

REGULAR MEETING CITY COUNCIL

May 1, 2017

The City Council of the City of Albemarle met in a regular session on Monday, May 1, 2017, at 7:00 p.m. in the Council Chambers of City Hall. Mayor G. R. Michael presided, and the following Councilmembers were present, to-wit: Bill Aldridge, Chris Bramlett, Benton Dry II, Martha Sue Hall, Martha E. Hughes, Dexter Townsend and Chris Whitley. Absent, none.

Mayor Michael called the meeting to order.

Mayor Michael gave the invocation.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the minutes of the April 17 regular session, April 17 adjourned session, April 17 closed session and April 19 adjourned session minutes were approved as submitted.

The Mayor and City Council held a public hearing to consider an alley abandonment at the intersection of King Avenue and Second Street. It was noted that proper notice has been posted on the site and the public hearing notice has run in the paper for 4 consecutive weeks per statutory requirements. No one spoke for or against this hearing.

Mr. Mark Lowder, Attorney a Law, came forward as owner of the property requesting the abandonment of a portion of the alleyway extending north from King Avenue. He stated that vendor's park back there and it needs to be open so they can get through there safely. With the end of the alley being a dead end, it serves no public purpose.

There was discussion about ensuring the City's future access for utility easement needs.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council closed the public hearing.

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

(Ordinance 17-11. To abandon alleyway at the intersection of King Avenue and Second Street.)

The Mayor and City Council held a public hearing for the installment financing for the purchase of the Albemarle Corporate Center. Pursuant to Section 160A-20 of the General Statutes of North Carolina in an amount not to exceed \$1,875,000 for the purpose of providing funds, together with any other available funds, to pay the costs of (a) acquiring an approximately 283-acre parcel of property to be used as an industrial park and corporate center and (b) making certain infrastructure improvements related there. No one spoke for or against this hearing.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council closed the public hearing.

The motion and second to approve Resolution 17-13 was made on Thursday, May 4 at Council's budget work session. Please refer to May 4 adjourned session.

Mayor Michael stated that the following are items to be added to agenda adjustments and be placed after the new business plus one item added to the closed session.

- 1) Sewer Adjustment in the Parks and Recreation Department for EE Waddell Community Center
- 2) Firearms option in order for the conditional use permit for 2000 US Hwy 52 N at Northwoods Plaza, LLC for David Chan from the April 3 regular meeting.
- 3) Traffic Impact Analysis for development at 400 NC 24-27 Bypass East concerning the City paying one-third the cost of study with property owner an interest tenant.
- 4) Add NCGS 160A-318.11 (a) (6) Personnel to closed session

Melanie Holles, Director , Stanly County Library came before Council to request designating a Handicap space on Second Street near Stanly County Historic Place (old City Annex).

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

(Ordinance 17-14. To designate a Handicap space on Second Street at Stanly County Historic Place (old City Annex.)

Adam Kiker, LKC Engineering came before Council and gave a PowerPoint presentation showing the progress on the US Hwy 52 Water Treatment Facility Rehabilitation Project and an overview of potential changes to the project.

Mr. Kiker and Public Utilities Director Mike Leonas answered any questions that Council had.

The Mayor stated that Council had a copy of the municipal calendar in their agenda packets and asked if anyone had any questions.

Councilmember Hughes stated that the June 12, July 10 and August 7 meetings should state at 6 pm instead of 7 pm.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved a public hearing for Monday, May 15 at 7 pm to consider a Conditional Use Permit for Pfeiffer University at 245 E Main St per Zoning Ordinance, section 92.083, Colleges and Universities in Central Business District.

The Mayor and City Council considered calling for a public hearing to consider TA-17-003, including various sections of Chapter 92 of the City ordinance

related to Electronic Gaming. A public hearing can be set for the May 15 meeting. Planning and Development Services Director Kevin Robinson noted he has prepared amendments to Sections 92.008, 92.080-92.081A, 92.083 and 92.087 in order to better define, adult oriented, electronic and conventional games of skill or chance and to assign them to specific zoning districts with conditions. This will create a by-right use for games of skill with conditions based very closely on those approved for a recent applicant that can be applied administratively, removing the need for conditional use permit hearings for each one. The Planning and Zoning Board approved recommending these amendments on April 25th. A public hearing can be set for May 15.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a public hearing for Monday, May 15 at 7 pm to consider TA-17-003, including various sections of Chapter 92 of the City Ordinance related to Electronic Gaming

The Mayor and City Council considered a bid tabulation for the Site Restoration Contract Phase I at Long Creek Wastewater Treatment Facility for Phase I of the Site Restoration of abandoned facilities at the Long Creek Wastewater Treatment Facility. Bids were obtained by the informal public bidding process.

