

REGULAR MEETING CITY COUNCIL  
May 2, 2016

The City Council of the City of Albemarle met in a regular session on Monday, May 2, 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.

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Mayor Michael called the meeting to order.

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Mayor Michael gave the invocation.

Mayor Michael stated that the National Day of Prayer observance will be held this Thursday, May 5, 2016 at 12 noon downtown at Courthouse Square Park.

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Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, and unanimously carried, the minutes of the April 18 regular session, April 18 closed session, and April 20 adjourned session minutes were approved as submitted.

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The Mayor and City Council held a public hearing to consider condemnation and demolition orders on 124 Cleveland Avenue and no one spoke for or against this issue. It was noted that on August 12, 2015, Council approved orders to proceed with violation of minimum housing code on 124 Cleveland Avenue. City Staff is ready to proceed with demolition orders on this structure. Asbestos assessors are ready to assess the property; demolition bids have simultaneously been sent out while we await asbestos abatement which should be completed by June 1st. Demolition bids are due back on May 6th.

Mr. James Luster with Centralina Council of Governments (COG) came before Council and stated that notice of complaint and hearing were sent out to the property owners on February 29, 2016. Findings of fact were

subsequently sent certified mail to owners on March 17, 2016 which granted one month to comply. The ordinance to demolish 124 Cleveland Avenue is ready for Council approval.

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

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

(Ordinance 16-14. To condemn and authorize demolishing the dilapidated structure at 124 Cleveland Avenue.)

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The Mayor and City Council held a public hearing to consider condemnation and demolition orders on 141 Arey Avenue. It was noted that on August 12, 2015, Council approved orders to proceed with violation of minimum housing code on 141 Arey Avenue.

Mr. James Luster with Centralina Council of Governments (COG) came before Council and stated that notice of complaint and hearing were sent out to the property owners on February 29, 2016. Findings of fact were subsequently sent certified mail to owners on March 17, 2016 which granted one month to comply and the structure is uninhabitable.

The legal owner listed as "Bruce Wylie" has made contact with Mr. Luster regarding legal issues encountered in getting the property changed over to "Waddell Wylie" (relative of current legal owner) in effort to apply for a USDA assistance grant to rehab the structure.

Mr. Waddell Wylie came before Council and stated that he is living in the structure awaiting response back regarding a USDA grant. Waddell Wylie had expressed concern to Mr. Luster over the proposed demolition as he is actively seeking repair for the structure; Mr. Luster was advised on April 25th that staff is proceeding with this case as intended and Waddell Wylie was encouraged to attend the public hearing and bring any documentation with him regarding his attempts to bring the structure back up to code.

Asbestos assessors are ready to assess the property; demolition bids have simultaneously been sent out while we await asbestos abatement which should be completed by June 1st. Demolition bids are due back on May 6th.

Mr. Waddell Wylie and Mr. Luster answered any questions that Council had.

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 Hall, and unanimously carried, City Council approved to hold over consideration of Ordinance 16-15 to condemn and demolish 141 Avery Avenue to the July 18 meeting to allow more time for Mr. Wylie to show progress on structure repairs or progress on his application seeking USDA funding to repair the structure.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, the following Ordinance was duly adopted:

(Ordinance 16-17. To vacate and close property at 141 Arey Avenue by July 19 described as unfit for human habitation and directing that a notice be placed at the property and not be occupied until repaired.)

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Mr. Chad Atwater came before City Council to request a street closing for a 4th of July Parade, neighborhood gathering, and fundraiser to be held Saturday, July 2 from 9:30-1:30 pm. This will be at the Azalea Park area of Forest Hills and request closing Azalea Drive, Park Lane, and portions of McGill, 7th, 8th, and East Cannon Ave. Council reviewed a map of the street closing route.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved a street closing for a 4th of July Parade, neighborhood gathering, and fundraiser to be held Saturday, July 2 from 9:30-1:30 pm.

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Mr. Michael Osborne and Mr. Tab Bullard with Zimmerman Properties came before Council to discuss a proposed 80-unit apartment complex

on Leonard Avenue. The City was recently contacted by representatives of Zimmerman Properties requesting verification of water and sewer service for this property. The property in question is the lot immediately behind Walmart on Leonard Avenue and is the first lot outside the City limits.

