



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

RIVER BEND TOWN COUNCIL PROPOSED AGENDA

Work Session Meeting

August 8, 2024

River Bend Town Hall – 45 Shoreline Drive

7:00 p.m.

1. **VOTE** – Agenda: Additions / Deletions / Adoption
2. **VOTE** – RFQ for Stormwater Management Grant Project - Jackson
3. **VOTE** – Value Engineering Contract Amendment for WWTP Project Ordinance – Jackson
4. **VOTE** – WWTP Project Ordinance Amendment - Jackson
5. Discussion – Award Street Paving Bid - Jackson
6. Discussion – Vehicle Take Home for Police Department - Jackson
7. Discussion – Advisory Board Ordinance Amendment – Offsite Meetings - Jackson
8. Discussion – Town of River Bend Facebook Page – Benton
9. REVIEW AGENDA – Nobles

Pledge: Sheffield



TOWN OF RIVER BEND

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River Bend, NC 28562**

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TO: River Bend Town Council

FROM: Delane Jackson

A handwritten signature in black ink, appearing to be 'DJ', is written over the 'FROM' line.

RE: Recommendation on Response to RFQ

DATE: August 8, 2024

The Town of River Bend posted an RFQ for engineering services for development of an Asset Inventory and Assessment for the town's stormwater system. The selection committee met on August 6 to review and evaluate all responses. The selection committee is composed of the Mayor, Town Manger and Public Works Director.

The Selection Committee recommends awarding the contract for engineering services to Municipal Engineering Services, Inc. of Garner, NC BELS license # F-0812.

ITEM 2

**TOWN OF RIVER BEND
EVALUATION SHEET FOR
ENGINEERING SERVICES FOR
STORMWATER PROJECT**

August 6, 2024

This sheet represents the combined scores from all 3 reviewers

EVALUATION CRITERIA	COMPANY EVALUATED			
	Rivers and Associates	Municipal Engineering	JMT, Inc.	KCI Associates
General Qualifications, Competence and Reputation of Firm or Individual Consultant Max. - 45 points	44	45	45	45
Familiarity with Federal and State Regulation Max. - 45 points	44	45	45	45
Previous Experience with Similar Projects Max. - 45 points	42	45	43	41
Qualifications of Key Members Max. - 45 points	44	45	45	45
Proposed Project Schedule Max. - 45 points	38	39	45	42
Previous Experience with Grant Funded Projects Max. - 45 points	44	45	45	45
Previous Experience with Town of River Bend Max. - 30 points	30	29	1	0
TOTAL POINTS SCORED Max. - 300* points	286	293	269	263

* Maximum points equals the total points available from each individual reviewer x number of reviewers. For this review process, there were 3 reviewers.

Submitted by Delane Jackson
Date 8-6-24

July 30, 2024

Mr. Delane Jackson, Town Manager
Town of River Bend
45 Shoreline Drive
River Bend, North Carolina 28562

SUBJECT: WWTP Enhancements
Engineering Amendment No. 1 – Value Engineering

Dear Delane:

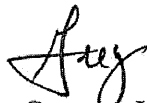
Pursuant to our discussion, I have tallied our cost related to Value Engineering services provided to the Town for the WWTP Enhancements project. As of Friday, July 26, 2024, our costs total \$21,126.70. Accordingly, I have prepared Engineering Amendment No. 1 for the Value Engineering Services on an hourly plus reimbursables basis estimated at \$22,000.00.

If everything appears in order, please place this item on the agenda for the next Town Council meeting for approval.

Once the Amendment is approved, we should be able proceed with the reimbursement request for submittal to NCDEQ DWI.

Should you have any questions, please feel free to call.

With best regards,



Gregory J. Churchill, P.E.
President

Cc: File

Encls.

This is EXHIBIT K, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated November 10, 2022.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1

The Effective Date of this Amendment is: August 8, 2024.

Background Data

Effective Date of Owner-Engineer Agreement: November 10, 2022

Owner: Town of River Bend

Engineer: Rivers & Associates, Inc.

Project: WWTP Enhancements

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

Additional Services to be performed by Engineer

- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

Additional services to provide Value Engineering following receipt of bids in accordance with Exhibit A Article A2.01 of the Engineering Services Agreement. Meetings and communications with Owner, NCDEQ DWI, Low Bid Contractor, Subcontractors, Principal Equipment Suppliers to value engineer WWTP design to reduce overall project construction cost. Preparation of preliminary civil and electrical drawings, computations, correspondence, etc. to communicate desired design revisions for pricing by Low Bid Contractor, Subcontractor, Equipment Suppliers, etc. Services to be performed on an hourly plus reimbursables basis in accordance with Exhibit C Article C2.05 at an estimated cost of \$22,000.00. Appendix 2 to Exhibit C - Current Standard Rates Schedule is attached.

