

REGULAR MEETING CITY COUNCIL

August 7, 2017

The City Council of the City of Albemarle met in a regular session on Monday, August 7, 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 Hall, seconded by Councilmember Townsend, and unanimously carried, the minutes of the July 10 regular session and July 10 closed session were approved as submitted.

The Mayor and City Council had a public hearing concerning the annexation of a 282+ acre property for the Albemarle Corporate Center. No one spoke for or against the issue at the hearing.

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

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, City Council approved annexation of 282+ acre property for the Albemarle Corporate Center.

(Ordinance 17-20. The annexation of 282+ acres for the Albemarle Corporate Center.)

The Mayor and City Council conducted a public hearing to consider initial zoning to change the City of Albemarle zoning map for tax record 32787 and 4737 from County Industrial and Manufacturing zoning to City Heavy Industrial District (HID). No one spoke for or against the issue at the hearing.

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 Dry, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved initial zoning to change the City of Albemarle zoning map for tax record 32787 and 4737 from County industrial and manufacturing zoning to City Heavy Industrial District (HID) along with the Statement of Zoning Consistency with Adopted Plans.

(Ordinance 17-22. A Zoning Map Amendment for annexed property from County M2 to City HID.)

The Mayor and City Council conducted a public hearing concerning a privately sponsored map amendment asking to change the City of Albemarle zoning map for address 1718 Blanche Street and adjoining parcels from Single-Family Residential (R-10) and Neighborhood Business District (NBD) to Heavy Industrial District (HID).

Senior Planner, Nasser Rahimzadeh stated that the Planning Board voted down this request, but the applicant has requested it be heard by the City Council. The concern is not necessarily the expansion of the existing business, but any future business at this location. The Heavy Industrial District allows for the most aggressive uses allowed under City Zoning that would have the most impact on the surrounding residentially zoned properties.

Ms. Jerry Wayne Thompson, 1718 Blanche Street, came before Council and answered any questions that Council had.

Mayor Michael stated that Mr. Thompson may want to apply for a Conditional Use Permit (CUP) with Planning and Development Services. We would then have a CUP hearing for this property at a later date.

Upon further discussion, Mr. Thompson withdrew his request for a public hearing for a privately sponsored map amendment asking to change the City of Albemarle zoning map for address 1718 Blanche Street and adjoining parcels from Single-Family

Residential (R-10) and Neighborhood Business District (NBD) to Heavy Industrial District (HID).

Planning and Development Services Director Kevin Robinson stated that he would write a letter stating that a CUP is recommended for this property at 1718 Blanche Street.

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

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, City Council approved honoring Mr. Thompson's request to drop the public request and pursue a Conditional Use Permit for this property.

The Mayor and City Council conducted a public hearing to amend the Zoning Ordinance to allow Adult Daycare Centers in the R10 / Single Family Residential District.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes, and unanimously carried, the City Council closed the public hearing. No one spoke for or against the issue at the hearing.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, and unanimously carried, City Council approved the Zoning Ordinance to allow Adult Daycare Centers in the R10 / Single Family Residential District.

(Ordinance 17-24. A Text Amendment for a Conditional Use Permit for an adult day care in the R-10 District on Rebel Road.)

The Mayor and City Council conducted a public hearing to amend §92.008 DEFINITIONS of City Code related to adult gaming to regulate establishments with 3 or more games.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council closed the public hearing. No one spoke for or against the issue at the hearing.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, City Council approved amending §92.008 DEFINITIONS of City Code related to adult gaming to regulate establishments with 3 or more games.

Ordinance 17-25. A Text Amendment to change the definition of adult gaming establishments.)

Add the following items to the agenda after Item #29, Information – Updates to the Code of Ordinances:

1. To vote on the delegate and alternate for voting at the NCLM Annual Meeting in September.
2. To consider a contract between the City and NCDOT concerning the installation of bi-directional medians on 24-27 widening project and Leonard Avenue traffic improvement project.

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

Ms. Keondra Ellis, 534 Smokehouse Lane, came before City Council to request a street closing on Lincoln Street between Elizabeth Avenue and Martin Luther King, Jr. Blvd. on Saturday, August 12 between 4-8 pm for a Back to School Event.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, City Council approved a Special Event Permit Application for a Back to School Event between 4-8 pm on Saturday, August 12, closing a portion of Lincoln Street between Elizabeth Avenue and Martin Luther King, Jr. and to waiver \$50 application fee.