Upon questioning, Mr. Osborne requested verification of electric, water and sewer service for this property and to allow a four lane right of way tapered to a two lane road at this property. He stated that they are willing to comply with whatever Council requirements will be.

The Mayor stated they would have to consider a four lane road and tie onto existing sewer with Zimmerman Properties putting in the lift station. Mr. Osborne agreed to a four lane road and to create a lift station if necessary and privately maintain it but requested a two lane with a pro rata share with the City to make this into a four lane road.

The Mayor stated that with the traffic issues the City is currently experiencing on Leonard Avenue, the amount of money we are anticipating spending to address traffic, and the continued growth in this area, City Council may want to reconsider this. The Mayor asked each Councilmember what they would prefer concerning requiring a two or four lane road and it was unanimous by Council to require a four lane road at this 80 unit apartment complex on Leonard Avenue.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, and unanimously carried, the City Council approved an Intention to Annex, that the road meet City standards by extending across the width of the property in a four lane configuration, that all other City development standards be met, and the City supply electric, water and sewer service for the construction of an 80unit apartment complex on Leonard Avenue.

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Mr. Bill Webb, Joyce Bott, & Candler Bumgarner, NFP Employee Benefits came before City Council to present Health Insurance Options for the City for FY 2016-17.

Mr. Webb came forward and stated that over the last seven years our annual increase has averaged 3.5%. He also stated that they had solicited proposals for coverage from providers for the upcoming fiscal year. Two proposals have been submitted, with several companies declining to submit, including recent re-confirmation from the NCLM that they are declining to bid as their rates would not be

competitive. To keep our existing plan level, the best rate we have been able to secure would result in a 32% increase in premiums.

Mr. Webb also discussed an option to keep the City's existing provider and make adjustments to the co-pays and deductibles, which would result in a 27% increase.

Ms. Joyce Bott with NFP came forward and gave a presentation concerning the benefits and disadvantages of remaining fully insured or moving to a self-insure situation. Self-Funding eliminates the carrier profit margins with an opportunity to save dollars in a good claims year. She explained that stop-loss insurance provides protection against catastrophic or unpredictable losses. It is purchased by employers who have decided to self-fund their employee benefit health plans, but do not want to assume 100% of the liability for losses arising from the plans. If the maximum is not spent, that money comes back to the City and can be used to fund the plan in future years.

The City Manager noted that moving to a self-insured environment is an option. If we move to self-insured we will still be able to utilize the current BCBS network. We will also have more information on the specifics of our claims so that we can have targeted preventative health insurance programs and offers. Cost is also an advantage with self-insurance.

Ms. Bott and Mr. Bill Webb answered any questions that Council had. Mr. Webb stated that they will be finalizing their recommendation to the City in the next week to 10 days.

The Mayor thanked Mr. Bill Webb, Ms. Joyce Bott, and Mr. Candler Bumgarner with NFP for being here and Council will be reviewing all health insurance options before making any decision. Mr. Webb noted they may have additional options for the City to consider and will be meeting with the City Manager and other staff shortly to discuss these.

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

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The Mayor and City Council considered setting a public hearing to consider zoning for property along Morrow Mountain Road. On February 15, 2016, City Council approved Ordinance 16-05 to voluntarily annex 38.74 acres along Morrow Mountain Road as requested by owner, GHA Autism Supports. The property is currently undeveloped and the portion annexed has not yet been assigned a City zoning classification. A portion of an adjacent property was already in the City limits and has recently been recombined into one parcel making the total parcel acreage 50.484 acres.

On April 27, 2016, the Planning Board met and recommended approval of the request for initial zoning classification of I/O (Institutional/Office) to the newly annexed area and rezoning to I/O (Institutional/Office) for the property that was already inside the City limits by a 6:0 vote (with one member absent). Staff is requesting to set public hearing date of June 6, 2016 at 7:00 p.m. to assign zoning classification of this parcel.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved setting a public hearing to consider zoning for property along Morrow Mountain Road for Monday, June 6 at 7 pm.