Agreement Summary:

Original agreement amount:	\$ 639,000.00
Net change for prior amendments:	\$ 0.00
This amendment amount:	\$ 22,000.00
Adjusted Agreement amount:	\$ 661,000.00

Change in time for services (days or date, as applicable): 90 days

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

Town of River Bend

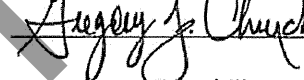
By: _____
Print
name: John R. Kirkland

Title: Mayor

Date Signed: _____

ENGINEER:

Rivers & Associates, Inc.

By: 
Print
name: Gregory J. Churchill, P.E.

Title: President

Date Signed: 1-30-24

This is **Appendix 2 to EXHIBIT C**, consisting of 1 Page, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated November 10, 2022.

Standard Hourly Rates Schedule

A. *Standard Hourly Rates:*

1. Standard Hourly Rates are set forth in this Appendix 2 to this Exhibit C and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Article C2, **and are subject to annual review and adjustment as of June 30th.**

B. *Schedule of Hourly Rates:*

Hourly rates for services performed on or after the Effective Date are:

<u>EMPLOYEE CLASSIFICATION:</u>	<u>HOURLY RATES:</u>
Principal	\$195.00
Project Manager	\$140.00 to \$190.00
Project Engineer	\$115.00 to \$175.00
Design Engineer	\$90.00 to \$110.00
Landscape Architect	\$90.00 to \$140.00
Planner	\$75.00 to \$100.00
Designer	\$85.00 to \$130.00
CAD Technician	\$70.00 to \$80.00
Project Surveyor	\$95.00 to \$140.00
Party Chief	\$60.00 to \$115.00
Surveyor Technician	\$50.00 to \$70.00
1-Man Robotic	\$105.00 to \$140.00
Resident Project Representative	\$65.00 to \$110.00
Administrative Assistant	\$65.00 to \$80.00
Field Tech	\$70.00
Intern Tech	\$40.00
Sub-Consultants and Fees	1.15 x Cost
Travel	Current IRS Rate
Miscellaneous Expense	Cost



**TOWN OF RIVER BEND
WASTEWATER TREATMENT PLANT CAPITAL PROJECTS FUND ORDINANCE
AMENDMENT #2**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina, that the Wastewater Treatment Plant Capital Projects Fund Ordinance as last amended on December 15, 2022, be amended as follows:

Section 1. The following amounts are hereby appropriated for the operation of a Town Capital Projects Fund for the enhancement of the Wastewater Treatment Plant:

<u>Revenues:</u>	<u>CAPITAL PROJECTS FUND</u>		<i>Changes</i>
State Fiscal Recovery Fund Grant	9,108,500		
 <u>Expenditures:</u>			
Wetlands Mitigation	54,000		
Engineering/Administration	661,000		10,000
Construction	8,393,500		-10,000
	9,108,500		0

Section 2. It is estimated that revenues in the amounts indicated in the foregoing schedule will be available to support the foregoing appropriations.

Section 3. The Finance Officer is hereby authorized to maintain an appropriate Fund Chart of Accounts.

Section 4. Copies of this Ordinance shall be furnished to the Clerk, Town Council, Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Section 5. The capital projects funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for the duration of the project, estimated to be eighteen months, unless subsequently amended by Council action.

Adopted this 8th day of August, 2024.

John R. Kirkland, Mayor

Attest:

Kristie J. Nobles, Town Clerk, CMC, NCCMC



AVOLIS ENGINEERING, PA

P.O. Box 15564 · New Bern, North Carolina 28561 · 252.633.0068 · License No. C-0706

August 1, 2024

Mr. Delane Jackson
Town Manager
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562

RE: 2024 Paving Program – Town of River Bend
AE Project No. 24009

Dear Delane:

On July 31, 2024, a public bid opening was conducted associated with the 2024 Paving Program project for the Town of River Bend. Bids were received for the project as outlined below:

Bidder	Bid Item 001	Bid Item 002	Unit Price	Total
Onslow Paving & Grading, Inc.	\$57,850	\$58,000	\$28,325	\$144,175
Barnhill Contracting Company	\$48,500	\$106,600	\$25,000	\$180,100

The apparent low bidder is Onslow Grading & Paving, Inc.

