

REGULAR MEETING CITY COUNCIL

June 1, 2015

The City Council of the City of Albemarle met in a regular session on Monday, June 1, 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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Mayor Michael presented a signed resolution to Joe N. Calloway, Sr. for his service on the Albemarle ABC Board.

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The City was recently presented Safety with awards at a North Carolina Department of Labor Luncheon. Human Resource Director Robert Whitley serves as the City's Safety Director. The gold award criteria are based on achieving a rate of days away from work, job transfer or restriction that is at least 50 percent below the industry rate. The silver award criteria includes lost workday cases but not restricted work activity, and the rate for days away from work must be 50 percent below the industry rate. The Million-Hour Award is for 1 Million or more hours with no lost time accidents.

The Mayor presented the following awards:

First Year Silver Award - Fire Department

Second Consecutive Year Silver Award - Police Department

Third Consecutive Year Silver Award - Parks & Recreation Department

Fourth Consecutive Year Gold Award - Administration, Community Development, Engineering & Housing

Million-Hour Award - Administration, Community Development, Engineering & Housing

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved the May 18 regular session and the May 18 closed session minutes as submitted.

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The Mayor and City Council held a public hearing to consider the proposed Fiscal Year 2015-2016 Budget.

Mr. David Morgan, 424 N. Tenth Street, Albemarle, came before Council with items of concern for Council to consider:

Issues concerning the Concord Kannapolis Albemarle (CKA) waterline  
Property values being down \$6M this year in the City  
Wiscasset Park Project –proposing CKA waterline revenues go toward this project  
Curbside Recycling  
Sidewalk repairs – @ Wall Street, from MLK, Jr. Drive to the EE Waddell Center  
EE Waddell Center – Renovation needs  
Use of golf carts in the City limits – Other revenue  
Prime Power Park – the possibility of moving to a different location  
Partisan Voting – Albemarle one of only 6 municipalities in NC  
Three studies by three Task Forces – Need status reports from each of these studies:  
Economic Development Strategic Plan (2004), Economic Development Task Force (2013), and Business Development Task Force (2014)

Mayor Michael stated that the City is currently working with the County on the Prime Power Park issue and Council agrees with Mr. Morgan.

Councilmember Hall and Dry gave their comments on Mr. Morgan's points of concern.

Councilmember Townsend responded to Mr. Morgan's concerns of the EE Waddell Center renovations by saying that the City anticipates Phase II will address repairs in need at the EE Waddell Center.

Mr. Donnie "Duke" Furr, 1007 Northbrook Drive, Albemarle, came before Council asking consideration for a recycling drop-off center inside the City.

Councilmember Townsend stated that the City has two more years of its five year contract with Waste Management. We will be looking at other options which will include recycling benefits for the City at that time.

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

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, an Ordinance entitled (Ordinance 15-18) “2015-2016 BUDGET ORDINANCE FOR THE CITY OF ALBEMARLE, NORTH CAROLINA” passed first reading.

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The Mayor and City Council discussed a text amendment to remove sections regarding changes in quasi-judicial proceedings.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved to close the public hearing. No one spoke for or against this hearing.

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

(Ordinance 15-19- Text Amendment to remove sections regarding changes to the Quasi-Judicial proceedings.)

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Mr. Wil Warren, Landmark Asset Services, LLC came before City Council to discuss the proposed loan agreement and auditorium agreements between the City of Albemarle and Central School, LLC and addressed the questions Council raised at the previous meeting regarding the auditorium, deed of trust, and promissory note agreements.

The City Manager passed out to Council the revised agreements for the auditorium lease. The City Manager answered a question that was raised about the increase in the monthly auditorium lease fee at the 15-year mark. He stated that Landmark Asset Services, LLC has decided to not increase the \$1000/month rental for the auditorium after the first 15 year rental period.

Mr. Warren addressed questions Council raised at the previous meeting. Mr. Warren stated that concerning the question of the loan agreement not specifying that the intent is for the loan to be forgiven and that it will not be repaid, that showing it as a gift impacts the finances of the project and they do need for it to be shown as a loan. He also stated that closing on the property is planned for the

second week of June. These documents under consideration do need to be executed prior to closing occurring.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved the loan agreement in the amount of \$450,000 between the City of Albemarle and Central School, LLC and noted the intention is the loan will not be repaid and be considered the City's contribution to the project.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the auditorium agreement between the City of Albemarle and Central School, LLC.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the deed of trust agreement between the City of Albemarle and Central School, LLC.

