

REGULAR MEETING CITY COUNCIL
April 4, 2016

The City Council of the City of Albemarle met in a regular session on Monday, April 4, 2016, 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: Mayor Pro Tem Martha Sue Hall, Bill Aldridge, Chris Bramlett, Benton Dry II, 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 Townsend, seconded by Councilmember Aldridge, and unanimously carried, the minutes of the March 21 regular session and March 21 closed session minutes were approved as submitted.

The Mayor and City Council held a public hearing to consider a text amendment for the addition of permitted uses to the Institutional-Office District (I-O), 92.085C and the Hospital-Medical Center District (HMD), 92.082 and no one spoke for or against this issue.

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 Townsend, and unanimously carried, the City Council approved the following ordinance:

(Ordinance 16-09. Text Amendment for the Addition of Permitted Uses to the Institutional-Office District (I-O), 92.085C and the Hospital-Medical Center District (HMD), 92.082)

The Mayor and City Council held a public hearing to consider a text amendment for 92.024, concerning the placement and number of Recreational Vehicles and Campers on residentially property.

Ms. Susan Arellano, 1333 East Cannon Avenue, came before Council to state that on her street, there are 7-9 RV's that are (allegedly) in violation of the current City ordinance. Most of them butt up to her property or a neighbor's property line. She would like to see a limit per household, set backs required, and location of recreational vehicles only in the back or rear yard be added to the City ordinance for recreational vehicles.

Ms. Colleen Conroy, 944 North Tenth Street, came before Council to state that she appreciates the previous comments made by Ms. Arellano but she does not feel a text amendment should be made because one RV owner is extreme. Ms. Conroy also stated that she has an issue with only allowing these vehicles in the side or back yard; some people would not be able to comply with this restriction. She is okay with limiting the number of recreational vehicles per household.

Senior Planner, Nasser Rahimzadeh, with the Planning and Development Services Department came forward and answered any questions that Council had.

Councilmember Hall moved to close the public hearing. Councilmember Dry seconded the motion. Voting for the motion was Councilmembers Aldridge, Bramlett, Dry, Hall, Hughes, and Whitley. Voting against the motion was Councilmember Townsend. The motion carried.

Councilmember Bramlett moved to approve the ordinance as written. Councilmember Hall seconded the motion. Voting for the motion were Councilmembers Dry, Bramlett and Whitley. Voting against the motion were Councilmembers Aldridge, Hall, Hughes, and Townsend. The motion failed with a vote of 4-3. The motion did not carry.

Councilmember Hall moved to amend Section 92.024-RECREATIONAL VEHICLES AND CAMPERS, Section 2, B(2), B(3), and B(4) of the ordinance text amendment to state rear yard, side yard, and driveway. Councilmember Whitley seconded the motion.

Councilmember Hall moved to amend her motion to change only Section 92.024-RECREATIONAL VEHICLES AND CAMPERS, Section 2, B(2)

and B(3) and not B(4) of the ordinance text amendment to state rear yard, side yard, and driveway. Councilmember Whitley seconded the motion. Voting for the motion were Councilmembers Aldridge, Dry, Hall, Hughes, Townsend and Hughes. Councilmember Bramlett voted against the motion. The motion carried.

(Ordinance 16-10. Text Amendment for 92.024,
Recreational Vehicles and Campers)

Ms. Daisy Ponds at 433 Alfred Street came before City Council as an unannounced delegation concerning her property renovations that were completely finished through the Alfred Street Community Development Block Grant (CDBG) several years ago. She stated she has been trying to get repairs made due to what she described as poor workmanship.

Ms. Ponds gave in detail some of the items left undone in the renovations by the contractor. The City Manager stated that the contractor is now out of business and he is working with Centralina Council of Governments (CCOG) to see exactly what can be done for her property. He also stated that he was at Ms. Ponds' property around three weeks ago with Planning and Community Development Director Keith Wolf and he is waiting on photos from Ms. Ponds' son. A structural engineer has been there to analyze all the issues that need to be addressed.

Mayor Michael asked that the City Manager have CCOG turn in their report on this property by Council's 1st meeting in May and that the City Attorney may have to do legal research by the May 2 meeting of Council.

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

It was noted that the ADDC Board meeting was just today moved from April 11 to April 18 at 12 noon and the Nuclear Power Plant tour is Thursday April 7 instead of April 8.

The Mayor and City Council considered an Abandonment of Interest in the unopened East Drive Right-of-Way.

Assistant City Manager Christina Alphin noted that at the November 2, 2015 City Council meeting, Mr. Waheed Haq from Rana, LLC., presented a 50-unit senior housing complex and requested a rezoning from R-8 to I-O (Institutional/Office) of a 4-acre lot along Leonard Avenue and was approved to allow this project to move forward. Since then, Mr. Haq and his architect, Brian Starkey, have submitted a conceptual site plan for review with the Development Team. The conceptual site plan has not been formally submitted for approval so this plan is subject to change. Mr. Haq requested the City abandon its interest in the East Drive right of way to become part of the project site.

