

MINUTES

City Council Public Works & Utilities Committee

Tuesday, April 16, 2019 – 5:30 PM
Administrative Conference Room at City Hall

Members Present: Mac Morrow, Chair, Council Member
Maurice Jones, Vice-Chair, Council Member
Jim Fatland, City Manager
Emory Owen, WWTP Director
Dennis Richardson, WTP Director
David Lutz, Public Works Director

Absent: Clay Sykes, Citizen Member

Staff Present: Denise Hodsdon, Executive Assistant

A. Welcome and Call to Order

Committee Chair Mac Morrow called the meeting to order at 5:32 pm.

B. Certification of Quorum

Executive Assistant Denise Hodsdon certified that a quorum was present.

C. Approval of Minutes from March 7, 2019 Meeting

Motion by Mr. Jones, seconded by Mr. Fatland to approve the minutes of the March 7, 2019 meeting as presented. Motion carried unanimously.

D. Stormwater Fees In Lieu and Projects

Mr. Fatland explained that at a recent Mary C. Jenkins Community Center Task Force meeting, Doug Harris mentioned that the Planning Department had suggested payment of stormwater fees-in-lieu rather than doing stormwater improvements on that site. Subsequent to that, Mr. Fatland followed up with City Planner Daniel Cobb, Public Works Director David Lutz and Engineer Harlow Brown as to whether a stormwater fee-in-lieu would apply to the Depot project as well. The City went out to bid recently and the contract for the pedestrian bridge has been awarded to Carolina Specialties. The other component was the stormwater filter system underneath the proposed parking lot by the Depot and the low bid from Carolina

Specialties was \$141,000. In his technical memorandum (copy attached as Exhibit A), Mr. Brown suggested payment of a stormwater fee-in-lieu, which he calculated would be approximately \$71,100 for that project. Mr. Fatland explained that in our capital reserve fund, we have money set aside for Water Treatment Plant and Wastewater Treatment Plant projects. We would put that money into that account to be transferred out with budget approval for stormwater management projects and other water quality improvement projects. Mr. Fatland said the recommendation from staff would be for this committee to consider payment of stormwater fees-in-lieu for both the Mary C. Jenkins Community Center project and the Depot project.

Motion by Mr. Jones, seconded by Mr. Morrow to accept the recommendation from Staff and Harlow Brown regarding stormwater fees-in-lieu. Motion carried unanimously.

E. Large Water Meters

Mr. Fatland recollected that a number of years ago the City changed to radio read meters for residential properties and we got a no-interest loan from DENR. Our current meter fee is \$2.70 based on the purchase price of the small meters financed over 10 years. That money for residential meters comes in to pay the debt payment.

Mr. Fatland explained that we did not replace the large water meters at that time, but have been doing some of those as needed. He shared a handout from Ferguson Waterworks (copy attached as Exhibit B) showing the actual purchase price of various size meters. He noted that these prices are for just the purchase cost of the meter itself. We have requested from Ferguson the cost for them to install the meters but we have not received those numbers yet. He explained that if the cost of installation came in at the same amount as the meter price, the meter fee for a 1.5 inch meter would be approximately \$30.00. He said he would like to include this in the recommendation that goes to City Council this year. When we adopt the fee schedule, it will include the \$2.70 homeowner meter fee and the higher fees for the large meters. If we were to finance these, the money coming in would be enough to cover the debt payment.

Mr. Fatland said when the large meters get old, they are not reading correctly and we are leaving a lot of money on the table. Mr. Lutz added that the first large meter they changed out was Burger King, which went from 30,000 gallons per month to 50,000 per month. The old meter was misreading by 20,000 gallons. Mr. Fatland said this will be discussed at the budget workshop in detail. He pointed out that this

is not to make profit, but to just raise enough revenue to cover the cost of purchase and installation. Motion by Mr. Jones, seconded by Mr. Fatland to direct staff to include this in the budget recommendations. Motion carried unanimously.

F. Set Date for Next Meeting

No date was set for the next meeting.

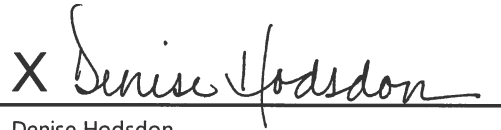
G. Adjourn

There being no further business, Mr. Fatland moved and Mr. Jones seconded to adjourn the meeting at 5:47 pm.