It is our recommendation that an award be made to Onslow Grading & Paving, Inc. in the amount of \$115,850 for all work associated with **Bid Items 001 and 002**. Any unit price patching or striping will be added by Change Order to the Contract, if the need for additional work arises. An anticipated maximum value of the work including any Change Orders would be \$144,175.

If acceptable to the Town of River Bend, we can prepare construction contracts for execution.

Should you have any questions relating to this matter or need any additional information or assistance, please do not hesitate to call.

Sincerely,


Kevin Avolis, PE
Vice-President

River Bend Police Department
Take-Home Vehicle Program (THVP)
General Order 21
Effective Date _____

21.01 **Purpose:** The purpose of this directive is to establish guidelines for the department's take-home vehicle program (THVP).

21.02 **Policy:** It is the policy of the River Bend Police Department (RBPD) to assign take-home vehicles to eligible personnel. This policy applies to all employees who are assigned a take-home vehicle.

RULES AND PROCEDURES

21.03 **Take-Home Vehicle Privileges:**

- A. The use of take-home department vehicles is a privilege, not a right, that may be modified or revoked at any time, by the Police Chief, on an individual basis.
- B. Full-time, non-probationary officers (as defined in Article IV, Section 4 of the Town's Human Resources Policies and Procedures Manual) must live within 20 miles of the River Bend town limits to be eligible to be assigned a take-home vehicle. For supervisory, full-time, non-probationary personnel, the mileage limit will be determined on an individual basis by the Police Chief, subject to approval by the Town Manager.

21.04 **Vehicle Assignment:**

- A. Assigned vehicles are not to be operated by anyone other than the assigned employee unless authorized by a supervisor.
- B. The Chief of Police approves all assignments of take-home vehicles to eligible personnel.
- C. The assignment of take-home vehicles will be based on the operational needs of the department. Vehicles may be reassigned by the Chief of Police as necessary.

21.05 **Provisions:**

- A. Vehicles must be secured, and the keys removed when parked and unattended. When a department vehicle is not in use off-duty, all firearms will be removed (except when at a State, Federal, or other facility where the storage of firearms is not allowed on-premises).
- B. Any theft of equipment or damage to a take-home vehicle shall be immediately reported to the Chief of Police.
- C. When operating a police vehicle off shift, officers must be armed with a department-authorized firearm and carry their badge and department identification. Appropriate civilian attire is required if not in uniform per General Order 12.11.

- D. Employees assigned a mobile data terminal (MDT) must be logged onto the system while operating a marked patrol vehicle, including traveling to and from work in a take-home vehicle. If the employee cannot connect from their residence, the employee must safely activate the MDT once they are within connection range.
- E. Employees will check on-duty prior to leaving their residence and off-duty upon arriving at their residence at any time while operating the vehicle. This will be conducted either through Craven Communications or by use of MDT.
- F. Take-home vehicles shall not be used for personal use while in an off-duty status.

21.06

Off-Duty Enforcement:

- A. When driving a take-home vehicle to and from work outside of the jurisdiction of the River Bend Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life, serious property damage or serious personal injury exists.
- B. When providing assistance, officers shall ensure the information about the assistance provided is relayed to Craven Communications and entered into CAD.
- C. As soon as reasonably practicable, officers shall notify the local 911 center and request an on-duty officer to respond from the agency with appropriate jurisdiction.

END

COMMUNITY APPEARANCE COMMISSION

§ 3.05.055 ESTABLISHMENT.

A Community Appearance Commission (herein after, the Board) is hereby created and established.

§ 3.05.056 PURPOSE.

The purpose of the Board is to advise the Town Council (Council) and Manager on community appearance issues to include, but not be limited to, enhancing the appearance of the town, making recommendations for planting of trees, shrubs or other planting materials on town owned property including town right-of-ways, and any other matter that affects the overall appearance of the town. The Board shall work on other issues assigned by the Council or Manager.

§ 3.05.057 POWERS AND DUTIES.

The Board shall report to the Town Council and shall have the following powers and duties:

- (A) At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to community appearance issues.
- (B) At the request of the Council and Manager, assist in the resolution of complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (C) All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- (D) Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.
- (E) The Board, at its discretion and operating within its budget, may organize and implement Council and/or Manager approved projects related to community appearance. The Board may be asked to conduct special projects or activities by the Council and/or Manager.

§ 3.05.058 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.
- (B) All members shall be residents of the town.

§ 3.05.059 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.

