

REGULAR MEETING CITY COUNCIL

March 20, 2017

The City Council of the City of Albemarle met in a regular session on Monday, March 20, 2017 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tem Martha Sue Hall, Bill Aldridge, Chris Bramlett, Benton H. Dry II, Martha E. Hughes, Dexter Townsend and Chris Whitley. Absent, none.

Mayor Michael called the meeting to order.

Mayor Michael stated that three of the East Albemarle Elementary School 4th grade students are here and will read the papers they wrote concerning pride in their community to the City Council.

The Mayor asked East Albemarle Elementary School Curriculum Coach, Krista McQuire to come forward and explain the program the students are doing. Ms. McQuire stated that this is a community partnership project which brings the community to the school and takes the school out into the community. She also said that the students each did an art project and wrote about "How they show pride in the community".

Those students reading were:

Amari Kilgore- Baldwin

Savannah Whitaker

Lilly Shelton

Mayor Michael thanked Ms. McQuire and the fourth grade students for coming tonight and reading to Council.

The City of Albemarle has been recognized by ElectriCities of North Carolina for achievements in the areas of Service Excellence, Financial Stability, Energy Efficiency, Competitive Business Environment, and Legislative Involvement. Mr. Roy Jones, Chief Executive Officer for ElectriCities of NC came before City Council to present the following 2016 Public Power Awards of Excellence to the City of Albemarle:

- 1) The Competitive Business Environment Award: also awarded to Concord, Fayetteville, Greenville, Kinston, Morganton, Rocky Mount, Statesville and Wilson
- 2) The Energy Efficiency Award: also awarded to Concord, Fayetteville, Greenville, Kinston, Morganton, Rocky Mount, Smithville, Statesville and Wilson
- 3) The Financial Stability Award: also awarded to Concord, Fayetteville, Greenville, Kinston, Morganton, Rocky Mount, Smithville, Statesville and Wilson
- 4) The Legislative Involvement Award: also awarded to Concord, Fayetteville, Greenville, Rocky Mount, Statesville and Wilson
- 5) The Service Excellence Award: also awarded to Concord, Fayetteville, Greenville, Kinston, Morganton, New Bern, Rocky Mount, Smithville, Statesville and Wilson

Mayor Michael asked that Council come forward to make photos with the Fourth Grade East Albemarle Elementary School students.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, and unanimously carried, the minutes of the March 6 regular session and March 6 closed session minutes were approved as submitted.

Mr. Jonathan Thompson with King Cobra Youth Athletics came before Council to speak about his football program with the youth and their fundraising efforts. He introduced his coaches, his daughter who is co-owner, and some of his students to Council. He stated that their goal to raise \$7,000 is only shy by \$1,900 and asked that Council consider their need.

Mayor Michael asked that Mr. Thompson speak with the City's new Parks and Recreation Director who will be starting April 3 and she may be able to help him. He asked that Council come forward to make photos with Mr. Thompson and his students.

The Mayor and City Council considered a text amendment for §92.101 Procedure for Conditional Use Permits. Planning and Development Services Director Kevin Robinson noted their department received a number of inquiries pertaining to conditional uses. Mr. Robinson stated it was prudent to update the conditional use permit process so as to better reflect the allowed process in state statute and the requirements currently in the application process. The City is expected to see numerous conditional use permit applications in the coming months, including several for electronic gaming establishments. Mr. Robinson noted that technically the City has very little in City code to allow Council to affirm, deny or attach conditions to these permits. No one spoke for or against this hearing. Councilmember Aldridge noticed that the public hearing notice had an incorrect year displayed and Mr. Robinson will re-advertise the public hearing for Monday, April 3 at 7 pm.

Mr. Robinson answered any questions that Council had.

The Mayor stated that the public hearing to consider a text amendment for §92.101 Procedure for Conditional Use Permits will be continued until Monday, April 3, 2017 at 7 pm.

The Mayor and City Council continued a public hearing from Monday, March 6, to consider amending sections 92.085B and 20.80 of City Ordinance related to Historic Preservation Commission.

Planning and Development Services Director Kevin Robinson noted that these sections relate specifically to the Historic Resources Commission. Staff initiated the application for amendment to these sections following review and recommendations by the State Historic Preservation Commission. Also, he noted that most of the proposed amendments are to use words or phrases more consistent to State Statute. One major change will change the approval of Minor certificates of appropriateness by a designated committee, instead having these approved by the HRC administrator. This is consistent with state statute and typical of most HRC's across the state. No one spoke for or against this hearing.

Mr. Robinson reviewed with Council the required and suggested changes and answered any questions that Council had.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council approved continuing the public hearing for a text amendment for §92.101 Procedure for Conditional Use Permits and the public hearing to consider amending sections 92.085B and 20.80 of City Ordinance related to Historic Preservation Commission, on Monday, April 3 at 7 pm.

