, Jr., Chairman of Durham County Board of Elections

1. Certification of November 3, 2015 Municipal Elections

To receive the abstract of the original returns of the 2015 City of Durham Municipal Election.

Board of Elections Director Michael Perry recognized Williams J. Brian, Jr., Chair of the Durham County Board of Elections, who presented the abstract of the original returns for the 2015 City of Durham Municipal Election to City Clerk D. Ann Gray.

Mayor - William V. “Bill” Bell - 16,296 votes
At Large - Steve Schewel – 15,011 votes
At Large Jillian Johnson – 12,497 votes
At Large Charlie Reece – 9,680 votes

2. Presentation of Election Certificates

William J. Brian, Jr., also presented election certificates to the following individuals: Mayor William V. “Bill” Bell; and At Large Members Steve Schewel, Jillian Johnson and Charlie Reece.

B. Presentation of Service Plaques by Mayor William V. “Bill” Bell

Mayor Bell presented a service plaque to Council Member Eugene Brown for his 12 years of service to the City of Durham; and to Council Member Diane Cattotti for her 12 years of service to the City of Durham.

Council Members Brown and Catotti thanked family, citizens of Durham, Council colleagues, friends and city employees for their support; and stated they had had a wonderful tenure; and

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congratulated the incoming members, Jillian Johnson and Charlie Reece, on being elected to the At-Large seats.

Council Member Brown and his wife, Signa, presented to the City of Durham a special numbered print, approved by the Norman Rockwell Museum in Stockbridge, Massachusetts, of his painting "*The Problem We All Live With.*" Rockwell's print shows a young, black girl, Ruby Bridges, as she walked to integrate her elementary school in New Orleans.

C. Swearing In and Qualifying of Mayor by the Honorable William A. Marsh III, District Court Judge

To swear in and administer the oath of office to William V. "Bill" Bell as Mayor of the City of Durham.

District Court Judge William A. Marsh III administered the oath of office to William V. "Bill" Bell as Mayor of the City of Durham.

D. Swearing In and Qualifying of City Council Members by the Honorable William A. Marsh, III, District Court Judge

District Court Judge William A. Marsh III administered the oath of office to Jillian Johnson, Charlie Reece and Steve Schewel as Council Members of the City of Durham.

Council Members Johnson and Reece thanked their family and supporters.

E. Remarks by Newly Elected and Re-elected Council Members

Council Member Schewel and Mayor Bell recognized their supporters, family, friends, thanking them for their continued support; and stated they were looking forward to working with the newly elected members of Council.

Mayor Bell and Council Members thanked former Council Members Brown and Catotti for their contributions to the City of Durham.

Mayor Bell recognized elected officials in attendance: Representative Mickey Michaux; Senator Mike Woodard; Durham County Commissioners Ellen Reckhow and Wendy Jacobs; Chapel Hill Town Council Member Ed Harrison; Durham County Sheriff Mike Andrews; and District Attorney Roger Echols.

After the swearing in ceremony the following members of Council were present: Mayor William V. "Bill" Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eddie Davis, Jillian Johnson, Don Moffitt, Charlie Reece and Steve Schewel. Absent: None.

F. Designation of Mayor Pro Tempore by Council Members

Mayor Bell recommended that Council Member Cora Cole-McFadden be designated as the Mayor Pro Tempore.

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MOTION by Council Member Schewel, seconded by Council Member Moffitt, to designate Council Member Cora Cole-McFadden as Mayor Pro Tempore was approved at 7:49 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

[ANNOUNCEMENTS BY COUNCIL]

Council Member Davis spoke to the passing of R. Kelly Bryant, Jr.; addressed the significant contributions by Mr. Bryant in the City of Durham; and noted the lights would continue to shine on his namesake bridge.

Mayor Bell called for a moment of silence in memory of the late Mr. R. Kelly Bryant, Jr.

[PRIORITY ITEMS BY THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]

Mayor Bell asked for priority items by the City Manager, City Attorney and City Clerk. There were no priority items.

