

REGULAR MEETING CITY COUNCIL
April 6, 2015

The City Council of the City of Albemarle met in a regular session on Monday, April 6, 2015 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tem Troy E. Alexander, Bill Aldridge, Benton H. Dry, II, Martha Sue Hall, Martha E. Hughes, Dexter Townsend, and Chris Whitley. Absent, none.

Mayor Michael gave the invocation.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the March 16 regular session minutes as submitted.

The Mayor and City Council held a public hearing to consider a map amendment to rezone 1705 Woodhurst Lane (Tax Record 29705) from LID/Light Industrial District to R-8A/ Multi-Family Residential

Mr. Tom Huneycutt, 644 Biscoe Road, Troy NC came before Council to support this rezoning and stated that he is with the developer, Southern Properties and Development, LLC. He answered any questions that Council had. The apartment complex will consist of 72-units. Mr. Huneycutt stated that the property and location is consistent with other multi-family development in the area.

Planning and Community Development Director Keith Wolf came forward and stated that a traffic study was completed and it indicated no improvement needed if adding this development. Cars have four ways to exit this development. He answered any questions that Council had.

John Ziebarth, Plant Manager, Prefomed Line Products, came before Council and stated in his opinion this is not a good fit for this area and he is against the rezoning from Light Industrial to R8A-Multi-Family. He stated he has concerns about traffic in this area if these apartments are added. His company is

running three shifts now and there is already a high volume of cars and trucks for delivery coming through. If you add an apartment complex, you will add more cars and buses into the mix.

Jonathan Guy, P.E., AICP, Engineer, Kimley Horn came before Council and clarified the traffic study that was performed in this area and that it was performed according to NCDOT guidelines. The study looked at am/pm peak hours. He answered any questions that Council had.

Councilmember Townsend reiterated the comments from John Ziebarth, Plant Manager, Preformed Line Products. He also stated that this goes against our top goals already established of commercial development by removing available industrial land from industrial zoning classification.

Councilmember Hall echoed Councilmember Townsend's comments.

Councilmember Aldridge agreed with Councilmembers Townsend and Hall.

Councilmember Alexander asked that Council hold voting until the next meeting to allow more consideration.

Councilmember Alexander moved that the City Council table Ordinance 15-07, map amendment to rezone 1705 Woodhurst Lane from LID to R-8A/Multi-Family to the April 20 meeting. Councilmember Dry seconded the motion. Voting for the motion were Councilmembers Alexander and Dry. Voting against the motion were Councilmembers Aldridge, Hall, Hughes, Townsend, and Whitley. The motion did not carry.

Councilmember Townsend moved to deny Ordinance 15-07, map amendment to rezone 1705 Woodhurst Lane from LID to R-8A/Multi-Family. Councilmember Whitley seconded the motion. Voting for the motion were Aldridge, Dry, Hughes, Townsend, and Whitley. Voting against the motion were Councilmembers Alexander and Hall. The motion carried and the ordinance was denied.

James Luster from the Centralina Council of Governments came before City Council for an update on the housing demolition schedule. James

Luster stated that he had drafted ordinances for the demolition of the four houses currently scheduled and he discussed the issues with the fifth house not currently scheduled for demolition. Bids for asbestos assessment and demolition have been issued.

The four properties are:

112 Heath Street
842 Woodland Drive
421 Wall Street
904 Lowder Street

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved setting public hearing to consider authorizing demolition for the above four properties for May 4, 2015.

Mr. Luster upon questioning answered concerning a property on US 52 that had not been chosen for demolition due to it not having extensive damages as the others. The property damage was from vandalism.

Mayor Michael asked that Planning and Community Development Director Keith Wolf bring back a list of houses to consider for demotion next year

Melanie Holles and Chris Bramlett, Stanly County Museum, and Ken Ringler, President, Historical Society came before Council to present a report on moving the Stanly County Museum into the City Hall Annex Building. City Council reviewed the feasibility study which proposes a cost sharing arrangement. The proposal is for the City to continue to pay for insurance, elevator maintenance and the utilities. The Museum would be responsible for insuring contents. The City has not waived utilities in the past that could be recalled. The Museum would be responsible for insuring contents. The City is providing the building at \$1.00 per year.

Ms. Holles gave the covered the following requests of the City of Albemarle

1. Lease: City Hall Annex for \$1 (one dollar) per annum.
2. Insurance: We request that the City of Albemarle continue to insure the building.
3. Utility costs covered by City. average cost of \$950/mo (\$11,400 per annum).
4. Elevator: The service contract with ThyssenKrupp is \$360 per quarter and the state inspection fee is \$175. Annual elevator expense is \$1615 per annum.

