

REGULAR MEETING CITY COUNCIL  
July 6, 2015

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

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Mayor Michael gave the invocation.  
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The Mayor presented a retirement certificate to Scottie D. Huneycutt after 12-years of employment with the City. He worked in the Public Utilities and Public Works Department. Scottie was serving as a Crew Leader in the Public Works Department at the time of his retirement.

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Upon a motion by Councilmember Townsend, seconded by Councilmember Alexander, and unanimously carried, the City Council approved the June 15 regular session and the June 15 closed session minutes as submitted.  
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Dr. Brenda Kays, SCC - To request City assistance in support of the construction of the new Cosmetology Facility. A letter request and site plan from Dr. Kays was viewed by Council.

As Dr. Kays letter references, the City assisting with the AMIT construction project. Dr. Kays is looking for assistance with labor and materials on the following site readiness items:

- 1) Sanitary Sewer – replacement and upsizing of current 4 inch to an 8- inch sewer line
- 2) Water Distribution – tapping into the current waterline that runs from the water tower to the Whitley Technology Building and bring line across College Drive.

- 3) Underground Power Relocation – this line will need relocating in order to maintain those communication systems.
- 4) Landscaping/Screening Site Plan – approval of the site plan with consideration of the landscaping already in place.

Mayor Michael recommends that appropriate staff from the Public Utilities Department meet on site with the SCC staff and/or contractor to review the project and obtain more information and come back to City Council with a rough cost estimate for materials and labor and any issues Council may need to be made aware of.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved that appropriate staff from the Public Utilities Department meet on site with the SCC staff and/or contractor to review the project and obtain more information and come back to City Council with a rough cost estimate for materials and labor and any issues Council may need to be made aware of concerning the City's assistance in support of the construction of the new Cosmetology Facility.

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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 discussed the unopened right of way between Church Street and NC Highway 73. Council reviewed a memo from Street Superintendent Ross Holshouser regarding his contact and discussion with the two affected property owners the City had not previously heard from. Mr. Christopher Liles and Mr. Billy Bowden committed to allowing the City to do the needed work to address the drainage issue, including the removal of vegetation in this area. Mr. Holshouser stated he recommends the construction of an earthen berm to address the water run-off as this would address the water run-off issue while allowing the City to avoid conflicts with the underground gas main and service taps.

Mr. Holshouser also recommends that the City Attorney draft an agreement between the property owners and the City including a hold harmless clause.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved the construction of an earthen berm to address the water run-off issue while allowing the City to avoid conflicts with the underground gas main and service taps for the unopened right of way between Church Street and NC Highway 73 and have the City Attorney draft an agreement including a hold harmless clause, having all property owners on the south side of the ditch who adjoin the project area to sign the agreement prior to the commencement of the project.

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The Mayor and City Council reviewed a request by petition to pave Parker Street. Petitions submitted to the City must be signed by a majority of the landowners who own a majority of the street frontage where the project is proposed to take place. City Clerk Paulette Bowers has provided a memorandum indicating these thresholds have been met to move forward with the request.

If Council sets a date for the hearing, Ms. Bowers will email all affected property owners a notice of the hearing along with a letter explaining the assessment procedure and the process moving forward. If the project is approved, the City will share the cost of the improvements with the property owners. The property owners will be required to pay for the materials to make the improvements they are requesting. City Council has established an assessment of rate of \$13.48 per foot per side rate for 20-wide street paving.

Property owners only pay after the project is complete and have two payment options at that point. They can pay the full amount or receive a 10% discount, or pay in 10 annual installments at 8% interest. A hearing after the project is completed will be conducted and property owners notified once again about their payment requirements and options.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved the preliminary resolution and set a public hearing for Monday, August 3, 2015 for a request by petition to pave Parker Street.

(Resolution 15-19)

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The Mayor and City Council considered approval of the 2015 Public Housing Utility Allowance Schedule effective August 1, 2015. Federal regulations require Public Housing to establish allowances for utilities purchased by residents from utility suppliers. Public Housing reviews the Utility Allowance Schedule on an annual basis to determine if the allowances should be revised. Public Housing contracted NFC, Inc. to complete the required review and the report suggests that Public Housing needs to adjust its current Utility Allowance Schedule for all dwelling unit sizes.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved the 2015 Public Housing Utility Allowance Schedule effective August 1, 2015 suggested by NFC, Inc.