Mr. Jeff Edwards, District Manager for Waste Management, came before City Council to discuss recycling services. He apologized for the issues in regular trash pickup, new recycling pickup, and the shortage of recycling containers for residences. He spoke about the instructions that were not attached to the recycling containers and the incorrect spelling on the recycling containers.

Mr. Edwards answered any questions that Council had.

Mr. Adam Kiker, LKC Engineering, presented to the Mayor and City Council a project update for the US 52 WTP Rehab, Inflow & Infiltration Phase II and the WWTP Electrical Upgrades Phase I. These projects include the US 52 Water Treatment Plant Rehabilitation, Phase II of the Sanitary Sewer Inflow & Infiltration Minimization Project, and Phase I of the Electrical Upgrades at the Long Creek Water Treatment Plant. Council to also consider options for new graphic scheme on elevated water tank at the US Hwy 52 Water Treatment Plant.

Mr. Kiker also gave an update on Phase II of the Wastewater Treatment Plant Improvements (Headworks). He answered any questions that Council had.

Mr. Kiker reviewed with Council options for the new graphic scheme on the elevated water tank at the US Hwy 52 Water Treatment Plant.

Options:

- A. Logo with images with ALBEMARLE written in brown
- B. ALBEMARLE written in brown and larger lettering without logo

Upon questioning, the option chosen, will be painted on and display on each side of the tank. The tank itself will be painted the same color as before which is white.

Upon a motion by Councilmember Dry, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved Option B for the elevated water tank at the US Hwy 52 Water Treatment Plant.

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 considered an Engineering Services Agreement with LKC Engineering, PLLC for Phase II of the Sanitary Sewer Inflow & Infiltration Minimization and Phase I of the Electrical System Rehabilitation at the Long Creek Wastewater Treatment Facility. The total for the above services is \$603,000. LKC provided a summary letter for the project in addition to an outline of specific services to be provided as well as the associated cost for each of the above elements within the ESA. Funding for the ESA was accounted for in the SRF loan request that was approved by DEQ.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved the Engineering Services Agreement with LKC Engineering, PLLC in the amount of \$603,000 for technical and administrative services for Phase II of the Sanitary Sewer Rehabilitation Project (I&I Minimization) and Phase I of the Electrical System Rehabilitation Project at the Long Creek Wastewater Treatment Facility and authorized the Mayor and/or City Manager to execute said agreement.

The Mayor and City Council considered an amendment to an Engineering Services Agreement with Municipal Engineering Services for Phase II Wastewater Treatment Plant Improvements (Headworks). This is due to unanticipated issues during the bidding phase (low bidder withdrew bid prior to award of contract) and unforeseen site conditions (degraded integrity of 48-inch influent sewer necessitating replacement) and warranty issues with the Andrix Screw pumps that the Engineer was able to resolve. The original agreement amount for the engineering services associated with the project was \$355,000. The additional services would increase this to \$365,239 or 2.9%. Also, to authorize the Mayor and/or the City Manager to execute said amendment.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the amendment to an Engineering Services Agreement with Municipal Engineering Services for Phase II Wastewater Treatment Plant Improvements (Headworks) in the amount of \$10,239 and authorized the Mayor/City Manager to execute the contract.

The Mayor and City Council considered setting a Public Hearing for a Conditional Use Permit for storage at 1920 Hilco Street.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council set a public hearing for Tuesday, September 5 at 7 pm to consider a Conditional Use Permit for storage at 1920 Hilco Street.

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

(Ordinance 17-26. To allow the sale of alcohol before noon (10 am) on Sundays.)

The Mayor and City Council discussed the FY 17-18 Streetscape Implementation Activities. Assistant city Manager Christina Alphin came before Council and gave an overview of FY 2016-17 accomplishments and the proposed strategies for FY 2017-18. She also reviewed potential ideas beyond 2018 and total project costs and impact.

Ms. Alphin reviewed additions at Courthouse Square a Wi-Fi hotspot, installation of outdoor music, new signage, and vegetation edits. Also, added was movable seating, paint refresh on Colonnade. She reviewed additions at Liberty Gardens, addition of hanging baskets, bench replacements and trash can replacements, pedestrian crosswalks/refreshed planters, stamped square/pole banners, Main Street expansion, and assessment of bicycle lane.