Mayor Bell explained that the Consent Agenda was approved with a single motion and items pulled from that agenda by any citizen or council member would be discussed at the end of the agenda. No items were pulled from the Consent Agenda.

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to approve the Consent Agenda as printed was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to approve City Council Minutes for the following meeting dates: September 10, 2015; September 21, 2015; September 24, 2015; October 5, 2015; and October 8, 2015 was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

**SUBJECT: CROSS-CONNECTION CONTROL PERFORMANCE AUDIT
(OCTOBER 2015)**

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to receive and accept the Cross-Connection Control Performance Audit dated October 2015 as

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presented and approved at the October 26, 2015 Audit Services Oversight Committee meeting was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: PROFESSIONAL ENGINEERING SERVICES FOR THE EAST-WEST REINFORCING MAIN ROUTE STUDY – AWARD OF CONTRACT TO HAZEN AND SAWYER, P.C.

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to authorize the City Manager to execute a contract with Hazen and Sawyer for the EWRM Route Study for \$289,998.00;

To establish a contingency fund for the contract in an amount not to exceed \$29,002.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$319,000.00 was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: PROFESSIONAL ENGINEERING SERVICES FOR AMERICAN TOBACCO DISTRICT WATERLINE REPLACEMENT – CONTRACT AWARD TO KIMLEY-HORN AND ASSOCIATES, INC.

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to authorize the City Manager to execute a contract with Kimley-Horn and Associates for Professional Engineering Services in an amount not to exceed \$1,418,000.00 for the American Tobacco District Waterline Replacement contract;

To establish a contingency fund for the contract in an amount not to exceed \$141,800.00; and

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$1,559,800.00 was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: BID REPORT - OCTOBER 2015

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of October 2015 was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

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Date: November 2, 2015
To: Thomas J. Bonfield, City Manager
Through: Wanda S. Page, Deputy City Manager
From: David Boyd, Finance Director
Jonathan Hawley, Purchasing Supervisor
Subject: Bid Report -October 2015

Recommendation:

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of October 2015.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. **Bid:** Replacement HVAC Unit
- Purpose of Bid: To Provide Transportation Department with one (1) replacement 60 Ton HVAC Unit for the Durham Bus Station located at 515 West Pettigrew Street.
- Comments:
- Opened: 09/28/2015
- | | | | |
|----------|--|---|--------------|
| Bidders: | Comfort Engineers, Inc. | * | \$110,100.00 |
| | Durham, NC | | |
| | Warren-Hay Mechanical Contractors Inc. | | \$154,000.00 |
| | Hillsborough, NC | | |
| | Hays HVAC | | \$174,418.00 |
| | Hillsborough, NC | | |

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*Awarded based on: x Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>119</u>		# Black Males	<u>16</u>	<u>13%</u>
Total # Females	<u>10</u>	<u>8%</u>	# White Males	<u>84</u>	<u>70%</u>
Total # Males	<u>109</u>	<u>92%</u>	# Other Males	<u>9</u>	<u>8%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>9</u>	<u>8%</u>
			# Other Females	<u>1</u>	<u>1%</u>

2. Bid: Water Meters

Purpose of Bid: To Provide Water Management Department with four hundred (400) replacement Neptune R900I with external registers for use by the Water and Sewer Operations Division.

Comments: HD Supply Waterworks LTD is the sole authorized distributor of Neptune E-Coder R900I Pit Registers
400 units @ \$203.00

Opened: 9/28/2015

Bidders: HD Supply Waterworks LTD * \$81,200.00
Morrisville, NC

*Awarded based on: Low Bid x Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>15</u>		# Black Males	<u>3</u>	<u>20%</u>
Total # Females	<u>1</u>	<u>7%</u>	# White Males	<u>11</u>	<u>73%</u>
Total # Males	<u>14</u>	<u>93%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>1</u>	<u>7%</u>
			# Other Females	<u>0</u>	<u>0%</u>

3. Bid: Replacement Nitrogen Glycerine

Purpose of Bid: To Provide Water Management with replacement Glycerin-based treatment chemicals for the North Durham Water Reclamation Facility.