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The Mayor and City Council considered a change order to a construction contract with Dellinger Construction, Inc. for the Long Creek Wastewater Plant Headworks Project. The request is to approve and authorize the City Manager to execute Change Order No. 2 for the construction contract with Dellinger Inc. for the Phase II Improvements at the Long Creek Wastewater Facility (Headworks Project) reflecting a cost increase of \$150,429.87 for a total construction contract cost of \$2,699,673.87 and a schedule extension of twenty-one (21) days for a completion time of 386 days and 416 days for substantial completion and final completion, respectively.

Also requesting for Council to authorize the City Manager and the Public Utilities Department to continue to work with NCDENR to increase the SRF loan amount by \$150,429.87 subject to a future final approval of the loan amount by Council when formalized by NCDENR.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a construction contract with Dellinger Construction, Inc. for the Long Creek Wastewater Plant Headworks Project authorizing the City Manager to execute Change Order No. 2 reflecting a cost increase of \$150,429.87 for a total construction contract cost of \$2,699,673.87 and a schedule extension of twenty-one (21) days for a completion time of 386 days and 416 days for substantial completion and final completion, respectively. Also, authorizing the City Manager and the Public Utilities Department to continue to work with NCDENR to increase the SRF loan amount by \$150,429.87 subject to a future final approval of the loan amount by Council when formalized by NCDENR.

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Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved a resolution to provide a cost of living adjustment for all employees adjusting the pay tables to provide for a 1% cost of living adjustment for all employees effective with the payroll beginning July 19.

(Resolution 15-20)

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved to eliminate Chapter 23, Privilege License Fees of the Code of Ordinances.

(Ordinance 15-22. To Amend the Code of Ordinances to Eliminate the Privilege License Fee.)

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The Mayor and City Council considered approval of a U.S. Tire Recycling Contract which extends our relationship with U.S. Tire Recycling, located in Concord NC, for another 3 years. U.S. Tire has provided trailers at our Solid Waste Facility for the collection and recycling of all the tires brought to our facility since the inception of our tire program. They currently provide recycling service to over 85% of the counties in NC.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved extending the City's contract with U.S. Tire Recycling in Concord, NC for another 3 years.

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The Mayor and City Council reviewed an update on structures approved for demolition in FY 2014/2015. Due to new steps in the process this year and some conflicts with the various contractors, these structures were not removed prior to the end of the fiscal year. The demolition contractor is scheduled to begin work on July 6 and should have all the structures down and sites cleaned

up by the end of the week. We will present a budget amendment to move the unspent funds to the current fiscal year to cover these costs. The structures are:

1. 112 Heath Street
2. 421 Wall Street
3. 842 Woodland Street
4. 904 Lowder Street

The City is working with James Luster from the Centralina COG on those we are recommending for removal in FY 15/16 and will have a list of recommendations to City Council soon.

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The Mayor and City Council considered a street closure request for the 2015 Tour de Elvis Eve. The 2015 Tour de Elvis 5K and Bike Ride will be held the weekend of August 14-15. These events are fundraisers for the Roger F. Snyder Greenway Fund

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved a Tour de Elvis 5k Run at Don Montgomery Park from 7:30-8:30 pm closing the outside Northbound Lane on US Hwy 52 N from 7:30-7:35 pm for the start of the race and approved a Tour de Elvis Bike Ride at City Lake Park from 8:30 am-1:30 pm closing the outside closing NC Hwy 73 from Park Road to Old Parker Road from 8:30-8:45 am for the start of the race.

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The Mayor and City Council considered bids for sale of surplus hay from Public Utilities Facilities. The City has prior legal advertisement for bids, received and opened bids for the sale of one (1) lot of 123 bales of surplus hay on June 29, 2015. A total of one bid was received with Mr. Jay Fesperman submitting a unit bid price of \$6.25 per bale. At a 123 bale quantity, this yields a total sale price of \$768.75 for the lot.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved the highest bidder, Jay Fesperman, submitting a unit bid price of \$6.25 per bale for 123 bales.

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The Mayor and City Council reviewed information concerning the groundbreaking ceremony for the Central School Project on July 20 at 6:00 p.m. The plan is for the ceremony to take place on the North Third Street side of the property with a representative on the Landmark and development side saying a few words, as well as a few words from the Mayor. Landmark will develop the agenda, provide a small tent as well as light refreshments. The Mayor has suggested the larger event be when the project is complete and dedicated.