- (B) The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- (C) The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at the meeting. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 10 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 10 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- (D) A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- (E) The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- (F) Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- (G) Any official recommendation, arising out of the Board, shall be submitted in writing to the Town Council through the Board's liaison or the Town Manager.
- (H) Board activities (i.e. board meetings, events, activities, functions) may be held at non-town owned property or facilities, with the written consent of the property owner, provided that the activity does not conflict with any other provision of the Town's Code of Ordinances.

§ 3.05.070 APPOINTMENT/REMOVAL TO BOARD

- (A) No appointment to fill a vacancy on an Advisory Board shall be made until the vacancy has been advertised for at least 2 weeks. Applicants are encouraged to attend the Council meeting where their consideration of appointment is scheduled, whereby they will be introduced to the Council.
- (B) The following application procedure shall be followed by all applicants:

- (1) Any person interested in appointment to an Advisory Board shall complete and submit an Advisory Board Application.
 - (2) Before being considered for appointment, an applicant must have attended at least 1 meeting of the Advisory Board they request to be appointed to.
 - (3) All applications for appointment will be reviewed by the Advisory Board. The Advisory Board shall consider all applicants and submit a recommendation for appointment to the Town Council.
 - (4) The Advisory Board Liaison shall submit the appointment recommendation to the Town Council.
- (C) Advisory Board members may resign at any time for any reason. All resignations must be immediately reported in writing or via email to the Town Manager by the Chair, or Liaison. Once a member's resignation becomes effective, that member may only be considered for reappointment following the procedure described herein.
- (D) The Council may remove a Board member, at its discretion, by vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board.
- (E) Council members may not serve on an Advisory Board. Upon appointment or election to the Council, an Advisory Board member shall immediately resign from the Advisory Board or be removed from the Advisory Board by a vote of the Council.

Delane Jackson

From: Lisa Benton
Sent: Wednesday, July 31, 2024 7:39 PM
To: Delane Jackson
Subject: Official Town Facebook Page

Delane,

In light of today's events and our conversation last week, I would like to put a topic on the agenda for discussion at the work session: an Official Town Facebook page that is informational only. Currently, we only have private Facebook pages. It would benefit the town to have information located on an official page. I appreciate your consideration.

I am, as always, at your service and open to further discussion on this matter.

Lisa W. Benton
Town Councilwoman
River Bend, NC
223 Shoreline Drive
New Bern, NC 28562
252-670-0650

ITEM 8



**RIVER BEND TOWN COUNCIL
DRAFT PROPOSED AGENDA
Regular Meeting
August 15, 2024
River Bend Town Hall – 45 Shoreline Drive
7:00 p.m.**

Pledge: Sheffield

1. Call to Order (Mayor Kirkland Presiding)
2. Recognition of New Residents
3. Additions / Deletions / Adoption to Agenda
4. Addresses to the Council

A. NONE

5. Public Comment

The public comment period is set aside for members of the public to offer comments to the Council. It is the time for the Council to listen to the public. It is not a Question & Answer session between the public and the Council or Staff. All comments will be directed to the Council. Each speaker may speak for up to 3 minutes. A member of staff will serve as timekeeper. A sign-up sheet is posted by the meeting room door and will be collected prior to the start of the Public Comment Period. Speakers will be called on by the Mayor in the order that they signed up. In order to provide for the maintenance of order and decorum, the Council has adopted a policy for this section of the meeting. A copy of the policy is posted by the door for your review. Please follow the policy. If you have a specific question for staff, you are encouraged to contact the Town Manager or the appropriate Department Head at another time.

6. Public Hearings – None

7. Consent Agenda

All items listed under this section are considered routine by the Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approve:

*Minutes of the July 18, 2024, Special Council Meeting
Minutes of the July 18, 2024, Regular Council Meeting*

8. Town Manager's Report – Delane Jackson

Activity Reports

A. *Monthly Police Report* by Chief Joll

B. *Monthly Water Resources Report* by Director of Public Works Mills

C. *Monthly Work Order Report* by Director of Public Works Mills

D. *Monthly Zoning Report* by Assistant Zoning Administrator McCollum

Administrative Reports:

9. Parks & Recreation – Councilman Weaver
 - A. Parks and Rec Report
 - B. Organic Garden Report
10. CAC – Councilwoman Maurer
 - A. CAC Report
11. Finance – Councilman Leonard
 - A. Financial Report - Finance Director
12. Environment And Waterways – Councilman Leonard
 - A. EWAB Report
13. Planning Board – Councilman Sheffield
 - A. Planning Board Report
14. Public Safety – Councilwoman Benton
 - A. Community Watch
15. Mayor's Report – Mayor Kirkland
16. Adjournment

ITEM 9