TOTAL: \$13,015

The Mayor stated that the City can consider a grant that the museum can use toward their utility costs, plus allowing \$1 lease per annum, insurance on the building, and elevation inspection and service.

City Council discussed whether to approve utility expenses as utility appropriations or as a grant to the Stanly County Museum.

Upon a motion of Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, the City Council approved a grant in the amount of \$11,400, elevator expenses of \$1,615, lease of \$1 per annum for the Annex building, and to continue paying the insurance on the Annex building for a total of \$13,015 for the Stanly County Museum moving into the Annex building. Also, an amendment to the motion added by Councilmember Hall to approve the above items with the contingency that Stanly County Government also approve their requests of the Stanly County Museum. The motion carried.

The Uwharrie Running Club came before Council to request street closings for the Beach Blast 5K Run on May 9, 2015. They are sponsoring this 5K Run on May 9 starting at 8 am downtown Albemarle. Streets requesting to close: Depot Street between North Street and Main Street, Depot Street between Main Street and parking lot behind the Goodie Shop, and Second Street between South Street and Main Street for start of race. Hours of street closure: 6 am - 9 am. Peter Ascitutto has paid the \$50 street closure application fee.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved Beach Blast 5K Run street closings on May 9.

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 the Department of Public Housing Five Year Agency Plan and Update Approval of the FY2015-2019 Five Year Agency Plan and update. A 45 day review of the agency plan was required with notice of a public hearing for comments and consideration which was held April 2, 2015 in the Community Room at 300 S. Bell Ave. Upon approval of the Five Year Agency Plan and Update, a resolution and certification will require the Mayor's signature for submittal to HUD.

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the Public Housing Five Year Agency Plan and Update Approval of the FY2015-2019 Five Year Agency Plan and update, resolution, and certification.

(Resolution 15-11. Five Year Agency Plan and Update for Public Housing)

The Mayor and City Council considered setting a public hearing for a text amendment regarding sign regulation changes. On February 24, 2015 the Planning Board voted unanimously to recommend approval of a text amendment that includes additions, deletions and changes to the current sign regulations of the City of Albemarle. The suggested changes are being proposed as a result of input received from individuals, businesses and groups over the last several months. The goal is to allow more flexibility to businesses without allowing signage that would be detrimental to the City. The Planning staff has received input from the ADBA as well as presented Council's comments and recommendations to the Planning Board once again.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved setting a public hearing for a text amendment regarding sign regulation changes for Monday, May 4, 2015.

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

(Ordinance 15-08 - To Adopt a Project Budget Ordinance Relating Electric System Extension & Improvements)

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

(Ordinance 15-09 - To Amend the FY 14/15 Budget to appropriate fund balance to transfer funds to a capital project for upgrades and improvements to the Electric System)

The Mayor and City Council considered a contract for FY15/16 audit services. It was noted that this will cover auditing the current year ending June 30, 2015. The base contract not to exceed \$23,250 for auditing the books is \$250 more than the previous year. For preparation of Financial Statements not to exceed \$8,000 is also \$250 more than last year. The City has worked with Anderson, Smith, Wike PLLC for several years and are happy with the relationship we have built with them.

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the Audit Contract for FY15/16 Audit Services with Anderson, Smith, Wike PLLC.

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

(Ordinance 15-10 - To approve Coyote Hunting Season and Regulations)

The Mayor and City Council considered resolution for street assessment fees for Fiscal Year 15/16. For each fiscal year the City must establish street assessment fees.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the street assessment fees for Fiscal Year 15/16 resolution.

(Resolution 15-10. The street assessment fee schedule for the FY 2015-2016.)

The Mayor and City Council considered budget adjustments and acquisition. The City Manager noted that as a result of unexpended funds in the current fiscal year, staff has proposed additional acquisitions. Due to a number of factors, there exists some flexibility in our current fiscal year budget to acquire capital items that will be needed at some point in the future.

Upon a motion by Councilmember Dry, seconded by Councilmember Alexander, and unanimously carried, the City Council approved budget adjustments and acquisitions for the Police, Fire, and Public Utilities Department.

Assistant Public Works Director Darren Preslar introduced Laura Vanhoy the City of Albemarle's new Landfill Superintendent. Laura Vanhoy is a resident of Richfield and began her duties as Landfill Superintendent on Monday March 16th. Laura has a Civil Engineering degree from UNCC and an extensive background in municipal and county government.