The Mayor and City Council received a copy of the February Monthly Departmental Reports and asked if anyone had any questions.

The Mayor and City Council considered authorizing a Resolution of Intent to abandon an alleyway. Council reviewed a letter from Mark Lowder sent on March 2017 to consider abandonment of a section of alleyway behind office space on King Street/Second Street. The City Manager noted that there are no utilities along this portion of the alleyway and it has never been accepted by the City for maintenance. If Council is agreeable to the request, the City will need to authorize the City Attorney to draft a resolution of intent to abandon. The resolution could be considered at the April 3rd meeting and a request for public hearing to be set on May 1st to consider an ordinance to abandon.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council authorized City Attorney David Beaver to draft a Resolution of Intent to abandon the alleyway off of King Street. The resolution will be considered at the April 3rd meeting and at that time public hearing will be requested for May 1st to consider an ordinance to abandon.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the following resolution:

(Resolution 17-04 – To oppose HB 257, which would require a variety of municipal contracts and agreements to receive County Commissioner approval.)

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the following ordinance:

(Ordinance 17-08 – To amend the FY 16/17 Budget to appropriate General Fund Fund Balance for the replacement of windows at the EE Waddell Community Center.)

The Mayor and City Council considered bids for the construction of an Administration/Employee Building at the City Solid Waste Facility. It was noted that this is a planned item in the current budget and Public Works has received bids. The City will not be financing the project but instead using a combination of current year funds and Solid Waste Reserves. Public Works Director Nina Underwood recommended the approval of the low bidder for the project, Holden Building Company in the amount of \$1,207,000.

Public Works Director Nina Underwood and Ms. Cori Crenshaw and David Wallace with Shield Engineering were present to answer any questions that Council had.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the City Council approved the low bidder, Holden Building Company in the amount of \$1,207,000 for the construction of an Administration/Employee Building at the City Solid Waste Facility.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the following ordinance:

(Ordinance 17-09. To establish a Project Budget for the Landfill Employee Facility)

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the following ordinance:

(Ordinance 17-10 - To amend the budget to appropriate Solid Waste Fund Balance to the Landfill Employee Facility)

The Mayor and City Council considered an offer of a donation for property located on Hawthorn Avenue. Ms. Clover White has offered to donate a one acre parcel to the City. The City Manager noted that the property is approximately 1 acre, zoned for residential use, but is undeveloped and in the floodplain. It was noted that City sewer easements, maintained by utilities run through the back of this wooded property. Acquisition of this property would give the City site control over a continuous quarter mile stretch of property along Melchior Creek. He also noted that Council may want to consider handling the closing costs or other financial items associated with this donation as the City has with other donations.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council accepted the donation of a one acre parcel, zoned for residential use in the floodplain on Hawthorn Avenue from Ms. Clover White with the City paying the closing costs.

The Mayor and City Council considered setting a public hearing for a conditional use permit for 2000 US 52 Hwy N. Planning and Development Services Staff received an application for electronic gaming/skill arcade to be located in a unit of 2000 US 52 Hwy N. This use is permitted in GHBD by conditional use approval only

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, the City Council approved setting a public hearing for Monday, April 3 at 7 pm to consider a conditional use permit for 2000 US Hwy 52 N.

The Mayor and City Council considered participating in a Traffic Impact Analysis for future development at 400 NC 24-27 Bypass East. It was noted that LTD Associates, Developer is considering a new public road onto property adjacent to the old City Park. The developer has offered to connect this road to future phases of development on both his property and the City's. This property is adjacent to Hwy 24/27 and City staff and NCDOT have requested a traffic study. The estimated cost to the City would be to pay for one-third of the cost of study.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved participating in a Traffic Impact Analysis for future development at 400 NC 24-27 Bypass East City and the City would pay for one-third of the cost of study along with the property owner, Gus Shad and an interest tenant.

The Mayor and City Council considered additional tagline signs on Gateway signs. Assistant City Manager noted that at the last meeting, Council approved an additional tagline, "Western Gateway to the Uwharries" to be added to NCDOT City Limit signs. Since this time, members from the public have suggested "Western Gateway to the Uwharrie National Forest" to be considered instead. In addition, there are a few entryway signs that have Purple Heart Designation signs attached (Hwy 73E; Hwy

24/27W; Hwy 52N; and Hwy 52 Bypass South). Staff needs direction on removal of these signs or to add the two additional proposed taglines to these or not.

It was the consensus of City Council after further discussion, to incorporate the emblem with the new City logo and use the slogan “Western Gateway to the Uwharries” on the main Gateway sign. The Purple Heart designation will be displayed separately on an entryway sign.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved to following resolution:

(Resolution 17-05 - To address City procedures for disposing of surplus property, to update and reflect that the days of Notice should not be less than 10 days, instead of 7 days as stated in Resolution 10-34, replacing Resolution 10-34.)

