

REGULAR MEETING CITY COUNCIL
February 1, 2016

The City Council of the City of Albemarle met in a regular session on Monday, February 1, 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 Pro Tem Hall called the meeting to order. She stated that Mayor Michael will preside over the meeting after the public hearing this evening due to it being a conflict of interest for him.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council excused Mayor Michael from voting on the following request to annex GHA Autism Supports property on Morrow Mountain Road due to it being a conflict of interest.

Mayor Pro Tem Hall gave the invocation.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the minutes of the January 19 regular session was approved as submitted and January 21 adjourned session was approved as amended.

The Mayor and City Council held a public hearing to consider a voluntary annexation for property on Morrow Mountain Road for GHA Supports.

Mr. Jim Thompson, 43319 Morrow Mountain Road, came before Council stating that he lives across the road from this property. Some of his questions or objections are concerning what development might take place on this

property which could cause increased traffic on Morrow Mountain Road. He stated that the property is currently zoned Residential by the County.

The City Manager explained the difference in a voluntary and involuntary annexation so there would be no mistake in the public thinking that the City initiated this annexation involuntarily and the different procedures required for each.

Ms. Dawn Allen, CEO of GHA Autism Supports, came before Council and stated that GHA does not have final plans for this property at this time. It may be developed like GHA's Carolina Farms which would be for aging adults with autism needs. She stated that anyone that has questions should feel free to contact or come by the Carolina Farms property and see the operation.

Mr. Steve Cline, 43280 Morrow Mountain Road, came before Council and stated that his property is right beside of this property being considered for annexation. He said that Morrow Mountain Road is the gateway to Morrow Mountain and he is concerned of whether they would use Tom Road or Morrow Mountain Road as the entrance to this property when developed.

Mr. Andrew Misenheimer, 44070 Morrow Mountain Road, came before Council and stated that he is against making a decision on this annexation currently due to not having an understanding of the benefits to either the City or GHA Supports.

The City Manager stated that this is a 501 (c) (3) non profit organization and the City would not collect property taxes. Some of this property is already in the City limits and the City could supply water, sewer, and possibly electric in the future. It would allow for an increase in population which in some instances would allow an increase in monies received by the City that are based on population.

Mr. Jim Thompson, 43319 Morrow Mountain Road, requested a 600 foot right of way to protect Morrow Mountain Road as the current county zoning has residential zoning along the road extending some distance onto the adjoined properties and runs a consistent footage off of the centerline of the road. He requested the City respect the 600 foot ROW already established.

Ms. Vanessa Mullinex, 44588 Morrow Mountain Road, came before Council and stated that Morrow Mountain State Park is one of the best assets that Stanly County has and asked that we respect and protect Morrow Mountain Road. She said she would not want City limit signs within 600 feet of the right of way on either side of the road.

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

Councilmember Townsend stated that he would like to delay the motion and learn more about this property and maybe City Council could take time to visit the property site with a GHA representative. Councilmember Dry stated that he supports this annexation but agreed with Councilmember Townsend.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the City Council approved postponing action on this annexation until the February 15, 2016 regular session meeting to give everyone a chance to visit the GHA proposed annexation site or speak with someone and have their questions answered concerning the annexation.

Mayor Michael came back into the meeting at this time.

Mr. Billy Mills, 401 Brenda Drive, came before Council as an unannounced delegate concerning a Stanly County School Boards proposal which would close Albemarle High School. He stated that he is an educator and coach in the Rowan Salisbury School System and lives in Albemarle where his kids go to school. He mentioned that ROTC would like to add Albemarle High School into their program. He asked Council to support Albemarle High School and speak out requesting it not be closed.

Mayor Michael thanked Mr. Mills for his comments and passion for Albemarle High School. He also said that Mr. Mills may want to go before the County Commissioner who the school board will be asking for money.

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 approval of a subdivision for Jeff Jerry Garris, Tax Record 37894. It was noted that on January 26, 2016 the

Planning Board approved a request of Jeff Jerry Garris for a one-lot subdivision at 1908 Mountain Creek Road. The majority of the subdivision is located in the County (Tax Record 37893) and the portion fronting Mountain Creek Road is in the City (Tax Record 37894).

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved a subdivision for Jeff Jerry Garris, Tax Record 37894 at 1908 Mountain Creek Road.

