

REGULAR MEETING CITY COUNCIL

June 12, 2017

The City Council of the City of Albemarle met in a regular session on Monday, June 12, 2017, at 6:00 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 Aldridge, seconded by Councilmember Hughes, and unanimously carried, the minutes of the May 15 regular session and May 15 adjourned session minutes were approved as submitted.

The Mayor and City Council held a Quasi-Judicial public hearing to consider Conditional Use Permit #17-003 for 92.080(C) (11) on the property located at 636 NC Hwy 24-27.

Mr. Jim Barnes with Oxendine Barnes & Associates, PLLC representing the owner, Marty Larson, Planning and Development Services Director Kevin Robinson, Senior Planner Nasser Rahimzadeh, and Robert Aldridge, Associate of the owner, Marty Larson were sworn in for testimony.

Introduction was given by Mr. Robinson stating that this would be an adult gaming establishment for skills games which would be located next to C C's Pizza in the Ingles Shopping Center off NC 24-27.

Mr. Jim Barnes with Oxendine Barnes Associates, LLC representing the owner, Marty Larson came before Council. He stated that this will be located in the General Highway Business District (GHBD) and he answered any questions of Council.

Mr. Aldridge, representing the owner, Marty Larson, came before Council and stated that originally they were to the left of CC's, but now will be in the suite in the corner next to the nail salon. Upon questioning, Mr. Aldridge stated that they will have the correct address and suite number by tomorrow (Tuesday, June 13).

Councilmember Dry came into the meeting at this time.

The Mayor reviewed each finding of facts with Mr. Barnes with questions being asked concerning each one of the five.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Townsend, and unanimously carried, the City Council approved continuing this public hearing on Tuesday, June 13 at 6 pm.

The Mayor and City Council held a public hearing to consider annexing property for tax record #31833 located on NC 24-27. Planning and Development Services Director Kevin Robinson stated that City Council will consider adopting an ordinance approving the petition from the owner of Stanly County tax record 31833 to annex said property. No one spoke for or against this hearing.

Mr. Robinson informed Council concerning zoning consistency with adopted plans. He said that this is a 10+/- acre property owned by JTD Associates, surrounded by already incorporated City property and part of a proposed major subdivision.

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

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

(Ordinance 17-18. To adopted an ordinance approving the petition from the owner of Stanly County tax record 31833 for annexation into the City.)

The Mayor and City Council held a public hearing to consider a map amendment for tax record #31833 which will assign initial zoning for this parcel of General Highway Business District (GHBD). No one spoke for or against this hearing.

Planning and Development Services Director Kevin Robinson stated that this is a request to transfer the above property for tax record #31833 from Stanly County Zone R-20/Single Family Residential District to the City of Albemarle General Highway Business District/GHBD

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

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

(Ordinance 17-19. To assign zoning to tax record #31833 of GHBD.)

Mayor Michael stated the following will be removed from the agenda and several items will be considered in the adjourned session on Tuesday, June 13, 2017:

1. Item 12, Unfinished Business, Appointment of Boards and Commissions will be moved to the Tuesday, June 13 adjourned session
2. Item #13 will be removed from this agenda and not assigned at this point.
3. Item #17, New Business, to consider request of CFM Real Estate Development will be moved to the Tuesday, June 13 adjourned session
4. Item #30, New Business, Quarterly Business Report for Feb-May 2017 moved to Tuesday, June 13 adjourned session

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the agenda adjustments as stated.

Mr. Chad Atwater came before City Council to request a street closing for the Forest Hills Independence Day Parade. He is requesting closure of parts of Cannon Avenue, Park Lane, Azalea Drive, McGill Street, 7th Street and 8th Street. This is the 23rd year for this bike parade through Azalea Park.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a street closing for the Forest Hills Independence Day Parade, closing parts of Cannon Avenue, Park Lane, Azalea Drive, McGill Street, 7th Street and 8th Street from 9:30 am – 1:00 pm.