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The Mayor and City Council considered setting public hearing for June 6, 2016 at 7:00 p.m. to consider right-of-way abandonment request from Main Street United Methodist Church. On April 18th, staff received a request to abandon a section of unopened alleyway that runs parallel to West Main Street from Concord Road to Church Street. The City does have utilities along the alleyway and will be reserved by easements and rights of access if abandoned.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved setting public hearing for June 6, 2016 at 7:00 p.m. to consider right-of-way Abandonment request from Main Street United Methodist Church.

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The Mayor and Council received a presentation of the proposed Fiscal Year 16/17 Budget by City Manager Michael Ferris.

Mr. Ferris stated that he is pleased to report that the City will once again be able to discharge all of its financial obligations in the current fiscal year.

The proposal submitted for consideration reflects an overall .58% decrease from the current Fiscal Year Adjusted Budget Authority. Our estimated property valuation at \$1,011,000,000 is up from the previous year's estimate of \$992,000,000. Fiscal Year 16-17 anticipates a share of the revenue from the State's expanded sales tax application estimated at approximately \$150,000 and these funds are to be utilized for economic development purposes.

Mr. Ferris also stated that one of the most challenging issues in preparing the proposed budget is the estimated 32% increase to keep the same level of health insurance coverage for City employees and retirees. He stated that in the current fiscal year there have been many accomplishments, some mentioned were acquisition of 800 MHz radios in the Fire Department, construction of new picnic shelter at Rock Creek Park, an award of PARTF Grant for improvements and enhancements at Chuck Morehead Park, selecting a firm for the design and specifications for a new athletic complex, acquisition of five new vehicles in the Police Department, completion of both the branding and downtown Streetscape Plans, construction of sidewalks along US Hwy 52 Business and Leonard Avenue, partnership in the construction and renovations for the former Central School property for affordable senior housing and demolition and removal of four dilapidated residential structures.

Mr. Ferris stated the presented budget allows the City to carry out its obligation in the General Fund with no proposed property tax increase, with the ad valorem tax remaining at \$.59 per \$100 of assessed valuation. Also, no proposed increase in motor vehicle registration fee, planning and zoning fees, fire inspection fees, plan review fees, no increase in the monthly solid waste collection fee or solid waste disposal fee, no tipping fee increase for municipal solid waste or construction and demolition disposal, no increase in the \$1.00 per ton fee for the funding of closure and post-closure costs. We have increased appropriations for closure and post-closure costs in the proposal to \$150,000 and the solid waste disposal budget proposed the construction for a new landfill office and employee facility.

The proposed General Fund Budget totals \$14,794,325 which represents a 4.79% increase from the 15-16 Fiscal Year Adjusted Budget. The Powell bill is proposed at \$616,000 which is 23.13% decrease from the current Fiscal Year Adjusted Budget, the water and sewer budget is proposed at \$10,098,250 and is greater than the current Fiscal Year Adjusted Budget, the electric budget is proposed at \$34,496,175 and represents a 2.78% decrease from the current Fiscal Year Adjusted Budget with no change in the customer electric rates for the 16-17 fiscal year. The overall budget proposal does include a 1% cost of living adjustment for all employees effective July and a proposed 1.5% increase

in July for all current employees in lieu of merit pay while methods are evaluated for compensation.

Copies of the proposed budget are being made available to the news media, and public inspection will be made available at the City Hall and at the Albemarle Branch of the Stanly County Public Library and the City's website.

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The Mayor and City Council considered approval of a demolition list of residential properties for FY 2016-17. On April 8, 2016, staff compiled the demolition list for FY 2016-17 and subsequently the Fire Department proceeded with assessment of structures before bringing the list to Council for consideration in effort to streamline the process and be more aggressive in addressing blight. The Fire Department advises it is able to burn all of the identified structures on our list of primaries and alternates; therefore staff is requesting to move forward on the adoption of the following demolition list for FY 16-17:

- 507 & 509 Corbin Street
- 316 & 318 Sides Street (Possible Higher Asbestos Cost)
- 421 Peachtree Street (Possible Higher Asbestos Cost)
- 1730 Blanche Avenue
- 1404 Pennington Road
- 1602 West Main Street (Alternate)
- 806 Summit Avenue (Alternate)
- 532 & 534 Colston Street (Alternates)