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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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Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the City Council approved moving the Monday, September 7 regular session meeting to Tuesday, September 8 at 7 pm due to the Labor Day Holiday.

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Upon a motion by Councilmember Hall, seconded by Councilmember Whitley and unanimously carried, the following reappointments were made to the Albemarle Historic Resource Commission.

Reappointments:

Conrad Carter (3 yr term expiring July 2018)

Roger Martin (3 yr term expiring July 2018)

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall and unanimously carried, the following appointment was made to the Albemarle Historic Resource Commission.

New Appointment

Rob McIntyre (3 yr term expiring July 2018)

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Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved the following reappointments to the Housing Board of Appeals.

Janie McDonald (3 yr term expiring July, 2018)

Richard D. Smith, Jr. (3 yr term expiring July, 2018)

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Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the following reappointments were made to the Parks and Recreation Advisory Board.

Reappointment

Shawn Baldwin Electoral District (2 yr term, expiring July, 2017)

Katie Peckham Electoral District (2 yr term, expiring July, 2017)

Ellen Wilson Talbert School Districts (2 yr term, expiring July, 2017)

Rick Johnson At-large Member (2 yr term, expiring July, 2017)

Upon a motion by Councilmember Dry, seconded by Councilmember Hall and unanimously carried, the following new appointment was made to the Parks and Recreation Advisory Board's as an At-Large member.

New Appointment

Janice Abernathy At-large Member (2 yr term expiring July 2017)

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Upon a motion by Councilmember Alexander, seconded by Councilmember Whitley and unanimously carried, the following reappointments were made to the Albemarle Greenway Commission.

Jerry L. Barrier (3 yr. term expiring July, 2018)

Nancy Joines (3 yr. term expiring July, 2018)

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the following appointment was made to the Albemarle Greenway Commission.

New Appointment

Ron Loflin (3 yr. term expiring July, 2018)

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the following reappointments were made to the Tree Commission.

Reappointments

Jane Borders - (3 yr term expiring July 2018)  
Elaine Nelson - (3 yr term expiring July 2018)

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Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the following appointment was made to the Planning and Zoning Board:

New Appointments

Tym Scott (3 yr. expiring term, July 2018)

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the following appointments were made to the Planning and Zoning Board:

New appointment

Sarah Bivins (3 yr. expiring term, July 2018)  
John Sullivan (3 yr. expiring term, July 2018)

Upon a motion by Councilmember Dry seconded by Councilmember Hall, the City Council approved removing Heath LuQuire as 1<sup>st</sup> Alternate on the Zoning Board of Adjustment due to him becoming a full time employee with the City.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, the following appointments and reappointment were made to the Zoning Board of Adjustment:

New Appointment

Benny Bowers from 2nd Alternate to Regular Board  
(3 yr. expiring term, July 2018)

Kristine Bryson from 3<sup>rd</sup> Alternate to Regular Board  
(3 yr. expiring term, July 2018)

Reappointment

Chuck Horne (3 yr. expiring term, July 2018)

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, the following appointment was made to the Zoning Board of Adjustment:

New Appointment

Randy Shank 1<sup>st</sup> Alternate (Unexpired term, expiring July, 2016)

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes, the following appointment was made to the Zoning Board of Adjustment:

New Appointment

Rick Russell 2<sup>nd</sup> Alternate (3 yr. expiring term, July 2018)

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, the following appointment was made to the Zoning Board of Adjustment:

New Appointment

Rusty Story (3 yr. expiring term, July 2018)

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The Mayor and City Council considered the approval of a proposed subdivision plat from Stanly Community College that was submitted by Vince Townsend from Green Mountain Engineering, PLLC. The proposed submission meets subdivision requirements for the City of Albemarle. On May 26, 2015 the Planning Board approved a motion to recommend that the City Council approve of this subdivision plat. According to Mr. Townsend, the reasons for the subdivision plat are that the financing for this new cosmetology building will need to use this lot as collateral and Stanly County may have to own this property for the life of the loan.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall and unanimously carried, the City Council approved the subdivision plat from Stanly

Community College.

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The Mayor and City Council considered a request from Piedmont Natural Gas for a Gas Line Extension on Anderson Road. PNG is requesting an extension of gas service on Anderson Road from East Main Street to Woodhurst Lane of 1,487 linear feet, and as part of the same project, an extension of 690-feet on Woodhurst Lane. Anderson Road is a City street and a portion of Woodhurst Lane is an NCDOT roadway. PNG is required to receive City approval for any gas main extension.