Mac Morrow
Chair, Council Member

Minutes Approved: August 7, 2019



Denise Hodsdon
Executive Assistant



April 10, 2019

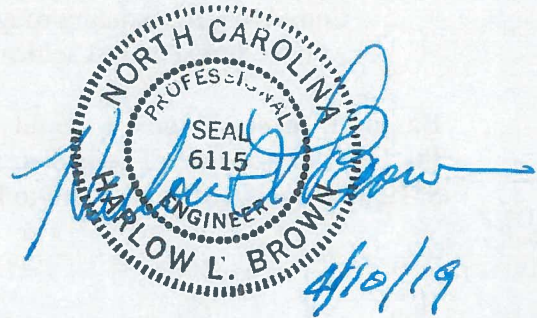
Technical Memorandum

To: James Fatland, CPFO Manager
City of Brevard

From: Harlow L. Brown, PE
Chief Engineer

Cc: Daniel Cobb, Planning Director
City of Brevard
David Lutz, Public Services Director
City of Brevard

Re: **Fee-in-lieu of stormwater compliance**
Railroad Avenue Bike Path Stormwater
City of Brevard, Transylvania County, NC



The city received four (4) bids on February 28, 2019 for the stormwater improvements associated with the new RR Depot project, the bike path and new parking lot adjacent to Railroad Ave.

The low bid was from Carolina Specialties, Hendersonville, NC in the amount of \$141,390.00. Carolina Specialties have performed many projects for the City and their work is excellent.

A copy of their bid is attached. Please note that items 7 & 8 are for a Storm Tech Chamber System, which main function is for stormwater retention and removal of settleable solids (silt, sand, dirt, small rock particles, etc.). This portion of the total bid amounts to \$71,100.

The Brevard UDO requires stormwater retention and removal of settleable solids, and this stormwater design is fully compliant with the UDO.

However, Section 6.6, J. (copy attached) allows a "Fee-in-lieu of stormwater compliance" to be paid to the City when on-site compliance may be "impractical or impossible."

It is my opinion that in this situation, the requirement for both stormwater retention and removal of settleable solids meets the UDO criteria of **"Impractical"** for the following reasons: (copy of the Storm Tech Chamber System is attached)

1. The available site is extremely tight and limited
2. The site is not in the flood plain so retention would have no impact on flooding
3. The Chamber System installation elevation is almost the same as the elevation of Long Branch, which means no practical help would result from retention.
4. The actual volume of retention is 6,000 CF which is minuscule compared to the Long Branch watershed
5. Converting the existing rough gravel and dirt parking area to a paved parking lot would eliminate most settleable solids from entering the Branch

Based on these reasons, I would recommend that the City invoke Section 6.6, J of the UDO and make a Fee-in-lieu stormwater compliance payment in the amount of \$71,100 to the Dedicated Fund to be applied to future stormwater projects.

8. BIDDER ACKNOWLEDGEMENT OF ANY ADDENDUM RECEIVED:

Addenda, when issued will be on file at engineers and owners office at least twenty-four hours before bids are opened. It is bidder's responsibility to make inquiry as to addenda issued. All such addenda shall become part of the Contract Documents and all bidders shall be bound by such Addenda, whether or not received by the bidders.

Bidders to fill in following table to acknowledge any addenda received. **NONE**

No. _____ Dated: _____ No. _____ Dated: _____
 No. _____ Dated: _____ No. _____ Dated: _____

9. BID PROPOSAL:

Bidder agrees to perform all of the work proposed for **City of Brevard – Railroad Avenue Bike Path Stormwater**, all as described in the specifications and as shown on the plans for the unit prices indicated below.

(Note: Bidder to fill in Unit Cost and Total Cost blanks)

Bike Path, Bridge and Parking Lot					
Item	Item	Quantity	Unit	Unit Price	Total
1	Mobilization	1	LS	\$5,355.00	\$5,355.00
2	ABC Stone	150	TON	\$25.00	\$3,750.00
3	15" Storm Drain (HDPE)	750	LF	\$31.00	\$23,250.00
4	36" RCP CL III Storm Drain	50	LF	\$258.00	\$12,900.00
5	DI for 15", or 36" Precast Box & Grate	6	EA	\$1,840.00	\$11,040.00
6	Inlet and Outlet Precast Box w/manhole lid for Storm Tech System	2	EA	\$3,100.00	\$6,200.00
7	#57 Stone: Delivered & Placed	350	TONS	\$30.00	\$10,500.00 \$5,250
8	Storm Tech Chamber System	1	EA	\$65,850.00	\$65,850.00
9	Flared End Section for 36" RCP	1	EA	\$2,545.00	\$2,545.00
Subtotal					
Total					\$141,390.00

50% REDUCT.

DELETE

NEW TOTAL

71,100.

\$ 70,290.

however, the one-year grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat.

3. Upon determining that an illicit connection may result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat or that a connection was made in violation of any applicable regulation or ordinance, other than this section the administrator shall designate the time limit within which the connection shall be removed. In setting the time limit for compliance, the administrator shall take these matters into consideration:
 - a. The quantity and complexity of the work;
 - b. The consequences of delay;
 - c. The potential harm to the environment, to the public health, and to public and private property; and
 - d. The cost of remedying the damage.
- J. *Fee-in-lieu of stormwater compliance:* On-site compliance with the requirements of this section may be impractical or impossible on certain parcels within the city. The owner and/or developer of affected properties may pursuant to the provisions set forth herein, opt to pay a fee-in-lieu of compliance with the stormwater management requirements of this section.
 1. Payment may be made in the form of contribution of funds, contribution of land, contribution of engineered stormwater control construction work, or a combination of these.
 2. Fees shall be based upon actual cost of construction of a structural stormwater measure to control and treat stormwater runoff from the total impervious surface area of the affected property.
 3. Fee-in-lieu contributions shall be set aside in a dedicated fund, and applied to stormwater management and other water quality improvement projects.

