

REGULAR MEETING CITY COUNCIL
June 15, 2015

The City Council of the City of Albemarle met in a regular session on Monday, June 15, 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 called the meeting to order.

Mr. Matt Schull, ElectriCities of NC, on behalf of the American Public Power Association, presented the Diamond Level Reliable Public Power Provider (RP3) Designation from the American Public Power Association (APPA) to Public Utilities Director Mike Leonas, Assistant Director Judy Redwine, and Electric Division Superintendent Charles Burriss of the Albemarle Public Utilities Department. The Diamond Level RP3 was bestowed to the City of Albemarle on May 18, 2015 by the American Public Power Association at its Operations Conference in Sacramento, CA.

The City Council considered approval of June 1 regular session, June 1 closed session, June 8 adjourned, and June 8 closed session minutes.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the City Council approved the June 1 regular session, June 1 closed session, June 8 adjourned, and June 8 closed session minutes as submitted.

The Mayor and City Council received information from the Planning Committee for the Wiscassett Mills Athletic Complex. Parks and Recreation Director Toby Thorpe introduced Planning Committee members Dana McDow and Brett Speight who came before Council and gave a

PowerPoint presentation and also a progress report on the Wiscassett Mills Athletic Complex. Also present were two other committee members, Katie Peckham and Tamara Singletary. An ad-hoc committee of interested citizens and business leaders has been formulating publicity and fundraising plans since City Council adopted the Wiscassett Mills Athletic Complex Master Plan last November.

It was noted that the agreement for a feasibility study with Site Solutions has already been completed. They received in total, contributions of \$18,000 from the Stanly County CVB and \$6,500 from the City of Albemarle for the planning fees and environmental costs. They showed a draft of the design of the complex including batting cages, play area, Skate Park, 3 restrooms and 6 softball/baseball fields. They reviewed the immediate economic impact to the City and to Stanly County this complex would bring.

Mr. Speight talked about the estimated cost to build being around \$7-9 million with an artificial turf. He also listed tournament organizers that they can partner with such as USSSA, Nations Baseball, and AAU.

The planning committee's initial questions involve obtaining a better estimate on actual cost. Estimated cost is \$9,000,000 per Site Solutions. Timeline for construction to start? What would the City of Albemarle like for the amount contributed?

Mr. Speight stated that the first step is to have public awareness which draws public support.

- 1) Establish 501 (c) 3 - We plan to name the organization: Friends of the Albemarle P&R
- 2) Start contacting major contributors and grant sources.
- 3) Demolition of the freestanding building.

Mr. Speight stated that this committee is committed to moving forward.

Councilmember Dry commented on this committee's passion and dedication. Councilmember Hall stated that she is ready to move forward with a RFP.

Mayor Michael asked if Mr. Thorpe and his staff can have estimates for the cost of a RFP by the July 6 regular session meeting. Mr. Thorpe confirmed that he will be able to do so.

Councilmember Townsend stated that this complex will benefit Albemarle and all of Stanly County and maybe the County can contribute to this also. Upon questioning, Mr. Speight stated that he had spoken with County Manager Andy Lucas and Mr. Lucas said that if they help Albemarle, then the County would be liable in helping each of the other municipalities in the County for projects.

City Council agreed by consensus for Parks and Recreation Director Toby Thorpe to bring a recommendation on the next step on obtaining a more accurate cost estimate back before Council.

Councilmember Townsend stated that he would like to have a meeting with County Economic Director Paul Stratos, Stanly County Commissioners, Albemarle Economic Director Mark Donham, and City Council. Council agreed on this idea by consensus.

Councilmember Hughes stated she was very impressed by the presentation and thanked the planning committee's support of this complex.

Mayor Michael thanked Dana and Brett and the entire committee for their work on the Wiscasset Mills Athletic Complex.

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

Public Utilities Director Mike Leonas answered a question Councilmember Hughes had pertaining to the Public Utility Monthly Report for May regarding the CKA water line construction project. Mr. Leonas indicated that it did appear the project would not be complete until August and there may be some cost overrun issues.

The Mayor and City Council discussed the unopened alleyway between Church Street and NC Highway 73. When this matter was last

discussed by Council, staff was asked to investigate the cost of improving the ditch line in the alleyway.

Street Superintendent Ross Holshouser met with representatives of PNG to determine exactly where the gas line and services are located and gives his recommendations regarding the cost of the improvements and some of the challenges, which include the gas line, service taps and large stumps.