Father Jim Bernacki, Chair, Coltrane, and L.I.F.E. Center Adult Daycare Initiative and Associate Chair, Susan Caudle came before City Council to discuss their plans for an adult daycare center and potential changes to the City Zoning Ordinance. Father Bernacki stated that the task force has identified a lot at the corner of Rebel Road and the Northeast Connector as the location for an adult daycare center. The property is currently zoned R10 Single Family Residential and adult daycare is not permitted. Father Bernacki and the Task Force would like to determine if City Council would be willing to consider a change to the Zoning to allow adult daycare as an allowable use in the R10 zone.

Planning Director Kevin Robinson noted that this would be most appropriate as a conditional use in the R10 zone if a change was made.

Mayor Michael stated that if City Council expresses interest, the process will move forward to amend the Zoning Ordinance to allow adult daycare centers in the R10 zone. Once this change is made, Coltrane, L.I.F.E. Center Adult Daycare can make an application for a Conditional Use Permit.

Mr. Robinson and Father Bernacki answered any questions that Council had.

Jeff Edwards, Waste Management came before City Council with an update on recycling. He stated that this Wednesday and Thursday carts go out to our Albemarle location. The carts will be distributed to residents the week of June 26. Each cart delivered to the resident will contain a flier with information. July 10 will be the start of recycling service every two weeks. There was a press release in March and another will be done in June.

Mayor Michael thanked Mr. Edwards for coming.

The Mayor stated that Council had a copy of the monthly departmental reports for May in their agenda packets and asked if anyone had any questions.

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

The Mayor and City Council consider Ordinance 17-13 on second reading, to approve the FY 17/18 City of Albemarle Budget. The City Manager handed out to Council changes that have been made between the first and second readings of the ordinance for review:

Adding \$15,000 to the Admin fund for elections

Adding \$15,000 to the Parks and Recreation fund for fans at the EE Waddell Center

New Section of the budget – Internal Service Fund to track the City’s expenses concerning being self-insured 2017-18 for major medical for employees

State Law changing for use of Powell Bill funds – no changes in dollar amounts just the allocation of dollars.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, unanimously carried, the City Council approved the FY 2017-18 budget on second reading as amended:

(Ordinance 17-13. To approve the FY 2017-18 Budget.)

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

(Ordinance 17-21 - To appropriate proceeds to purchase land for the Albemarle Corporate Center.)

The Mayor and City Council considered recommendation concerning architects for the Police Headquarters Renovation Project with the purchase of the former Home Savings Bank building on West South Street from the Bank of North Carolina, the City has been moving forward with the architect evaluation process.

The City Manager noted that he had developed a request for qualifications to solicit architects for the project as well compiled a listing of 24 architectural firms to send the RFQ to. The list of architects was based on those that we have past experience with, those that have previously indicated they are interested in being contact concerning future City projects, architectural firms that we were aware of that have designed police stations in NC, and firms that have associations with the NC City and County Managers Association and the NC League of Municipalities.

The City Manager stated that a total of 8 RFQs were returned and evaluated by a committee consisting of Chief Bowen, Mayor Michael, Assistant Manager Christina Alphin and the City Manager. Their top two firms were identified and moved forward with the evaluation of these. Staff visited those two firms and staff has recommendation for Council's consideration. Staff is ready to recommend the top firm which is Creech & Associates. David Creech is the owner and his firm was the one who built the new addition and renovated the old City Hall. His engineer, John Crawford is now living in Albemarle.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved staff to proceed with Creech Architecture as the architect for the Police Headquarters Renovation Project.

The Mayor and City Council reviewed a change order to a construction contract with Terry's Plumbing & Utilities, Inc. for the Leachate Pump Station and Force Main.

Public Works Director Nina Underwood noted that Order No. 1 is to the construction contract with Terry's Plumbing & Utilities, Inc. for the Leachate Pump Station and Force Main in the amount of \$43,145.00. The scope of the change order covers 1) steel casing for driveway crossings that were planned but were not able to be programmed into the construction plans at the time of bidding because of size and location of the employee facility was not yet know. Our consultant previously negotiated a lower cost per unit for any additional casing at the time of bidding in anticipation of this need; 2) the cost to add a sampling port required by Public Utilities as part of our treatment permit which wasn't known at the time of bidding; 3&4) additional footage to extend the aboveground portion of the force main piping at the pump station; and 5)

epoxy lining of manholes to protect in the event of the production of hydrogen sulfide gas.