The Mayor and City Council considered approval of a subdivision for Wade Ray Surratt, Jr. Tax Record 31429. It was noted that on January 26, 2016 Planning Board approved a request of Wade Ray Surratt, Jr. for a one-lot subdivision at 504 Poplins Grove Church Road across from Parkwest Subdivision. A commercial building is located on the lot to be subdivided, which is zoned HID/Heavy Industrial District.

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, and unanimously carried, the City Council approved a subdivision for Wade Ray Surratt, Jr. Tax Record 31429 at 504 Poplins Grove Church Road.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council excused Councilmember Hughes from voting on the following request for proposal by Uwharrie Bank due to it being a conflict of interest.

The Mayor and City Council considered financing bids for equipment purchased in the Public Works Department. It was noted that the City of Albemarle sent Request for Proposals to 12 lending institutions for the financing of equipment in the Public Works Department totaling \$430,000 with a low bid of 1.584% interest over 59 months from Uwharrie Bank. Finance Director Colleen Conroy recommends authorizing the City to enter into a loan agreement with Uwharrie Bank on this loan for the Public Works equipment. The financing bid is for the purchase of equipment approved in the FY 2015/2016 Budget which includes a dump truck/attachments, mowing tractor/accessories, asphalt recycler, and asphalt pro patch truck.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved a

financing bid tabulation for the Public Works Department totaling \$430,000 with a low bid of 1.584% interest over 59 months from Uwharrie Bank to purchase dump truck/attachments, mowing tractor/accessories, asphalt recycler, and asphalt patch truck.

(Bid Tabulation)

(Resolution 16-05. To finance Public Works project at 1.584% by low bidder, Uwharrie Bank.)

Councilmember Hughes came back into the meeting at this time.

The Mayor and City Council considered a bid for the purchase of electric transformers that were declared as surplus. The surplus sale of the electric transformers will yield approximately \$3,000 to \$4,000 subject to final surplus inventory and size determination and the amount will be applied as an account credit for the future purchase of electric transformers. The Public Utilities Department received bids on January 20, 2016 and there was only one (1) bid received. Solomon Corporation submitted a bid to purchase the surplus transformers at a unit price of \$2.00 per kVa for transformers without taps and \$2.25 per kVa for transformers with taps.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved accepting the surplus electric transformer purchase bid of \$2.00 per kVa for transformers without taps and \$2.25 per kVa for transformers with taps as submitted by the Solomon Corporation, the only bidder.

The Mayor and City Council reviewed the demolition update by James Luster with the Central Council of Government on cases in progress for FY 2015-2016. Planning and Community Development Director Keith Wolf came before Council and reviewed Mr. Luster's current status report of seven properties as follows:

- 1) 141 Arey Avenue – Occupied and in need of repair with deadline for completing repairs by February 26, 2016. Mr. Waddell Wylie living there plans to meet with an attorney to clarify title issues.

Once title is transferred, the family plans to obtain a loan or grant to repair the property.

2) 410 Moose Street – Voluntarily burned by the Albemarle Fire Department.

3) 724 Long Street – Vacant and has been ordered to demolish the structure by February 26, 2016. If asbestos issues are addressed and other preliminary items are handled, Fire Department could move ahead with the burning activities.

4) 421 Peachtree Street – Vacant but does not qualify as a voluntary burning candidate. Certified mail was returned undeliverable based on title search of Polly C. Lee and Jim David Lee. Suntrust holds interest in this property and Mr. Tim McAuley received and signed the certified mail green cards. Mr. Wolf recommends advertising the notices.

5) 124 Cleveland Avenue – Vacant and not a potential voluntary burning candidate with a compliance date of February 26, 2016. Mr. Wolf will continue Code Enforcement procedures.

6) 615 S. Fourth Street – Occupied with a deadline for compliance was January 30, 2016. Amanda Carver, daughter of one of the heirs, is living at the property without power or water. Mr. Wolf met with Mr. David Carver and he does not want responsibility of repairing the home and he is only one of several heirs and cannot legally take action. Mr. David Carver wants the property demolished or simply to give the house to the City of Albemarle. Mr. Carver will keep Mr. Wolf informed.

7) 1518 US Hwy. 52 North – Vacant and vandalized property and compliance deadline was January 30, 2016. The owner has agreed to demolish the structure and has obtained a Coordination Form from the City to initiate the demolition process. Mr. Wolf will continue to monitor this case to ensure compliance.