Purposes eligible for fee-in-lieu contributions include the following:

- a. The acquisition, design, or construction of stormwater control and treatment measures.
 - b. Stream bank, wetland, or other surface water protection and restoration projects that enhance stormwater management goals, reduce erosion, and enhance water quality.
 - c. The elimination of illicit or inappropriate connections to stormwater conveyances.
 - d. Other activities identified by the city manager, provided that such activities are for the sole purpose of improving water quality.
 - e. Matching funds for grants to fund any of the aforementioned types of activities.
 - f. Matching funds for participation in any water quality improvement program funded by the Transylvania County Soil and Water Conservation Service, the North Carolina Department of Environment and Natural Resources, the USDA Natural Resources Conservation Service, or other local, regional, state or federal agencies.
4. The expenditure of stormwater contributions is limited as follows:
- a. To the extent practical, contributions shall be applied to activities that will result in water quality benefits comparable to the benefits of controlling and treating stormwater on the contributing property.
 - b. Contributions shall not be applied to the stormwater management requirements of other affected properties, or to the same affected property to satisfy the stormwater management requirements of future site plan approvals.
 - c. Contributions shall not be applied to any other purpose or activity of the city not directly related to stormwater management and water quality improvement.

(Ord. No. 15-08, § 19, 12-5-08; Ord. No. 2017-10, § 1(Exh. A), 4-24-17)



FERGUSON WATERWORKS #1635
605 EDBAR STREET
ASHEVILLE, NC 28803-1526

Phone: 828-277-7100
Fax: 828-277-7187

EXHIBIT B

Deliver To:

From: 0

Comments:

07:26:18 APR 10 2019

Page 1 of 1

FERGUSON WATERWORKS #1856

Price Quotation

Phone: 828-277-7100

Fax: 828-277-7187

Bid No: B618461
Bid Date: 04/09/19
Quoted By: AWS

Cust Phone: 828-884-4123
Terms: NET 10TH PROX

Customer: CITY OF BREVARD
////METER////
95 W MAIN ST
BREVARD, NC 28712

Ship To: CITY OF BREVARD
////METER////
95 W MAIN ST
BREVARD, NC 28712

Cust PO#:

Job Name: LRG METER CHANGEOUT

Item	Description	Quantity	Net Price	UM	Total
SOMNI410	LF 1-1/2 OMNI C2 MTR	12	1390.920	EA	16691.04
SOMNI412	LF 2 OMNI C2 MTR	123	1603.040	EA	197173.92
SOMNI413	LF 3 OMNI C2 MTR	10	2005.870	EA	20058.70
SOMNI414	LF 4 OMNI C2 MTR	7	3600.750	EA	25205.25
SOMNI416	LF 6 OMNI C2 MTR	13	5859.000	EA	76167.00
Net Total:					\$335295.91
Tax:					\$22632.47
Freight:					\$0.00
Total:					\$357928.38

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

**CITY OF BREVARD
LARGE METER PRICE**

METER SIZE	QUANTITY	NET PRICE	TOTAL	120		12		10	
				MONTHLY METER FEE		ANNUAL REVENUE PER METER		ANNUAL REVENUE PER METER SIZE	YEARS TOTAL
1.5	12	\$ 1,390.92	\$ 16,691.04	\$ 15.00		\$ 180.00		\$ 2,160.00	\$ 21,600.00
2	123	\$ 1,603.04	\$ 197,173.92	\$ 17.00		\$ 204.00		\$ 25,092.00	\$ 250,920.00
3	10	\$ 2,005.87	\$ 20,058.70	\$ 20.00		\$ 240.00		\$ 2,400.00	\$ 24,000.00
4	7	\$ 3,600.75	\$ 25,205.25	\$ 34.00		\$ 408.00		\$ 2,856.00	\$ 28,560.00
6	13	\$ 5,859.00	\$ 76,167.00	\$ 53.00		\$ 636.00		\$ 8,268.00	\$ 82,680.00
	165		\$ 335,295.91	\$ 139.00		\$ 1,668.00		\$ 40,776.00	\$ 407,760.00
		TAX	\$ 22,632.47						
			\$ 357,928.38						

EST. ANNUAL REVENUE: \$ 40,776.00
EST. ANNUAL DEBT SERVICE PMT \$ 40,800.00

NOTE: EXCLUDES INSTALLATION