Mr. Underwood noted that the change order would increase the contract from \$1,651,255.00 to \$1,694,400.00 or a .026% increase of the entire estimated construction project cost. The contract is based on bid unit prices and estimated quantities and payments will be made on actual quantities as measured and attested by our engineer.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, the City Council approved a change order to a construction contract with Terry's Plumbing & Utilities, Inc. for the Leachate Pump Station and Force Main in the amount of \$43,145.00.

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

(Resolution 17-20. To update the personnel policy to adjust for a COLA increase of 1.5% for employees with the pay period starting July 2, 2017.)

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

(Resolution 17-22. To adopt a new Water/Sewer Rate Schedule for FY 2017-18.)

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

(Resolution 17-21. To adopt a new Electric Rate Schedule for FY 2017-18.)

The Mayor and City Council considered revisions to the Customer Service Policy for Public Utilities.

Public Utilities Director Michael Leonas stated that a cover to cover review of the existing Customer Service Policy (CSP) and presented changes in the CSP for Council's consideration. While various changes in Federal and State statutes with respect to identity and credit reporting requirements initiated the review, Public Utilities staff took the opportunity to review other areas in the CSP.

Mr. Leonas said that the majority of the current practices were found to be consistent with those of our peer groups. Where changes in the practices were found to be warranted, the changes were vetted by a committee consisting of representatives from Public Utilities, Administration, Customer Service, and Finance. We also took the opportunity to streamline the scope of the document by removing engineering and technical requirements from customer service practices. These requirements are/will be provided in other appropriate documents.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council approved revisions to the Customer Service Policy for Public Utilities as presented.

The Mayor and City Council considered bids to supply bulk chemicals for the Water & Wastewater Treatment Plants. It was noted that matching unit prices of \$239 per ton for Alum were received from Chemtrade and Univar USA. Univar USA is currently supplying Alum at both Water Treatment Plants.

Public Utilities Director Michael Leonas stated that staff recommends that Council award the contract for supplying bulk chemicals to the water and wastewater treatment plants for the 2017-2018 Fiscal Year to the following companies for the respective chemical and unit price:

Univar USA, Inc.	Alum	\$ 239.00
Univar USA, Inc.	Fluoride	\$ 1041.64
JCI Jones Chemical, Inc.	Caustic	\$ 522.00
JCI Jones Chemical, Inc.	Chlorine	\$ 521.00
Southern Ionics, Inc.	Sodium Bisulfate	\$ 390.00

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, the City Council awarded the award the contract for

supplying bulk chemicals to the water and wastewater treatment plants for the 2017-2018 Fiscal Year to the above companies for the respective chemical and unit price:

(Bid Tabulation)

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the City Council approved Saturday, December 9th for the Albemarle Christmas Parade.

The Mayor and City Council consider bids for surplus scrap metal disposal for the Public Utilities Department

Public Utilities recommends that Council award the disposal of surplus scrap metal to the following companies for the respective metal and unit price:

Butch's Recycling	Assorted Scrap Metal	\$ 0.03
Butch's Recycling	Scrap Brass	\$ 1.45
Foil's 0.38	Stainless Steel	\$

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, and unanimously carried, the City Council awarded the award the disposal of surplus scrap metal to the above companies for the respective metal and unit price:

(Bid Tabulation)

The Mayor and City Council considered acceptance of a NCDEQ 2017 Community Waste Reduction and Recycling Grant to construct a Residential Electronics Sorting and Storage Facility that was submitted by the Public Works Department in February 2017.

It was noted that it will cover up to \$14,009 toward the cost of construction of a building where collected electronics can be sorted, shrink wrapped, and stored. Overall, estimated cost is \$22,415, with the Street Division providing the

concrete and in-kind labor to construct the pad upon which the building will be constructed. This recycling grant and matching cash and in-kind labor have been budgeted in the FY 2017-18 budget.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved acceptance of a NCDEQ 2017 Community Waste Reduction and Recycling Grant to construct a Residential Electronics Sorting and Storage Facility that was submitted by the Public Works Department in February 2017.