Ms. Alphin reviewed FY 2017-18 potential plans including downtown expansion on West Main Street with installation of trees, benches, banners, trash cans, tree lights, brick rowlock, and to refresh downtown stripping.

Ms. Alphin stated that an art committee was established to consider the implementation of public art and to enhance alleyways. Beyond 2018, to create crosswalk, pedestrian refuge, and push button at market station, wayfinding signage, and historical street blades. Ms. Alphin stated that \$126,548 has been spent to date and \$31,500 in additional in-kind labor/materials. The City was granted \$94,000 in grant money which were applied toward the streetscape expenses.

The Mayor and City Council discussed a City Ad-hoc Downtown Art Committee.

Assistant City Manager Christina Alphin came forward and stated that in early 2016, the installation of public art and murals were items included within the 5 year goal strategies. Staff met with relevant and interested members of the community in order to formulate recommendations regarding public art implementation during FY 17-18 and beyond. The group's primary goals include designation of areas and prioritization of specific art projects for the current fiscal year while also looking into future and ongoing projects; creation of an "Art Walk" map; and to assess a signature 3D art piece/sculpture for consideration in subsequent years. The City is earmarking a small percentage of funding to go into art projects for this year and staff will bring back recommendations of the committee before final decisions are made.

Councilmember Townsend stated that they could consider asking someone from the Stanly County Arts Council to become a committee member.

The Mayor and City Council reviewed the FY 17/18 list for Minimum Housing Code Enforcement.

Planning and Development Services Director Kevin Robinson reviewed the 11 structures that have been addressed in one way or another in 16/17. The ultimate goal is to have property owners voluntarily improve their properties. Two property owners have been improved by the owners. Also, one was voluntarily removed by the owner and several property owners agreed to allow the City to burn properties they own.

FY 2016-17

- 11 houses total (10 new and 1 remaining from FY 2015016)
- One houses demolished by homeowner
- One house repaired by homeowner
- One house significant repair work underway
- Eight houses demolished or burned, 5 sites completed, 3 sites with clean-up underway/scheduled

- 2016-17 Budget - \$46,000
- Total Expenditures through 16-17 - \$32,600
- Average cost per house abated by City from 16-17 - \$5,012

Mr. Robinson stated that six houses were repaired, re-inspected, and removed from the list 5 houses have re-inspection scheduled, 4 of which are expected to still be in violation 3 houses are awaiting initial inspection and hearing

Mr. Robinson answered any questions that Council had.

Planning and Development Services Director Kevin Robinson reviewed structures the City intends to move forward with in FY 17/18.

- Proposed 14 new houses plus 1 house from last year
- 2017-18 Budget - \$48,000
- Estimate 10-11 houses will be removed in 17-18
- Will do inspection on all structures and prioritize as needed

Mr. Robinson answered any questions that Council had.

Mayor Michael thanked Mr. Robinson and his staff for the update.

Upon a motion by Councilmember Whitley, seconded by Councilmember Dry, and unanimously carried, the City Council excused Councilmember Hall so as to attend the Stanly County Commissioners meeting to speak concerning the possibility of the County merging the Department of Social Services with the Health Department.

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

(Ordinance 17-27. To amend the FY 2017-18 budget.)

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

(Ordinance 17-28. To establish a project budget for the HUD FY 2017 Capital Fund Program in the Department of Public Housing.)

The Mayor and City Council considered a golf cart ordinance to allow carts to be driven on public streets. Police Chief Bowen noted that he has researched the issue as requested by City Council at the July meeting and has developed the proposed set of rules and regulations to allow golf carts on streets within the City.

City Council discussed the possibility of requiring a driver of a golf cart if allowed, to have a NC Driver's License. They also discussed what speed limit zones a golf cart would be allowed in. Since Councilmember Hall was not present, Council decided to have further discussion on this at the Tuesday, September 5 regular session meeting.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, City Council tabled the approval of the City Attorney drafting a golf cart ordinance to research and allow further discussion at the Tuesday, September 5 regular session meeting at 7 pm.

The Mayor and City Council discussed activities on Lincoln Street. Councilmember Townsend had requested this item be on the agenda and stated that this came before Council in 2013 and there are still calls and complaints from his district concerning issues on this street. There is still loud noise, gun shots, blocked driveways with illegal operations on this street.