Mr. Wolf answered any questions that Council had.

It was the consensus of City Council that Mr. Luster and Mr. Wolf move forward with as many properties as possible by the February 26, 2016 deadline. Council requested an update on the properties with the action date of January 31 also.

The Mayor and City Council received an update on sidewalk projects for US Hwy 52 S Business and Leonard Ave which are both progressing but are at different stages of the process.

Public Works Director Nina Underwood stated that US Hwy 52 S Business construction is progressing well. Demolition, excavation and sidewalk installation currently has been/or is being completed along the west side from Old Aquadale Rd south to Rock Creek Park and on the east side from Carpenter Ave south towards the Hwy 24/27 off-ramp. All construction activities are inspected and approved by NCDOT inspector. General communication between the contractor and affected stakeholders along the corridor appears to be positive and well received. Completion date is expected by April 1, 2016.

Ms. Underwood also stated that the advertisement for construction bids begins February 1, 2016 on the Leonard Avenue sidewalk project. Bid(s) are to be opened on February 22, 2016 and are scheduled to be presented to Council at the March 7th meeting. With Council's approval on the bid award, Ms. Underwood will then submit a letter for the Request for Concurrence on the award of contract to NCDOT for their approval.

Ms. Underwood answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the following Ordinance was duly adopted:

(Ordinance 16-06 - To move overtime from Electric Operations to Electric Administration for after hours cut-ons.)

The Mayor and City Council reviewed the refund policy for the Parks and Recreation activity fees. At its January 11 meeting, the Albemarle Parks and Recreation Advisory Board voted unanimously to recommend that City Council adopt requested refund policy.

Parks and Recreation Director Toby Thorpe stated that following the FY 2015 City audit, questions were raised as to the number and amount of refunds being granted by the Parks and Recreation Department. In the absence of a refund

policy specific to the department, nearly any person cancelling out of a program or reservation was being granted a full refund. Staff researched policies and procedures from other parks and recreation departments, and submitted a recommendation to the Albemarle Parks and Recreation Advisory Board. The Advisory Board reviewed and made some edits to the draft, and submits this recommendation to Council for adoption. Mr. Thorpe answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the recommended policy refund policy changes for the Parks and Recreation Activity Fees recommended by the Parks and Recreation Advisory Board.

The Mayor and City Council reviewed recommendations for a reservation fee increase at the EE Waddell and Niven Centers. Parks and Recreation Director Toby Thorpe stated that on January 11, the Albemarle Parks and Recreation Advisory Board voted unanimously to recommend a \$50 increase in the base rental fee for the Waddell Center banquet room and Niven Center Large Community Room. City Council received a copy of the proposed changes to the COA Facility Rental Policy. Waddell Center Program Supervisor Billy McRae appeared before the P&R Advisory Board to express concerns that the current fee does not sufficiently offset costs incurred from wear and tear, cleaning, and damage to the EEWC banquet room.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved a \$50 increase in the base rental fee for the EE Waddell Center banquet room and Niven Center's large community room recommended by the Parks and Recreation Advisory Board.

Councilmember Townsend asked Mr. Thorpe if the new fees would be in effect as of July 1, 2016. The Mayor stated that they would be in effect as of today if Council approves this. Mr. Townsend asked if the existing fees are grandfathered in for people that have already reserved space at the EE Waddell Community Center or the Niven Center.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved that existing reservation fees for currently booked applicants at the EE Waddell Community Center or the Niven Center be grandfathered in and fees from this day

forward reflect the \$50 increase in the base rental fee to new applicants for the Waddell Center and the Niven Center.

The Mayor and City Council considered a street closing request for the 2016 AP&R Mini Medley Relay Race on Saturday, March 19 for this event at Central Elementary School beginning at 8:30 am until 12 noon.

- Third Street from North Street to East Cannon Avenue
- Fourth Street from North Street to East Cannon Avenue
- East Cannon Avenue between Third and Fourth Streets
- North Street between Third and Fourth Streets
- Montgomery Avenue between Second and Fifth Streets

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a street closing for 2016 AP&R Mini Medley Relay Race on Saturday, March 19 at Central Elementary School beginning at 8:30 am until 12 noon.