The Mayor and City Council considered surplus property donation. The City placed these items on Public Surplus for auction sale and they did not sell. Rather than trash them, we have offered items to Ester House, Homes of Hope and Christian Ministries. Both Ester House and Christian Ministries would like to have items. Council reviewed a memo from Purchasing Coordinator Linda Lewis giving Council authorization to donate these items to the non-profits.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the City Council approved

donating these surplus items to Ester House, Homes of Hope and Christian Ministries.

The Mayor and City Council considered attendance at the Electricities Annual Conference August 5-8, 2015 at Myrtle Beach, SC.

Mayor Michael and Councilmembers Aldridge, Hall, Hughes and Townsend confirmed their attendance.

The Mayor and City Council were reminded of the Household Hazardous Waste/Electronics Recycling Event at the Agri-Civic Center on Saturday April 11th from 9:00 a.m. until 1:00 p.m.

The Mayor and City Council were reminded of the Arbor Day Tree Planting Ceremony on Thursday, April 16. The Tree Commission will hold its annual Arbor Day tree planting observance on Thursday, April 16 at 12 noon at the YMCA Park at the corner of Franklin Street and First Street. The City will once again be officially recognized as a Tree City USA by local NC Forest Service staff also.

Information Systems Director Owen Squires came before Council concerning the City's existing phone system that failed and the replacement of a new system. Mr. Squires handed out to Council a copy of a purchase agreement from ATCOM concerning an operating lease instead of a purchase which includes installation and service of a phone system with a 5 year full service warranty. The equipment total cost is \$191,860.20, labor/installation cost of \$21,317.80, and sales tax of \$12,950.63 for a total of \$226,128.63. Mr. Squires stated that Uwharrie Bank, Stanly Community College, Stanly County Schools, NCLM, and the cities of Salisbury and Pinehurst already have services with ATCOM.

Mr. Squires stated that the original goal had been to request for proposals but the old phone system failed and we had to respond quickly with a new system immediately. We need approval of the operating lease this evening and we

will come back before Council for approval at a later meeting of a financing agreement.

Upon a motion by Councilmember Alexander, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved an operating agreement with a 5 year full service warranty with ATCOM for the installation of a new phone system in the amount of \$226,128.63

Mayor Michael stated that Waste Management's contract clause states that they will pick up 4 cubic yards at one time at any given residence. If there is more than that amount at the curb, they will pick up the remainder at a later date or contract with the owner for a fee to pick up all debris at one time. This fee will be established to bill the customers. Waste Management will make a fee schedule proposal to the City Manager and to City Council at a future Council meeting.

Mayor Michael stated that in the current City travel policy it says elected officials are only paid for in-state travel mileage to the NCLM Annual Meeting and the ElectriCities Annual meeting. The Mayor asked to amend this policy so that this is expanded to include mileage reimbursement for all NCLM and all ElectriCities events for elected officials.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, and unanimously carried, the City Council approved amending the travel policy so that it is expanded to include mileage reimbursement for all NCLM and all ElectriCities events for elected officials.

Mayor Michael reminded Council that ElectriCities closest Regional Meeting will be on Tuesday, May 12 at 6pm at The Great Wolf Lodge in Concord. He asked that Council look at their schedules and respond to attendance at the next City Council meeting on April 20.

Councilmember Townsend reminded Council of the legislative breakfast by the Chamber of Commerce on Monday, May 4 at the EE Waddell Community Center 7:15 am until 9 am.

All but Councilmember Dry confirmed their attendance.

Councilmember Dry thanked the City Manager and staff for their prompt response to recent citizen issues.

Councilmember Hall encouraged her fellow Councilmembers to make their concerns known regarding House Bills 111, 112, and 562.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318.11 (a) (3) (5) – To consult with City Attorney on potential legal issues and for the negotiation of real property.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, and unanimously carried, the City Council reconvened to open session. Mayor Michael announced that a closed session was held pursuant to NCGS 143-318.11 (a) (3) (5) – To consult with City Attorney on potential legal issues and for the negotiation of real property and there was nothing to disclose at this time.

Economic Development Director Mark Donham came before Council and reviewed information concerning landmark status for the Historic Albemarle Hotel. Mr. Donham and Planning and Community Development Director Keith Wolf presented the City Council's request to the Historic Resources Commission to seek Historic Landmark Status for the Historic Albemarle Hotel. The Historic Resource Commission unanimously approved seeking this status and asked staff to work with them to submit the required report and supporting documentation to the State for Landmark Status.

Councilmember Hall asked that the City Manager make a copy of an article in the American City and County magazine concerning municipal sport complexes for Councilmembers and the Mayor.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the meeting was adjourned until Wednesday, April 15 at the Rosebriar Restaurant at 6:30 pm for a joint meeting with the Planning Board and Board of Adjustment.