Councilmember Townsend stated that he wanted to bring this before City Council again and that these issues need addressing. He asked that Police Chief Bowen and staff to do more research and bring back results before Council.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, City Council appointed moving an at large member to the District 2 seat on the Parks and Recreation Advisory Board.

Julie Curtis (3 yr. term, expiring July 2020) for District 2

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

(Resolution 17-25. To support keeping J.C. Penney Store #2296 in Albemarle.)

The Mayor and City Council considered attendance at the next Stanly County COG Meeting in Badin on Tuesday, August 29th at the Badin Inn with the meal beginning at 6:30 p.m.

The Mayor and all City Councilmembers confirmed their attendance at the Stanly County COG meeting.

The Mayor and City Council considered setting a meeting date of Monday, September 11 at 6:00 p.m. to meet with Creative Economic Development and Convergent Non-Profit Solutions.

Councilmember Bramlett stated that he may not be able to attend due to family member having surgery.

The Mayor and City Council reviewed information concerning the 2017 Electronics Recycling and Document Shredding Event on September 16th. This event is one of the new items included in the contract renewal with Waste Management. In addition to electronics, this will also be a paper-shredding event. It will be held at the Niven Center on Saturday, September 16 from 8:00 - 12:00.

The Mayor and City Council were informed of the updates to the Code of Ordinances now available and to bring in their ordinance book if they have one to be updated.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council appointed Councilmember Whitley as the voting delegate for the NC League of Municipalities Annual Meeting.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council appointed Councilmember Townsend as the alternate voting for the NC League of Municipalities Annual Meeting.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, the City Council approved an agreement with NCDOT consolidating the widening of NC Hwy 24-27 project and the widening at the intersection NC Hwy 24-27 and Leonard Avenue in the amount of \$45,000. The City received grant money from Senator McInnis in the amount of \$120,000.

Councilmember Dry asked that staff send a thank-you note to Senator McInnis.

Mayor Michael mentioned several events coming up in the next couple months:

Downtown College Kickoff – Thursday, August 17 8-11 pm
Toe Jam at Agri-Civic Center – Thursday, August 17 at 7 pm
Agri-Civic Day Agri-Civic Center – Saturday, August 19 2017 9am-3pm
A Night on Ninth Street – Saturday, August 19 beginning at 7 pm
2017 Stanly County Dancing with the Stars – Saturday, September 9 at 7:30 pm
Comm-UNITY Night Out Downtown – Saturday, September 16 4-8 pm

Councilmember Dry stated that that the event held by the Stanly County Historical Society on August 4 – Friday Night Football: The Toby Webb Years was a great event.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 143-318.11 (3) (5) & (6) - For consultation with attorney, real estate, and discussion of personnel.

Upon a motion by Councilmember Bramlett, 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. 143-318.11 (3) (5) & (6) - For consultation with attorney, real estate, and discussion of personnel. And there was nothing to report at this time.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the Mayor and City Council authorized the City Manager to negotiate right of way and property issues with the NCDOT for the 24-27 road widening project.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the Mayor and City Council approved a street closing requested at and near Mt. Zion Missionary Baptist Church and to waive a \$50 application fee for a Community Give Back Event on Saturday, August 19 from 8 am until 6 pm. There will be partial street closings of Wall and Gibson Streets closest to the church.

Councilmember Hall stated that she left our regular session meeting early this evening to attend the Stanly County Commissioners meeting to speak concerning the possibility of the County merging the Department of Social Services and the Health Department.

Councilmember Hall stated that Bradley Eudy was at the meeting earlier concerning the closing of Ninth Street on August 19 for A Night on Ninth Street event, a fundraiser for The Butterfly House.

Police Chief Bowen will meet with Mr. Eudy tomorrow and there will not be a street closing for this event but the Chief will handle making sure the event is safe and that traffic is aware and slowed down during this time frame for the event.

Councilmember Hall spoke about the possibility of Albemarle creating a safe spot for internet purchase exchanges. Residents buy items online from websites as One Man's Junk and Craigslist and need a safe place to pick up their merchandise in a safe well-lit area. Signs stating "Meeting Safe Spot" location which makes it safe for the buyer and seller. Ms. Hall stated that she is willing to raise money to pay for the signs and help determine the best location for them.

Mayor Michael stated that Police Chief Bowen and staff can work out the details.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council adjourned until Tuesday, September 5 at 7:00 pm for a regular session meeting.