Ms. Alphin also noted the right-of-way abandonment area of East Drive runs from the back of the Office Max property all the way to Inger Street. There are no public utilities along this right of way and there exists no record it was ever formally dedicated or adopted for public purpose. After consultation with the City Attorney, it was determined that Council can abandon interest in this right of away and City Attorney David Beaver can write a letter confirming such abandonment so that Mr. Haq can proceed with his project.

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, and unanimously carried, the City Council abandoned interest in this right of away of East Drive which runs from the back of the Office Max property all the way to Inger Street. City Attorney David Beaver will be sending a letter confirming such abandonment to Waheed Haq from Rana, LLC so he can proceed with his project.

The Mayor and City Council were informed of additional vehicle purchases planned in the Police Department.

Police Chief Bowen requested moving funds that will not be expended in other line items to cover these cost. He reported \$35,000 from salaries to vehicles and moving \$7,500 from Drug Seizure money to vehicles. There is currently \$2,565 in the Motor Vehicle account.

Current Balance in Motor Vehicles \$ 2,565
Move from Salaries \$35,000
from Drug Seizure Funds \$ 7,500

New Balance in Motor Vehicles \$45,065

The City Manager stated that he has the authority to approve these types of line item changes, but wanted to get Council's concurrence before proceeding.

The Mayor and City Council considered an appointment to an expired term on the Albemarle ABC Board. The term of Mr. Jeff Flake has expired and he is eligible to be reappointed for another three-year term on the ABC Board. Store General Manager Karen Cranford has advised he is interested in continuing to serve.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council reappointed Mr. Jeff Flake to the ABC Board for another three-year term, expiring, March, 2019.

The Mayor and City Council received information that the Esther House will be moving their offices out of the former Fire Station building on North Third Street in April, 2016.

The City Manager noted that Esther House has expressed their appreciation to the City for allowing the use of the office space at such a good rental amount

The Mayor and City Council were reminded of the Catawba Nuclear Plant Tour, Thursday, April 7 and the van will be leaving City Hall by 8 a.m.

Mayor Michael asked City Attorney David Beaver about the status of his review of the revisions the County made to the City Annex agreement. Mr. Beaver stated that he will speak with the City Manager tonight and then contact Ms. Jenny Furr, attorney for Stanly County.

Mayor Michael stated that the roof may need replacing if repair work is not enough. Also, it is our intent the elevator remain a freight elevator so that wording needs to be added to the agreement.

Mayor Michael stated that Council can tour the Central School apartments now or wait until more work has been completed. It was the consensus of Council to wait until more work has been completed to tour the facility.

Mayor Michael stated that the City is still working on a final cost for the Central School auditorium.

Upon questioning by Mayor Michael, the City Council decided to wait on touring the US Hwy 52 Water Treatment Plant until more work has been completed.

Councilmember Hughes thanked the Public Works Department on the Hazardous Waste Event at the Agri-Civic Center this past Saturday.

Councilmember Hall stated that the Mayor, Councilmembers Bramlett and Hughes and she attended a regional meeting of The Uwharrie Pee Dee Lake Regional Tourism Development last week at Fork Farms in Norwood. Nine county leaders attended and reviewed the results of a regional tourism study concerning the nine Uwharrie and Pee Dee counties.

Councilmember Hall stated that she went by the control burn located on Long Street that the Fire Department performed this past week. This is amazing to watch.

Councilmember Dry stated that in one hour and six minutes UNC-Chapel Hill will be televised for the final game of the NCAA Basketball Tournament. Go Heels!!

Councilmember Whitley asked about the list of houses for demolition that the Planning and Community Development Department is working on for 2016-17. The City Manager stated that the department is finalizing the information and will come before Council in the next couple of meetings with the recommendations.

Mr. Don Rummage, 44095 Morrow Mountain Road, came before Council concerning the voluntary annexation by the City of a property on Morrow Mountain Road owned by GHA Autism Supports. Mr. Rummage has issues with this saying the City zoning on this property will be different than his County zoning and he does not feel this is fair.

Upon discussion Mayor Michael stated that this property will house elderly individuals with autism issues. The property will be reviewed by the Planning Board concerning zoning and then come before Council for zoning approval. This property will be posted and notice will be given before this occurs, probably some time in May, 2016.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 143-318.11(a)(4) Economic Development.

Upon a motion by Councilmember Hughes, 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 NCGS 143-318.11(a) (4) Economic Development and there was nothing to report at this time.

Mayor Michael stated that recently he spoke with Representative Justin Burr concerning the widening to four lanes of Hwy 24/27 from the Albemarle City limits to the Garrison Bridge at the Stanly County line and it is on schedule. And they will not tear down the old Garrison Bridge but resurface and use it.

Mayor Michael stated that Council needs to discuss the Ball Field Complex (RFQ) Request for Qualifications that were distributed to various engineering firms. The committee received four back for consideration and have narrowed it down to one choice.

We need to decide if we want to discuss this during a regular session meeting or have a special meeting with recommendations from the committee. The proposals can be left for pick up at City Hall by Parks and Recreation Director

Toby Thorpe or emailed and then reviewed by Council. Once everyone has reviewed the RFQ's, we can have a meeting to discuss these with the committee.

After further discussion, Council confirmed they will meet on Monday, April 25 at City Hall at 7 pm to discuss the RFQ proposals.

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