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CITY OF STATESVILLE COUNCIL MEETING – November 03, 2014
CITY HALL COUNCIL CHAMBERS– 7:00 P.M.
STATESVILLE, NORTH CAROLINA

Mayor Costi Kutteh presiding:

Council Present: J. Johnson, Morgan, Schlesinger, West, Phifer, Watt (arrived 7:10)

Council Absent: M. Johnson

Staff Present: Pressley, Fugett, Gaines, Harrell, Davis, Styers, Smyth

Visitors: 5

Media Present: John Hamlin-Statesville Record & Landmark

I **Call to Order**
Mayor Kutteh called the meeting to order.

II **Invocation**
The Invocation was given by the City Clerk.

III **Pledge of Allegiance**
Mayor Kutteh led the Pledge of Allegiance.

IV **Consent Agenda**
Mayor Kutteh stated that all items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

A. **Consider approving the minutes of the October 16, 2014 Pre-Agenda meeting and the October 20, 2014 City Council meeting.**

B. **Consider approval of a Resolution adopting the 2015 Statesville City Council Regular meeting schedule.**

C. **Receive and concur with the financial report of the Statesville Convention and Visitor Bureau as of September 30, 2014.**

D. **Consider approving a request by the Fire Department for additional funds for the purchase of new gas monitors.**

Mayor Kutteh asked if there were any items on the Consent Agenda that Council wished to be moved to the Regular Agenda. There being none, he asked for a motion.

Council member J. Johnson made a motion to approve the Consent Agenda, seconded by Council member West. The motion carried unanimously.

REGULAR AGENDA

V **Consider awarding a purchase contract for roll-out recycling carts.**

Council member Morgan asked to be recused from this item due to a potential conflict of interest.

Council member West made a motion to recuse Council member Morgan, seconded by Council member Phifer. The motion carried unanimously.

Scott Harrell stated that this year's budget included the purchase of 96-gallon roll-out carts for the conversion of the recycling program to single stream. Bids for this purchase were received on October 3. The bid prices include assembly of the carts and delivery directly to the addresses that have registered with the City. In evaluating the bids, staff considered the City's own experience with roll-out carts and focused on identifying the best long term value for the City. That experience began in 1988 when the City purchased 6,700 carts from Toter, Inc. for garbage collection. The Sanitation Division has had positive experiences with these carts and with Toter, and a review of records on Sept 29, 2014 indicated that 65% of these original carts are still in service. Since receiving the bids, Staff has contacted several municipalities for feedback on their experiences with the various cart brands. All vendors received generally positive reviews, with the carts other than Toter appearing to have a typical life span in the range

of 12 – 15 years. Based on the past performance of the Toter brand carts in the City's garbage collection operation, Staff recommends purchasing the Toter brand carts as the best long term value for the City of Statesville. Toter's bid price is approximately 3% higher than the low bid. North Carolina General Statutes require that public bids be awarded to "the lowest responsible bidder, taking into consideration quality, performance and the time specified in the proposals for the performance of the contract" [NCGS 143-129(b)]. It is staff's opinion that awarding this purchase based on the City's 26 years of experience with Toter satisfies the statute's requirement for consideration of performance. Earlier today, staff received a letter from Schaefer Systems, the apparent low bidder, protesting the recommendation to purchase from Toter. After reviewing the information collected previously from several municipalities and consulting with the City Attorney, staff still feels that the City's experience indicates Toter is the best long term value. The proposal from Toter's included an alternative type of graphics on the cart lids from what was specified in the bid documents. This option would convey the same information while saving $1.50 per cart. Staff is recommending using the alternate graphic type, which reduces the per cart price to $52.20. This price includes assembly and delivery of the carts to each registered household. To date, approximately 3,800 households have registered for single-stream recycling (40% of all households). Staff proposes ordering 4,000 carts to provide for additional requests. At $52.20 per cart, the total purchase will be $208,800. Should more carts be required, the bid specifications include a provision for the City to purchase additional carts at the bid price for a period of 12 months from the initial order. Staff recommends awarding the purchase of 4,000 roll-out carts to Toter, Inc., at a price of $52.20 per cart, for a total cost of $208,800.

Mayor Kutteh asked if the letter from Schaefer expressed protest over the process or did it contain factual data. Mr. Harrell replied the letter specifically contested the information that staff received from references stating the life span of the Schaefer carts to be in the range of 12-15 years. Schaefer's letter stated they have dozens of customers who have been using Schaefer carts with no service issues in excess of twenty years and listed several cities as examples. Mr. Harrell stated staff did speak with all of the cities referred to in the letter and some offered an opinion in the 12-15 year range and others speculated they may have some in the 20 year range but they had no specific statistics to go with that speculation.

Council member Schlesinger asked Mr. Gaines if he felt the statutory requirements have been met. Mr. Gaines replied in his opinion they have been.

Council member Watt entered the meeting. Mayor Kutteh reviewed the discussion on this item.

Council member Schlesinger asked if these carts will be made of the same material as the garbage carts. Mr. Harrell replied that according to Toter the carts will be made to the same specifications as before but the color will be blue.

Mr. Gaines asked Mr. Harrell if it is correct that in 1988 the City purchased 6,700 carts from Toter and that 65% of those original carts are still in service. Mr. Harrell replied that is correct.

Council member J. Johnson made a motion to approve awarding a contract for the purchase of 4,000 roll-out carts to Toter, Inc., at a price of $52.20 per cart, for a total cost of $208,800, seconded by Council member Schlesinger. The motion carried unanimously.

Council member West made a motion to bring Council member Morgan back, seconded by Council member J. Johnson. The motion carried unanimously.

Council member West made a motion to adjourn the meeting, seconded by Council member Phifer. The motion carried unanimously.

Constantine H. Kutteh, Mayor

Attest:

Brenda Fugett, City Clerk