Comments:

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Opened: 10/1/2015

Bidders: Environmental Operating Solutions, Inc. * \$10,080.00
 Bourne, MA
 Suffolk Sales \$17,370.00
 Suffolk, VA

*Awarded based on: x Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>29</u>		# Black Males	<u>0</u>	0%
Total # Females	<u>8</u>	28%	# White Males	<u>17</u>	58%
Total # Males	<u>21</u>	<u>72%</u>	# Other Males	<u>4</u>	14%
			# Black Females	<u>0</u>	0%
			# White Females	<u>7</u>	24%
			# Other Females	<u>1</u>	3%

4. Bid: Replacement Truck

Purpose of Bid: To Provide the Fleet Management Department with three (3) replacement trucks for the Inspections Department and one (1) replacement truck for the Planning Department. (2016 Nissan Frontier)

Comments: 4 trucks @ \$21,047.68

Opened: 10/13/2015

Bidders: Capital Automotive Sales LLC. * \$84,190.72
 Wilmington, NC
 Leith Nissan \$102,389.32
 Cary, NC

*Awarded based on: x Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>95</u>		# Black Males	<u>10</u>	11%
Total # Females	<u>17</u>	18%	# White Males	<u>63</u>	66%
Total # Males	<u>78</u>	<u>92%</u>	# Other Males	<u>5</u>	5%
			# Black Females	<u>2</u>	2%
			# White Females	<u>15</u>	16%
			# Other Females	<u>0</u>	0%

5. Bid: Reducers-Actuator

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Purpose of Bid: To Provide the Water Management Department -Facilities Division with one (1) replacement AUMA actuator valve for the Little River Dam gate.

Comments: The Perkinson Company is the sole authorized distributor of AUMA Actuators. The AUMA Actuator valve is used for controlling water flow for the Little River Dam.

Opened: 10/13/2015

Bidders: The Perkinson Company * \$10,965.00
Pineville, NC

*Awarded based on: _____ Low Bid x _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>11</u>		# Black Males	<u>0</u>	<u>0%</u>
Total # Females	<u>2</u>	<u>18%</u>	# White Males	<u>9</u>	<u>82%</u>
Total # Males	<u>9</u>	<u>81%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>0</u>	<u>0%</u>
			# Other Females	<u>2</u>	<u>18%</u>

6. Bid: Fire Hose Ramps

Purpose of Bid: To Provide the Water Management-Distribution/ Collection Division with one hundred and two (102) fire hose ramps.

Comments: 102 units @ \$116.58

Opened: 10/14/2015

Bidders: Cross Hose and Fittings * \$11,891.16
Raleigh, NC
Firehose Direct \$12,240.00
Mooreville, NC

*Awarded based on: _____ x _____ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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Total Workforce	6		# Black Males	0	0%
Total # Females	0	0%	# White Males	5	83%
Total # Males	6	100%	# Other Males	1	17%
	-----	-----	# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

7. Bid: Replacement Laptops

Purpose of Bid: To Provide the Technology Solutions Department with five (5) replacement Dell Toughbook Laptops computers for the Water Management Department - Customer Billing Services Division.

Comments: Priced accordance with NC State contract 204A units @ \$3,297.24 5

Opened: 10/15/2015

Bidders: Dell Marketing LP * \$19,636.20
Round Rock, TX

*Awarded based on: _____ Low Bid x _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	3552		# Black Males	1551	4%
	4		# White Males	1729	49%
Total # Females	1107	31%	# Other Males	5610	16%
	2		# Black Females	1060	3%
Total # Males	2445	69%	# White Females	7500	21%
	2		# Other Females	2512	7%

8. Bid: CCTV Cameras

Purpose of Bid: To provide the Transportation Department with three (3) CCTV cameras.

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Comments: The camera and associated equipment will be necessary to complete this installation and will allow city traffic engineers to monitor traffic along Mangum Street from old five points to the railroad tracks at Pettigrew Street. Prononix is currently the City of Durham's authorized traffic system integrator. The other two are being purchased as spares to provide backup for the 16 existing cameras that are currently in use.