The Mayor and City Council considered approval of write-offs of Public Housing tenant accounts for period July 1, 2015 to December 31, 2016 in the amount of \$6,079.68. It was noted that staff will continue to try to collect these bad debts through the Debt Set-off Program.

Upon a motion by Councilmember Hughes, seconded by Councilmember Townsend, and unanimously carried, the City Council approved write-offs of Public Housing Tenant Accounts for period July 1, 2015 to December 31, 2016 in the amount of \$6,079.68.

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

(Resolution 17-18. To support the addition of streets to the STI.)

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

(Resolution 17-19. To support fair property taxes for hospital property.)

The Mayor and City Council discussed election polling locations within the City. Mayor Michael stated that the Stanly County Board of Elections on May 2 adopted new precinct boundaries and June 6 compiled a list of potential polling places for those precincts.

The Mayor said that the City would prefer seven locations but want correct polling locations if narrowed down to four. The Stanly County Board of Elections would like our choices in writing. The following are four locations that are being considered:

- 1 Market Station – West
- 2 Fire Station #3 – North
- 3 EE Waddell Community Center – South
- 4 Niven Center – East

Mayor Michael stated that the City Manager will send a letter to Stanly County Board of Elections approving these four choices but that the City prefers seven locations.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved a formal letter be sent to the Stanly County Board of Elections with the 4 choices for polling locations but that the City prefers seven polling locations

The Mayor and City Council reviewed a report on the sale of surplus property. Council received a memo from Linda Lewis, Purchasing Coordinator regarding sale of Fixed Assets and Sale of Surplus property that took place during the fiscal year

The Mayor and City Council considered rescheduling the Monday, September 4 Regular Meeting Due to the Labor Day Holiday.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, and unanimously carried, the City Council rescheduled the Monday, September 4 meeting until Tuesday, September 5 at 7 pm.

Mayor Michael thanked everyone in Public Utilities who participated in the repair and restorations concerning water leak issues, pole damages, etc. that happened last month.

The City Manager stated that Police Chief Bowen has an item to bring before Council.

Police Chief Bowen came forward and stated that the Police Department would like to surplus a canine named Skylar. Her police owner has left the department. We have been in contact with the Maryland State Police and they would like to have her and they will travel to pick her up.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the City Council approved the surplus of a K-9 named Skylar to the Maryland State Police.

Councilmember Townsend congratulated all Stanly County High School graduates of 2017.

Councilmember Hughes also thanked everyone in Public Utilities who participated in the repair and restorations concerning water leak issues, pole damages, etc. that happened last month. She also thanked Assistant City Manager Christina Alphin and staff for all the changes made to the downtown streetscape.

Councilmember Hall also thanked Public Utilities and Customer Service for their service.

Councilmember Dry also thanked Assistant City Manager Christina Alphin and staff for all the changes made to the downtown streetscape.

Councilmember Whitley commented on the success of the dinner on Main Street which was a United Way fundraiser. Also, he notified NCDOT of complaints about the condition of East Main Street. This is not scheduled for repaving but he will keep bringing it up at the RPO meetings and for Council to let him know of complaints.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 160A-318.11 (1)(3)(4)(5) - To prevent the disclosure of information that is privileged or confidential pursuant to the laws of the State, to consult with the City Attorney, Economic Development, and Real Estate.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael announced that a closed session was held Pursuant to N.C.G.S. 160A-318.11 (1)(3)(4)(5) - To prevent the disclosure of information that is privileged or confidential pursuant to the laws of the State, to consult with the City Attorney, Economic Development, and Real Estate and there was nothing to report at this time.

Mayor Michael stated that Council will discuss City boards and commissions appointments tomorrow, Tuesday, June 13 at 6 pm at the adjourned session meeting.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, unanimously carried, the meeting was adjourned until Tuesday, June 13 at 6:00 pm for an adjourned session meeting.