

ADJOURNED MEETING CITY COUNCIL  
April 20, 2016

The City Council of the City of Albemarle met in an adjourned session on Wednesday, April 20, 2016, at 6:30 p.m. at the Rosebriar Restaurant. Mayor G.R Michael presided and the following Councilmembers were present, to wit: Mayor Pro Tem Martha Sue Hall, Bill Aldridge, Chris Bramlett, Benton Dry, Martha E. Hughes, Dexter Townsend and Chris Whitley. Absent, none

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The City Council held a meeting with the members of the Planning and Zoning Board and the Zoning Board of Adjustment to discuss matters of common interest.

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Mayor Michael brought the meeting to order. The Mayor had each person in attendance give their name and title, introducing new members of the Planning Board and Board of Adjustment.

Planning and Community Development Director Keith Wolf handed out a copy of an agenda:

- 1) Commercial Maintenance Code
- 2) Outdoor Storage Regulations
- 3) Quasi-Judicial Proceedings: Proposed Changes

Mr. Wolf distributed a proposed Commercial Maintenance Code for the boards to review. He stated that not all towns have a commercial maintenance code. The Planning Board and City Council will be involved if we decide to do this. Mr. Wolf answered any questions the boards had. He noted it would work in similar fashion to the minimum residential maintenance code for the enforcement of structural and life safety issues. He specifically noted that it would be different from any other process we have as what is proposed would address appearance issues. He said there were concerns about the issues and volume of properties this would cause to fall under such a code.

It was the consensus of City Council for this item to go before the Planning Board for their review and approval and come back before City Council.

The boards reviewed research information concerning Outdoor Storage regulations. Mr. Wolf stated that we need to have more specific and enforceable writing for existing violations to stand up in court. Mr. Wolf spoke with other cities in NC and other states on this issue and how they handle the permitting of outside storage units. He asked that the boards study this carefully and that we take our time in changing this.

It was the consensus of City Council to not pursue this in the near future but to continue looking at other cities and how they are handling outside storage for consideration at a later date.

Mayor asked that Mr. Wolf get with Police Chief Halliburton concerning information on outside storage and how this is handled in Statesville, NC and get back with Council.

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Mr. Wolf handed out a sheet concerning information from David W. Owens, School of Government on the question of the role of planning boards in making recommendations where a quasi-judicial decision is involved.

Mr. Wolf requested that Council consider removing the Planning Board from the conditional use permit process.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the Council approved removing the Planning Board from the conditional use permit process.

Mr. Wolf recommended Council consider removing conditional use district rezoning from the zoning ordinance.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously, the Council approved removing conditional use district rezoning from the zoning ordinance.

Mr. Wolf recommended adding at a later date, Conditional District Zoning to the Zoning Ordinance, not quasi-judicial.

City Manager Michael Ferris stated that this is a new issue for him and he would like more time to consider. The City Council gave their comments and concerns about this issue.

The Mayor asked that Mr. Wolf and the City Manager put together information concerning Conditional District Zoning and send to the City Council for review and consideration.

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Mayor Michael asked that Council remain after this meeting to cover a few items.

Mayor Michael asked that Council and the City Manager look at their schedules and see a best fit time to meet with Secretary Susan Klutz with NC Department of Cultural Resources concerning the historic tax credit.

Mayor Michael asked that Council review Bill 369, Senator Brown's tax bill changes to be made to the tax allocation. Council reviewed handout with proposed changes. Senator Harry Brown presented a plan this week to change how the state distributes sales tax revenues, which would cause about half of North Carolina cities and towns to lose money.

Mayor Michael talked about two bills to be introduced and House Bill 771 was for the revision of the Utility Allocation and also Bill 903, introduced today, to allow City's a .25% sales tax increase to replace the privilege tax with no citizen vote. There would have to be a public hearing with a 10 day notice.

Mayor Michael stated that Joe Calloway's position on the ABC board needs to be filled. His family will be speaking to him about not being reappointed this time. The Mayor stated that he will speak with Terry Morgan about considering this appointment.

The Mayor stated that we have May and June to fill all of the appointments on our 10 boards and commissions. We have placed this in the bill stuffer for April, on the City website and on Facebook. We may have to recruit people for the appointments.

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall and unanimously carried, the meeting was adjourned until Monday, April 20 for a regular meeting of City Council at 7 pm in the Council Chambers.