The Mayor and City Council considered a proclamation designating April as Sexual Assault Awareness Month. It was noted that the City has received this request from Esther House and the City will also display a wreath in the City Hall during the month of April in recognition of Sexual Assault Awareness Month. Ms. Kay Snuggs with the Board of Directors of Esther House read the proclamation.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a proclamation designating April as Sexual Assault Awareness Month and will also display a wreath in the City Hall during the month of April in recognition of Sexual Assault Awareness Month.

(Proclamation)

The Mayor and City Council received information concerning the 2017 Annual Employee Spring Cookout, Wednesday, May 3 event from 11:00 - 1:00 at City Lake Park. The rain location will be the Niven Center.

The Mayor and City Council were reminded of the NCLM Town Hall Day is Wednesday, March 29. Attending are Mayor Michael, Councilmembers Aldridge, Bramlett, Hall, Hughes, Townsend, Whitley and the City Manager. The City Manager asked who would be riding together from City Hall and that they will meet in the City Hall parking lot at 7:45 a.m.

The Mayor and Councilmember Hall will drive separately and possibly Councilmember Townsend. The other six Councilmembers will meet at City Hall at 7:45 am to ride together.

The Mayor and City Council considered attendance at the National League of Cities Annual Conference in Charlotte, November 15-18. Registration for the Annual Meeting (City Summit) opened on March 14. The event will be held in Charlotte this year. The City Manager noted that he has provided information about the meeting from the NLC website. Staff can register anyone that would like to attend.

The Mayor and City Council affirmed their attendance except for Councilmember Dry.

Councilmember Townsend commented on the great monthly report from Economic Development Director Mark Donham this month.

Councilmember Townsend reminded Council of the Mini-Medley Relay on Saturday, March 25 featuring 42 teams followed by the Outdoorsman's Bonanza at Market Station.

Councilmember Hughes thanked the Public Utilities staff for quick response to an issue she had this past Saturday concerning a transformer.

Councilmember Aldridge asked if the City sends a letter to the property owner when they donate property to the City and it was confirmed that the City does.

Councilmember Aldridge spoke of Deputy Curtis Allen Bartlett from Carroll County who died trying to save a fellow deputy and trooper in an ongoing pursuit. He asked that we keep his family in our prayers.

Councilmember Dry stated that the Wiscasset location looks very different since the January 4th demolition. He asked that everyone go by and see the difference.

Councilmember Whitley stated that he attended the RPO meeting last week and Pate Butler with NCDOT announced that funding has been requested for a pedestrian sanctuary on West Main at Market Station.

Councilmember Whitley stated that the RPO will be doing a resolution to support improvements at the Stanly County Airport to accommodate the Air National Guard's transition to the C17 aircraft.

Councilmember Whitley stated that NCDOT is having a public input meeting on April 25 from 5-7 pm at Stanly County Commons on the Strategic Transportation Initiative Plan.

Councilmember Whitley stated he went to a ribbon cutting yesterday for Scoots Gun Shop on US Hwy. 52 N.

Councilmember Whitley commented on the improvements at the Lions Inn.

Councilmember Bramlett thanked Council and everyone involved for deciding to use "Western Gateway to the Uwharries".

Councilmember Townsend stated that the County has just released its "2016 Annual Report to the People". He also stated that it would be an additional measure of enhancing our transparency if the City would consider publishing a similar report at the end of our fiscal year.

Mayor Michael handed out to Council a proposed summer schedule for regular Council meetings. He asked that Council consider meeting every four weeks during the months of June, July, and August and to consider changing the meeting time from 7 pm to 6 pm. This schedule would rearrange some meetings and eliminate three meetings. He asked that Council check their schedule and see if this will conflict with their current schedules and we will consider this at the next Council meeting.

New summer meeting dates proposed for the regular meetings are June 12, July 10, and August 7.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 160A-318.11 (a) (1) & (3) and (5) – To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with City Attorney, and Real Estate.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael announced that a closed session was held Pursuant to NCGS 160A-318.11 (a) ((a) (1) & (3) and (5) – To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with City Attorney, and Real Estate.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council approved the City's purchase of a vacant parcel owned by the Helms Family on Pee Dee Avenue beside of Neon Beach in the amount of \$23,000.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council approved signing a liability agreement with Pfeiffer University concerning them unloading and storing steel beams at the Helms property location on Pee Dee Avenue that the City just purchased for Pfeiffer's construction of a new education building on Main Street.

Upon a motion by Councilmember Hughes, seconded by Councilmember Whitley, and unanimously carried, the meeting was adjourned.