LKC Engineering reviewed all of the bids and the qualifications of the apparent low bidder, Lynn Thomas Grading. LKC Engineering has recommend award of the contract to Lynn Thomas Grading in the amount of \$80,847.82. The Public Utilities Department has reviewed the information and concurs with the recommendation.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council awarded the Phase I of the Site Restoration of Abandoned Facilities at the Long Creek Wastewater Treatment Plant to Lynn Thomas Grading in the amount of \$80,874.82 and authorized the Public Utilities and/or City Manager to execute the documents associated with the procurement of the services.

(Bid Tabulation)

The City Manager presented the proposed FY 17/18 City of Albemarle Budget. A public hearing can be set for May 15.

City Council received a letter from the City Manager and a copy of the proposed FY 2017-18 Budget. He stated that the proposal submitted reflects an overall 4.38% decrease from the current Fiscal Year Adjusted Budget. The City will close the current fiscal year in good position with adequate balances in all funds.

Highlights:

No property tax increase, tax rate to remain at .59 cents per hundred dollars of assessed value

For the City to remain revenue neutral, the City's tax rate would be .575 cents per hundred dollars of assessed value

Adjustment for residents of \$2.16/month to solid waste collection and disposal fees with the addition of recycling

4% water rate increase

No electric rate increase

No water and sewer tap fee increase

No landfill, vehicle registration, Planning and Zoning, or Fire Inspection fees

1.5% Cola and a 1% pay increase in lieu of merit pay increase as of July 1 for employees

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, and unanimously carried, the City Council set a public hearing to consider the proposed budget for Fiscal Year 2017-18 for Monday, May 15, 2017 at 7 pm.

Mayor Michael thanked the City Manager and staff. He asked that Council review the budget prior to the first budget work session on Thursday night.

The Mayor and City Council considered a proposal from Convergent Nonprofit Solutions to perform a feasibility study in the amount of \$23,500 for the fundraising for the Wiscasset Sport Complex. It was noted that City Council has given their concurrence for staff to speak with and evaluate fundraising firms to assist with fundraising. Hiring a firm with this specialty provides the City and this project the best chance for success.

Mayor Michael, Councilmember Dry, Chris Lambert with the CVB, Assistant Manager Christina Alphin, Parks & Recreation Director Lisa Kiser and the City Manager recommended Convergent Nonprofit Solutions to perform a feasibility analysis regarding the funds we are wanting to raise privately. This analysis will help us determine if there is a possibility of achieving our goal, or if plans would need to be scaled back or timelines altered.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, and unanimously carried, the City Council approved a proposal from Convergent Nonprofit Solutions to perform a feasibility study in the amount of \$23,500 for fundraising for the Wiscasset Sport Complex.

The Mayor and City Council considered approval for the Department of Public Housing FY2017 Agency Plan Annual Update.

Public Housing Director Cedric Baldwin noted that a 45-day review of the Agency Plan was required with notice of a public hearing for comments and consideration which was held April 25, 2017 in the Community Room at 300 S. Bell Ave. This is an annual requirement from HUD and involves an opportunity for input and comments from our residents.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved the Department of Public Housing FY 2017 Agency Plan Annual Update.

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

(Ordinance 17-12. To amend the Leonard Avenue Sidewalk Project Budget.)

The Mayor and City Council reviewed a letter of support from NCDOT concerning non-highway projects. Two sidewalk projects have been submitted to NCDOT for funding. These projects scored well enough to be programmed into the Draft ten-year STIP plan (2018-2027). Funding is currently only guaranteed for years 2018-2022. The letter of support will allow continued review of the projects and they will get re-scored.

It was noted that when/if the projects move forward and are programmed into the 5-year STIP plan for 2023-2028, then Council will have to decide whether to commit to these projects, and submit a letter of commitment at that time, or reject the grant.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved a letter of support to NCDOT concerning two non-highway Projects for the ten-year STIP plan (2018-2027).

The Mayor and City Council considered a resolution to adopt the Street Assessment Fees for FY 2017-18. Public Works Director Nina Underwood noted that the costs are based on the price of asphalt, stone and concrete as of January 1, 2017. The cost of these materials has fluctuated very little from one year ago, and that is reflected in the new rates.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the following resolution.

(Resolution 17-12 – To adopt the street assessment fees for FY 2017-18.)

The Mayor and City Council reviewed information concerning a Cash Management & Investment Policy. Finance Director Colleen Conroy noted that it is a combination of items that are in the current policy that need to be updated, and new policies based on recommendations of the FY 16/17 audit. Many of the new and revised policies and practices have already been in put into place as they were recommendations of the audit or because they reflect changes to best management practices.

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

(Resolution 17-14. To approve a Cash Management and Investment Policy.)

The Mayor and City Council reviewed a request for a road closure for the Law Enforcement Memorial Service. The request was to close N. Second St. from Main St. to the driveway beside Bank of Stanly from 5:00pm-7:00pm on May 16, 2017 to honor officers from Stanly County that have been killed in the Line of Duty

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved a road closure for the

Law Enforcement Memorial Service to close N. Second St. from Main St. to the driveway beside Bank of Stanly from 5:00pm-7:00pm on May 16, 2017.