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The Mayor and City Council reviewed information that the Albemarle ABC System has made an after-profit Distribution of \$10,000 to the City. The ABC Board makes monthly payments of \$15,000 to the City. This brings the FY 14/15 distribution to \$190,000.

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The City Manager commended the Public Utilities Department and the Public Works Department on a job well done concerning the 2<sup>nd</sup> Street resurfacing project.

The City Manager stated that in the City's July 2015 bill stuffer is an overview of the 2015-16 Budget and answers to frequently asked questions concerning the budget.

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Councilmember Townsend commended the Police Department and Officer Berry for the "In the Blink of an Eye" workshop held on Saturday, June 27 from 8 am until 12 noon.

Councilmember Townsend recognized the Charleston Prayer Service held in Albemarle on Sunday, June 28th @ 5pm at the Saints Delight Church which was led by several Stanly County pastors showing unity in Christ after the deaths in Charleston.

Councilmember Townsend stated that the Elite Social Club will be having a community clean up event on Saturday, July 25 and he encouraged everyone to participate. He is requesting that the City pay for a Waste Management dumpster to be placed at the EE Waddell Community Center for this event from 8-12 pm.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved the City paying for a dumpster from Waste Management and have it placed at that event at the EE Waddell Community Center from 8-12 pm.

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Councilmember Hughes commended the budget information included in the July bill stuffer and asked if this same information could be placed on the City website.

Councilmember Hughes asked the City Manager on an update of the progress toward the City's branding. City Manager Michael Ferris stated that North Star who was employed by the City is working on the final deliverables with startup date and time and we should have this information by August, 2015.

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Councilmember Aldridge thanked the Fire Department, Police Department and the Public Works Department for their participation in the Forest Hill's 4<sup>th</sup> of July parade and event held this past Saturday.

Councilmember Aldridge also commented on "In the Blink of an Eye" workshop held on Saturday, June 27 from 8 am until 12 noon.

Councilmember Aldridge also commented on the Saints Delight Unity prayer service held on Sunday, June 28 @ 5pm at the Saints Delight Church.

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Councilmember Alexander stated that he will not be running for another 4 year term in the November election this year.

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Councilmember Dry commented on a job well done by staff on the 2<sup>nd</sup> Street resurfacing project.

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Councilmember Whitley apologized for not being able to attend the event at Saints Delight Church on June 28 or the Blink of an eye presentation by the Police Department. He stated that he was able to attend the Forest Hills 4<sup>th</sup> of July parade event.

Councilmember Whitley thanked the City Manager on his responses concerning trash pickup issues.

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Upon questioning, Mayor Michael stated that we need one more signature for the Leonard Avenue and US Hwy 52/1<sup>st</sup> Street easement agreements for the sidewalk projects and then can move forward for the bidding process.

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Councilmember Hall reiterated what previous Councilmembers stated about the Saints Delight event on Sunday, June 28, the Forest Hills 4<sup>th</sup> of July parade and the “In the Blink of an Eye” workshop with the Police Department.

Councilmember Hall gave a shout out to the Town of Oakboro and their 4<sup>th</sup> of July week long celebration each year. She stated that the City needs an annual event as such.

Councilmember Hall thanked Street Superintendent Ross Holshouser for all his interaction with the City residents and their issues.

Councilmember Hall stated that the summer session for the Electric Lineman Program began several weeks ago at Stanly Community College and will last 8 weeks.

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Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council adjourned to a closed session pursuant NCGS 143-318.11 (a) (3) - To Consult with the City Attorney.

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, 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) - To Consult with the City Attorney and there was nothing to disclose at this time.

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Mayor Michael stated that the issue where the owner of Rosebriar Restaurant stated the City's work on water and electrical issues over adversely impacted her business and asked if the City will be willing to reimburse her business in the amount equivalent to two months (\$665/mo.) utilities to the City as compensation due to the loss of \$3,000 – \$4,000 of income during those days.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the City Council approved reimbursing the owner of the Rosebriar Restaurant in the amount equivalent to two months (\$665/mo.) utility costs she incurs as compensation due to the loss of \$3,000 – \$4,000 of income during those days for negligence and as a goodwill gesture to her on behalf of the City.

The Mayor stated that the City Council will be scheduling a joint meeting with ADDC in July or August.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the meeting was adjourned.