Public Utilities and Public Works have reviewed the request and have no concerns or issues. PNG proposes to bore under Woodhurst Lane (City street portion) just east of its intersection with Anderson Road and will also bore under Anderson Road near the intersection with Woodhurst Lane. A third bore will occur on the NCDOT maintained part of Woodhurst Lane west of Anderson Road. Council reviewed a memo from PNG along with a map and other supporting information.

Upon a motion by Councilmember Alexander, seconded by Councilmember Whitley and unanimously carried, the City Council approved considered a request from Piedmont Natural Gas for a gas line extension on Anderson Road from East Main Street to Woodhurst Lane of 1,487 linear feet, and as part of the same project, an extension of 690-feet on Woodhurst Lane.

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The Mayor and City Council considered Bid 2015-07, for the purchase of chemicals in the Public Utilities Department. Bids were taken on Thursday May 21, 2015 for chemicals for both water treatment plants. These bids were for 488 Dry Tons Liquid Alum and 224 Dry Tons Liquid Caustic.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved the lowest bidders as BHS Specialty Chemical Products for 488 Dry Tons Liquid Alum and Chem Trade for 224 Dry Tons Liquid Caustic.

(Bid Tabulation 2015-7)

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The Mayor and City Council reviewed a request for the installation of signage at 615 US Highway 52 North. Mayor Michael received this request from Mr. Kent Stoker, owner of New Images Hair Care - Barber Shop for the City to post a sign prohibiting drivers from using the driveway on Rogers Street for turning around. The Mayor informed Mr. Stoker this was a private issue and responsibility, but Mr. Stoker wants the City Council to consider the request. The sign would be completely for private benefit and could be immediately purchased from a local sign company and posted privately. If the City staff was directed to post the sign, the cost of the sign, labor and materials would be \$250.

Councilmember Dry stated that he would like to know if Mr. Stoker is willing to pay the full costs of \$250. Mayor Michael stated that he will talk with Mr. Stoker about this.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall and unanimously carried, the City Council approved tabling this item until the next regular Council meeting on Monday, June 15.

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The Mayor and City Council considered the approval of a resolution to support re-authorization of the Land and Water Conservation Fund. Two of Albemarle's parks (Montgomery Park and Morehead Park) were constructed with LWCF funding. The NC Recreation and Park Association is working with the National Recreation and Parks Association and other state and federal agencies on the reauthorization of the Land and Water Conservation Fund (LWCF) this year.

It was noted that LWCF funds built Don Montgomery Park and Chuck Morehead Park in the 1980's. When the NC PARTF was formed, LWCF funds became one of the funding sources (along with land transfer taxes) for PARTF. If LWCF is reauthorized, it could mean that local governments could apply directly for these funds if they are not dedicated to PARTF.

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

(Resolution 15-15 - To support the re-authorization of the Land and Water Conservation Fund.)

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The Mayor and City Council were reminded of the SAGE Call-in which will be held on Tuesday, June 16 at 6:00 p.m. at City Hall.

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Councilmember Townsend stated that he regrets that he will not be available to attend the Police workshop that is scheduled for this coming Saturday, June 6. He hopes other Councilmembers will be able to attend.

Councilmember Townsend stated that concerning Council wanting to improve our Beach Blast event, he saw in the Salisbury Post last week an event where a 1,000-foot water slide will be set up in downtown Salisbury on Saturday, August 29 and will draw 3-4,000 people. We need to bring this up in our joint meeting with the ADBA and ADDC this fall. Also, Councilmember Townsend stated there were a lot of people in Locust this past weekend for the cookout and a movie event.

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Councilmember Whitley congratulated the City departments who received safety awards from the North Carolina Department of Labor.

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Councilmember Hall also stated that she also will not be able to attend the Police workshop this Saturday.

Councilmember Hall asked about the relocation of the Flag pole at Courthouse Square.

Councilmember Hall stated that there are slots for bricks to be placed at Liberty Gardens for anyone that would like to purchase one for \$75 in memory of a loved one.

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Upon a motion by Councilmember Dry, seconded by Councilmember Hall and unanimously carried, the City Council approved making Councilmember Hughes acting clerk for the closed session meeting.

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Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318.11 (a) (6) to discuss personnel issues.

Upon a motion by Councilmember Hall, 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) (6) to discuss personnel issues and there was nothing to disclose at this time.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council set a meeting date of Monday, June 8, 2015 at 7 pm and plan to then move into closed session to discuss personnel matters.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the meeting was adjourned until Monday, June 8 at 7 pm in order to adjourn to a closed session to discuss personnel matters.