Public Utilities Director Mike Leonas noted that they had continued the process of consolidating scrap metal and equipment from the various facilities and ready to execute another sale of scrap. The process requires Council to declare the scrap metal and equipment as surplus and authorize Public Utilities to dispose of the material by sealed bid. He stated there is approximately 75,000 pounds of miscellaneous scrap metals and equipment including three (3) stainless steel tanks.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hughes, and unanimously carried, the City Council declared approximately 75,000 pounds of miscellaneous scrap metals and equipment including three (3) stainless steel tanks equipment as surplus and authorized Public Utilities to dispose of the material by sealed bid.

The Mayor and City Council reviewed information concerning a schedule of the City Council Facility Tour on May 10 as follows:

Tuckertown –	8:30 – 9:30	PU Staff
WWTP –	10:00 – 11:00	PU Staff
Warehouse –	11:10	Warehouse review and lunch PW Staff
Landfill –	12:30 – 1:45	PW Staff
Public Housing -	2:15 – Finish	PH Staff

The Mayor and City Council were reminded of the Employee Picnic on May 3 from 11:00 a.m.-1:00 p.m.

The Mayor and City Council were reminded of the Stanly County Chamber of Commerce Legislative Breakfast, May 8 at 7:30 p.m. at the EE Waddell Center

The Mayor and Council considered a sewer adjustment for the Parks and Recreation Department at the EE Waddell Community Center for a leak repair that did not enter the sewer system.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved a sewer adjustment for the Parks and Recreation Department at the EE Waddell Community Center due to a leak repair and also to authorize the City Manager to approve items as this in the future, therefore, not coming before City Council.

The Mayor and City Council considered removing the firearms option from the order of a previous conditional use permit for David Chan at Northwoods Plaza, LLC located at 2000 US Hwy 52 N for an electronic skilled gaming facility.

Upon a motion by Councilmember Whitley, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved removing the firearms option from the order of a previous conditional use permit for David Chan at Northwoods Plaza, LLC located at 2000 US Hwy 52 N for an electronic skilled gaming facility.

Mayor Michael stated that Council considered a traffic impact study a March 20, 2017 meeting where the City would pay one-third the cost and share the remainder with the property owner, Gus Shad, and an interest tenant.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved extending the road all the way to the City property and that the City will pay their share upon completion (which is 1/3 with the property owner and interest tenant paying the other 2/3) and the maximum cap spent by the City at completion is \$20,000.

Mayor Michael stated that the old museum property at Fourth and Main Street has been transferred to Pfeiffer University. He thanked City staff, County Commissioners and all involved and what an impact this has made.

Councilmember Townsend asked if the Stanly County School Board has changed their security requirements at their meetings. The Mayor stated that they normally have a City police officer at their meetings but there have been no action or recommendations made by the school board.

Councilmember Hughes thanked everyone for the educational round table held at City Hall last Wednesday and what a great turn out and great information.

Councilmember Aldridge stated that there is a new Chrysler/Jeep/Dodge auto dealership coming to Albemarle on NC Hwy 740.

Councilmember Aldridge stated that the streets downtown are looking great with the new streetscape being put into place.

Councilmember Hall echoed a thanks to everyone for the educational round table held at City Hall last Wednesday. There were 4-5 session during the day and one at 6 pm.

Councilmember Hall talked about the changes being made in the Bessemer City downtown and for Council to take a look at this city and the total change they have made if they get a chance.

Councilmember Whitley echoed a thanks to everyone for the educational round table held at City Hall last Wednesday.

Councilmember Whitley mentioned the Albemarle Economic Strategic Plan survey on the City website and that the survey is still available.

Upon questioning, the Mayor stated that some of the windows have come in for the EE Waddell Community Center and we should have all of them within 3 weeks.

Councilmember Bramlett stated that with the City spending \$1.8 million to purchase land for a Corporate Center, it will still not bring in families if our education in Stanly County is not up to par. He said that he is glad the City had an education round table last Wednesday. We need better schools in Stanly County.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council adjourned to a Closed Pursuant to NCGS 160A-318.11(a) (1) and (3) (6) - To prevent the disclosure of information that is privileged or confidential pursuant to the laws of the State, to consult with City Attorney and Personnel.

Upon a motion by Councilmember Hughes, seconded by Councilmember Townsend, 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) (1) and (3) (6) - To prevent the disclosure of information that is privileged or confidential pursuant to the laws of the State, to Consult with City Attorney, and Personnel and there was nothing to report at this time.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, unanimously carried, the meeting was adjourned until Thursday, May 4 for a budget work session at City Hall beginning at 6 pm.