1 unit @ \$3,098.00
units @ \$5,564.00 2

Opened: 10/15/15

Bidders: Protronix * \$13,566.00
Charlotte, NC

*Awarded based on: _____ Low Bid x _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	8		# Black Males	0	0%
Total # Females	1	12%	# White Males	7	88%
Total # Males	7	88%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	12%
			# Other Females	0	0%

9. Bid: Rebuild Sewage and Sludge

Purpose of Bid: To provide the Water Management Department- Facilities Pump Station with one (1) replacement pump (pump removal, repair and installation) at the Eno River Lift Station.

Comments:

Opened: 10/19/2015

Bidders: Charles R. Underwood * \$25,650.00
Sanford, NC
Dixie Electro Mechanical Services, Inc. \$35,739.75
Charlotte, NC
Electrical Equipment Company No Bid
Raleigh, NC

*Awarded based on: _____ x _____ Low Bid _____ Other (See Comments)

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WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>63</u>		# Black Males	<u>1</u>	<u>2%</u>
Total # Females	<u>7</u>	<u>11%</u>	# White Males	<u>55</u>	<u>87%</u>
Total # Males	<u>56</u>	<u>89%</u>	# Other Males	<u>0</u>	<u>0%</u>
			# Black Females	<u>0</u>	<u>0%</u>
			# White Females	<u>7</u>	<u>11%</u>
			# Other Females	<u>0</u>	<u>0%</u>

SUBJECT: PROPOSED SALE OF 2600 SARAH AVENUE BY UPSET BID, PARCEL ID 104738 AND PARCEL ID 104739 (CITY TRACT 563 & 496)

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to declare the subject properties at 2600 Sarah Avenue as surplus;

To accept the offer of \$27,000.00 from Longleaf Building & Restoration, Inc. to purchase the properties at 2600 Sarah Avenue and advertise for upset bids pursuant to the Upset Bid Procedure (G. S. 160A-269);

To authorize the City Manager to accept the bid from the highest responsible bidder at the conclusion of the upset bid process, pursuant to Section 86.3 of the City Charter; and

To authorize the City Manager or the Mayor to convey Parcel ID 104738 and Parcel ID 104739 with a non-warranty deed was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: PRIORITY TRAILS FOR A HEALTHY WELL-CONNECTED DURHAM

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to receive the Priority Trails for a Healthy Well Connected Durham pamphlet was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2015

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to receive and accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015 as presented and approved at the October 26, 2015 Audit Services Oversight Committee

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Meeting was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

SUBJECT: FY2015-16 FIRST QUARTER FINANCIAL REPORT

MOTION by Council Member Schewel, seconded by Mayor Pro Tempore Cole-McFadden, to receive the FY2015-16 First Quarter Financial Report was approved at 7:51 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro-Tempore Cole-McFadden and Council Members Davis, Johnson, Moffitt, Reece and Schewel. Noes: None. Absent: None.

The City Council disposed of the following agenda items at the November 19, 2015 Work Session:

10. John Tarantino

(Comments were received at the 11-19-15 Work Session)

11. Randy Chambers

(Comments were received at the 11-19-15 Work Session)

12. Nancy Wilson

(Citizen did not appear at the 11-19-15 Work Session)

13. Scott Holmes

(Citizen did not appear at the 11-19-15 Work Session)

14. Tia Hall

(Citizen did not appear at the 11-19-15 Work Session)

Mayor Bell distributed the council committee assignments; recommended that if there were discrepancies, to discuss the matter with the council members; and asked the council members to provide the City Clerk with any revisions by the upcoming work session.

Mayor Bell stated he had added a Holiday Parade Committee to the list; appointed Mayor Pro Tempore Cole-McFadden as Chair, and Council Members Moffitt, Johnson and Reece as committee members; asked them to plan for a parade in 2016; and requested committee to present information for discussion in the upcoming budget deliberations.

There being no further business to come before Council, the meeting was adjourned at 7:54 p.m.

Dianalynn Schreiber, CMC, NCCMC
Deputy City Clerk

D. Ann Gray, MMC, NCCMC
City Clerk