The timeframe this project will take is hard to determine, but no less than two full days and possibly up to a week. Labor and equipment will be \$1,300 per day. There will be disposal costs for the debris removed. The estimated cost to the City to complete this project will be anywhere from \$2,600 to \$6,500, plus disposal costs estimated at \$500. If there is damage to any gas main or service line, there will be additional repair costs. It was noted that the City may need to consider owners signing a hold harmless agreement.

If the City Council requests staff to make ditch line improvements, Mr. Holshouser recommends that we obtain signed agreements from the property owners adjoining the alley where the City will be working to allow us to encroach on their property to complete the project, and to clarify this will be a one time improvement project and the property owners will be responsible for ditch maintenance once the City is complete.

Councilmember Dry stated that Council needs consensus from all homeowners first before moving forward.

Street Superintendent Ross Holshouser was asked to contact the property owner where there is a large amount of vegetative growth to determine their interest in having the City remove the vegetation and make other improvements.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the second reading of the Budget Ordinance and it was duly adopted:

(Ordinance 15-18. To approve FY 2015-2016 Budget.)

The Mayor and City Council considered an amendment to the agreement to sell the former Central School Property to Preservation NC to Provide for a 45-Day Extension.

It was noted that Wil Warren at Landmark feels an extension to the agreement is the prudent thing to do at this point. They are nearing closing, but with the unknowns of the approval process and the way the City's meeting schedule falls in June, he thought it would be best to add a 45-day extension option. The hope is that the option to extend is not even exercised.

Mr. Warren came forward and provided a project update and answered any questions Council had.

Upon questioning, Mr. Warren stated that the closing is scheduled for this week. If everything goes on schedule, then the work on this project at Central School will begin on Monday, June 22.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved an amendment to the agreement to provide for a 45-Day extension to sell the former Central School Property to Preservation NC.

Councilmember Dry moved to approve eliminating Title II, Chapter 24, "Personnel" of the Code of Ordinances. Councilmember Townsend seconded the motion. Voting for the motion were Councilmembers Alexander, Aldridge, Dry, Hughes, Townsend, and Whitley. Voting against the motion was Councilmember Hall. The motion carried.

(Ordinance 15-20. To eliminate Title II, Chapter 24, "Personnel")

The Mayor and City Council considered the adoption of the proposed Personnel Policy along with the Class List and Salary table.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the following resolution to update the Personnel Policy, Class List and Salary Tables.

(Resolution 15-16. To adopt the Personnel Policy.)

The Mayor and City Council considered a resolution establishing rates for water & sewer effective for billings rendered after July 1, 2015.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes, unanimously carried, the City Council approved the following resolution.

(Resolution 15-17. To adopt the water and sewer rate schedule for FY 2015-16.

The Mayor and City Council considered a resolution to adopt landfill fees for FY 2015-16. The changes to the rates are to move the construction and demolition fees to \$40.00 per ton and to establish the \$1.00 per ton fee to fund closure / post-closure costs. Both of these changes were noted in the budget letter and discussed at the budget work sessions. All other landfill fees will remain unchanged.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved the following resolution.

(Resolution 15-18. To adopt landfill fees for FY 2015-16.)

Upon a motion by Councilmember Alexander, seconded by Councilmember Whitley, and unanimously carried, the City Council approved establishing a \$5.00 General Motor Vehicle Tax.

(Ordinance 15-21. To establish a \$5.00 General Motor Vehicle Tax)

The Mayor and City Council discussed the elimination of the Privilege License Ordinance. The State has eliminated the ability of municipalities to levy and collect privilege license fees. The section of the City's Code of Ordinances authorizing this tax will need to be removed with the passage of an Ordinance. As part of this process, there are some related items that need to be discussed and considered.

The State's elimination of the Privilege License Tax does not take away the City's ability to levy a fee for beer and wine permits or our ability to levy a fee for Closing Out of Sales. This is also known as Going Out of Business Sales. Our fee for taxi cabs and drivers will be eliminated as our fee is a part of our local Privilege License fee schedule. We do have the ability to continue to levy a \$15.00 fee for a vehicle and \$5.00 fee for a driver if we choose. This can be added to our Ordinances regarding Taxis Franchises. We do not currently have any Taxi Franchises and have not in several years.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hall, and unanimously carried, the City Council approved the elimination of the Privilege License Tax and to continue to collect fees for Close-Out Sales and the Beer and Wine Tax as provided by existing State Statutes.