Assistant City Manager Christina Alphin stated that we will be modifying the compliance deadline to 30 days (instead of the 90 days); therefore the actual demolition ordinances should be back to Council by the end of the calendar year. Staff will seek voluntary compliance on the front end of this schedule with expectations of all the legal paperwork being completed by winter and burns being conducted before March, 2017.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the following demolition list for FY 16-17:

- 507 & 509 Corbin Street
- 316 & 318 Sides Street (Possible Higher Asbestos Cost)
- 421 Peachtree Street (Possible Higher Asbestos Cost)
- 1730 Blanche Avenue
- 1404 Pennington Road



- 1602 West Main Street (Alternate)
- 806 Summit Avenue (Alternate)
- 532 & 534 Colston Street (Alternates)

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The Mayor and City Council considered a Request for Qualifications (RFQ) received for Audit Services. Finance Director Colleen Conroy stated that the auditor the City has used for the last several years has indicated that due to the complexity of our operations and the workload, he is no longer interested in performing these services. The City sent out an RFQ for audit services to 12 firms that perform municipal audits and received three responses. One of the firms from Whiteville has no Public Housing HUD experience, and one firm from Wilmington said they had experience but listed nothing as reference. Potter and Company from Concord has great experience and wonderful references. They have done both municipal and HUD audits and reporting. We respectfully request that Council appoint Potter and Company Certified Public Accountants as our audit firm for the next three years.

- 2016 \$41,000
- 2017 \$42,200 (estimate)
- 2018 \$43,500 (estimate)

Their references include City of Concord, Union County, Town of Mooresville, City of Statesville, and City of Monroe. They have also previously performed audit work for City of Concord.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved Potter and Company Certified Public Accountants as the City's audit firm for the next three years.

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The Mayor and City Council considered a request from the Fire Department to redirect funds for Technology Improvements. The funds remaining in the Fire Dept's current budget originally was intended to serve as a grant match for the 800 MHz radios. The acquisition of the software proposed will address a purchase that would have been proposed in the 2016/17 budget. It will also provide the department with the modern tools available today to improve safety and performance.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved the redirection of funds for the Fire Department Technology Improvements.

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The Mayor and City Council considered a request from Piedmont Natural Gas for a gas main extension on Lennox Street and Leonard Avenue. The proposal would extend gas service 345-feet eastwardly on Lennox Street to Leonard Avenue, and then southward 775-feet on Leonard Avenue.

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved a request from Piedmont Natural Gas for a Gas Main Extension on Lennox Street and Leonard Avenue.

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The Mayor and City Council considered a request for a street closure for the Law Enforcement Memorial Service on May 19, 2016 at 5:30 p.m. at Courthouse Square Park. This is a request to close the street during this event.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a street closure on 2<sup>nd</sup> Street from Main Street to City Hall, for the Law Enforcement Memorial Service on May 19, 2016 at 5:30pm at Courthouse Square Park.

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The Mayor and City Council considered upcoming vacancies on City Boards & Commissions. There are several boards and commission members with terms expiring in July. Council reviewed a listing of those boards with members having expiring terms. The City Manager noted that the City has two boards, Planning Board and Board of Adjustment with terms limits. Research indicates that the members on these two boards with expiring terms are all eligible for reappointment. No other boards and committees have term limits.

Council also reviewed one volunteer application submitted. The City Manager noted that the opportunity to volunteer is on the City webpage, frequently posted on Facebook and publicized in the local media.

Upon discussion, it was the consensus of City Council to have the Planning and Development Services Director Kevin Robinson to look into the need to continue or combine the Albemarle Community Appearance Commission with another board and bring back recommendations to Council.

Councilmember Hall stated that she would like to review the attendance records of the members up for reappointment.

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The Mayor and City Council were reminded that the Annual Employee Cookout will be held on Thursday, May 12 at City Lake Park from 11:00-1:00. The rain location is the Niven Center. The City of Albemarle Management Team puts on this event as a show of appreciation to the employees.

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Assistant City Manager Christina Alphin gave a report on the C3: Clean Communities Campaign that was held this past Saturday, April 30 at the EE Waddell Community Center. She said there were 60 participants and they gathered 150 bags of trash which equals 2 tons worth. They also heard a motivational speech from a 15 year old high school student from another City. Also, the City's adopt a street campaign is back in force.