The Mayor and City Council reviewed information concerning the City receiving a Rotary Foundation Grant for Improvements at the EE Waddell Center field and track in the amount of \$10,000 to the Albemarle Rotary Club.

Parks and Recreation Director Toby Thorpe introduced Mr. Tim McAuley, Branch Manager with SunTrust Bank and an Albemarle Rotary Club member, and Ms. Elsa Mata, Vice President - Portfolio Manager with Uwharrie Bank. It was noted that the Albemarle club will match this grant dollar-for-dollar for a total of \$20,000. Also, stated the funds will be used to make improvements at the EE Waddell Center athletic field and walking track. It was further noted that improvements include paving of the track, landscaping, installation of a baseball/softball backstop and bleachers at the field, and installation of an outdoor drinking fountain and a commemorative plaque at the track. The City of Albemarle forces and Rotary Club volunteers will handle the installation and the project must be completed by May 31, 2016.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council accepted a Rotary Foundation Grant for Improvements at the EE Waddell Center field and track in the

amount of \$10,000 with the Albemarle Rotary Club matching this grant dollar-for-dollar for a total of \$20,000.

The Mayor and City Council reviewed information concerning a vacancy on the Parks and Recreation Advisory Board. Parks and Recreation Advisory Board member Katie Peckham has resigned because she is relocating to Montgomery County. She is the Council District 3 representative, and her term expires June 30, 2017. Parks and Recreation Director Toby Thorpe stated that according to the ordinance, City Council will need to appoint a representative who resides in Council District 3 to complete the remainder of the term.

Mayor Michael stated that we will wait until we make all appointments in May/June to fill this position for District 3 on the Parks and Recreation Advisory Board. He requested that this be published in the bill stuffer and Facebook for new board members. The City Manager stated that this will be in the February bill stuffer and placed on the City's Facebook page.

The Mayor and City Council considered attendance at the NLC Congressional Cities Conference on March 5-9 in Washington, DC.

No Councilmember confirmed their attendance at this time.

The Mayor and City Council received information that the Albemarle ABC Board has made an After Profit Distribution to the City of \$25,000.

The Mayor asked that the City Manager send a thank-you letter to John McIntyre, Chairman of the ABC Board and other board members, and Office Manager Karen Cranford.

Assistant City Manager Christina Alphin came before Council to give an update on the Stanly County 175th Anniversary events with the next one on Monday, February 29 at 6:30 pm at the Central United Methodist Church (CUMC). The City of Albemarle is hosting this event and instead of having

vendors complete a vendor packet from City Finance, that the City just make a donation to the Stanly County Historical Society of up to \$500 for miscellaneous fees incurred. She stated that there will be a grandfather age figure there storytelling about life in the late 19th century.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the City of Albemarle donating up to \$500 to the Stanly County Historical Society instead of vendor packets for each vendor for the City Finance Department concerning the Stanly County 175th Anniversary event on Monday, February 29.

Councilmember Townsend wished Carolina Panthers Good Luck in the Super Bowl on Sunday, February 7, 2016.

Councilmember Hughes asked for an update on progress updating the City web page. The City Manager stated that staff can give an update at the February 15 regular session meeting.

Mayor Michael thanked all departments in their help during the recent snow/ice storm on Friday, January 22, 2016.

Councilmember Hall stated that on Saturday, January 30, the City's on call Public Utilities employees did a great job that she witnessed first hand.

Councilmember Hall stated that Assistant City Manger Christina Alphin has placed the press release for the Streetscape draft on the City website and she hopes everyone will view this and also take the survey.

Councilmember Hall stated that everyone can go to the City website and view the Downtown Streetscape Master Plan Draft the view the press release and also take the survey.

Councilmember Hall stated that North Carolina League of Municipalities (NCLM) is sponsoring a "Hometown Showdown" which any City

can enter the contest by supplying a photo of something your town is proud of by February 18. They will then select the top 32 applicants by email by February 24. The winner will be announced April 8.

Councilmember Dry asked about an update on the Central School apartments. Mayor Michael stated that there was a meeting last week concerning the audio/visual for the auditorium there and we are waiting on a proposal and price.

Councilmember Bramlett stated that yesterday around 2 pm there was word that a door was open at the Mark's House and he commended Officer Jeremy Clark with the Police Department for all his help.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the meeting was adjourned to Tuesday, February 9 at 6:00 pm for a Budget Work Session in the Executive Conference Room at City Hall.