Ms. Alphin stated that there will be a C3: Clean Communities Campaign Phase 2, which will consist of a competition based community cleanliness initiative that will take place in the school in 16-17 school year.

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Mayor Michael asked Council if they would like to do a walk through of Old Central School. It was the consensus of Council to do a walk through on Monday, May 16, 2016 at 6 pm before there regular meeting at 7 pm.

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Councilmember Townsend congratulated Fire Chief Oke on attending the Fire Department Instructor's Conference (FDIC) in Indianapolis, IN April 18-23 and an article published about a national fire safety initiative he is involved with.

Councilmember Townsend also thanked everyone who participated in the C3: Clean Communities Campaign and that it was a great success.

Councilmember Townsend announced that the NY Jets drafted NC State cornerback Justen Burris, whose grandparents live in Albemarle, in the 4th round.

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Councilmember Hughes thanked the Mayor and the ADDC who along with her planted flowers at Courthouse Square on Saturday.

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Councilmember Hall stated that the flowers planted at Courthouse Square Park look great.

Councilmember Hall invited everyone to attend God Spell at the Uwharrie Community Church at 1510 Moss Springs road this Friday 7pm, Saturday 2pm and 7 pm, and Sunday at 2 pm. This event is free but they are asking for donations.

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Councilmember Whitley thanked everyone for all their participation in the C3: Clean Communities Campaign this past Saturday. This event was well organized.

Councilmember Whitley also welcomed the new Planning and Development Services Director Kevin Robinson.

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Councilmember Bramlett stated that his 2 grandsons are here in the audience tonight from Georgia. The 10 year old participated Saturday, April 30 for the Friends of the Library event. Councilmember Bramlett's son, Lewis Bramlett conducted the program at the library and then a tour of the old opera house.

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The new Planning and Development Services new Director, Kevin Robinson came forward for an introduction. He has been here with the City around two weeks.

The City Manager stated that he came from New Bern, NC and received is undergraduate degree from the University of SC and his graduate degree from UNC-Charlotte.

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Mayor Michael asked for Fire Chief Oke to come forward and explain the fire departments trip to Indianapolis, Indiana.

Chief Oke stated that the Fire Department Instructor's Conference (FDIC) was held in Indiana April 18-23. In addition to his attendance and teaching, several members of the department also attended. Battalion Chief Kenny Kendall, Firefighter Daniel Isenhour, Firefighter Travis Haywood, Firefighter Hall Layton, and Firefighter Timothy Jarman attended as part of a program through Eastern Kentucky University and the University of North Carolina at Charlotte. The program covers the majority of the expenses for our personnel in exchange our personnel assist with the show and are able to attend classes.

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The Mayor asked Parks and Recreation Director Toby Thorpe to come forward and tell about his recognition recently.

Mr. Thorpe stated that he was honored a High School Athletic Gold Whistle Award 2016 for officiating and being a referee for 38 years in high school sports, with a total of 43 years of service.

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The Mayor stated that some of the trees were cut down at Courthouse Square Park and the flag moved behind the monument last Saturday also. The ADDC will be placing seating there.

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The Mayor asked that the reporter from the Stanly News and Press Shannon Beamon introduce her parents. Ms. Beamon stated that they are Bob and

Cindy Beamon. Her mom is a reporter with the Daily Advance in Elizabeth City; she wanted to see how Albemarle compared with municipalities there.

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Councilmember Hall stated that suicide is huge in NC and Stanly County is ranked 13th in state. She stated that there will be a speaker, Kevin Hines, a nationally known speaker on suicide, talking about the importance of talking about it and not being ashamed at the Agri-Civic Center tomorrow night, Tuesday, May 3, 2016.

Upon request, City Attorney David Beaver stated that he has the deed for the land adjoining the EE Waddell Community Center signed by Mr. Sherrill Smith with S&D Construction and the deed has been recorded.

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 143-318.11(a)(5) Real Estate Negotiations.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, 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)(5) Real Estate Negotiations and there was nothing to report at this time.

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Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the meeting was adjourned until Tuesday, May 3 for a budget work session in the Executive Conference Room at City Hall beginning at 6 pm.