The Mayor and City Council considered approval of write-offs of tenant accounts for the period of July 1, 2014 - December 31, 2014 in the amount of \$1,648.47.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved write-offs of tenant accounts in Public Housing for the period of July 1, 2014- December 31, 2014 in the amount of \$1,648.47.

The Mayor and City Council received a report on sale of surplus property in the amount of \$147,553.95 from Purchasing Coordinator Linda Lewis.

Mayor Michael stated that he noticed not receiving as large an amount from sales as the City use to with previous auction company used. He would like for staff to consider on a trial basis, the sell of a vehicle with previous auction company used by the City.

The Mayor and City Council considered a street closing request for Forest Hills Independence Day Parade. The request is to close the streets around Azalea Park from 9:30 am to 1:00 pm on July 4. The group is also inviting the Mayor and members of City Council to participate if your schedules permit

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved a street closing request for Forest Hills Independence Day Parade and to close the streets around Azalea Park from 9:30 am to 1:00 pm on July 4.

The City Manager introduced Christina Alphin, the new Assistant City Manager. She is moving here from Kinston, NC where she worked for the City of Kinston.

Ms. Alphin thanked City Manager Michael Ferris and City Council for allowing her the opportunity and she looks forward to working with them.

The Mayor and City Council received information concerning the NC Local Government Commission having approved the restructuring of the NCMPA#1 Debt. The approval of the debt restructuring was expected and is the model our Electric Fund budget was developed around. It was noted that this approval means the City will be able to move forward with the 1.6% retail electric rate reduction for our customers effective in October 1, 2015.

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

The Mayor and City Council were reminded that City Offices will be closed on Friday, July 3 for Independence Day.

City Manager Michael Ferris asked that Public Utilities Director Mike Leonas come forward and Mr. Leonas gave an updated report on the W. Oakwood Water Project. Mr. Leonas stated they would be working through the night to complete the project and bring the system online.

Councilmember Townsend asked Planning and Community Director Keith Wolf if the houses scheduled for demolition are on schedule.

Mr. Wolf stated that there are now three houses scheduled for demolition and two of those properties are having asbestos abatement per James Luster with the Centralina Council of Governments. We are hoping to be completed by the end of the month, but no guarantee.

Councilmember Hughes stated that she would like to see the economic development ad for the Charlotte USA magazine that Economic Development Director Mark Donham is working on in conjunction with Stanly County and Stanly Community College.

Councilmember Hughes stated that she is very impressed with the Diamond Level Reliable Public Power Provider (RP3) Designation from the American Public Power Association (APPA) to the City's Public Utilities Electric Division.

Councilmember Aldridge asked what type of turn out is expected for the Police workshop that is scheduled for this coming Saturday, June 20. Assistant Police Chief Bowen was unsure.

Councilmember Dry asked if the sidewalk projects for Leonard Avenue and US 52/1st Street are on target. City attorney David Beaver stated that he has 20 of the 30 titles completed and should be finished before the end of this week for Public Works to pick up.

Councilmember Dry thanked superintendents and department heads of each department for having such a proactive manner on projects for the City.

Councilmember Whitley asked that Council consider attending the Forest Hills Independence Day Parade around Azalea Park from 9:30 am to 1:30 pm on July 4.

Councilmember Hall congratulated all City employees who had someone graduate high school or college this past week.

Councilmember Hall wished IS Director Owen Squires a Happy Birthday.

Councilmember Hall thanked Michael Ferris for following through on a business concern regarding recent utility work on Wiscasset Street.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318.11 (a)(3)(4) - To Discuss Pope v. City of Albemarle and other personnel issues and discuss economic development.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, 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) (4) - To Discuss Pope v. City of Albemarle and other personnel issues and discuss economic development and there was nothing to disclose at this time.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the evaluation of City Manager Michael Ferris with an increase of 1.5% on his current salary beginning July 5, 2015.

Mayor Michael stated that the owner of Rosebriar Restaurant stated to her that the City's contracted electrical crew had her front door blocked 9 days over a three week period and she lost \$3,000 – \$4,000 in business during that time. She asked if the City could consider a reduction in her utility billing as compensation for lost income she experienced during that time frame. It was noted that it was a Lee electric truck under contract with the City's electric department that blocked her entrance.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved reimbursing the owner of the Rosebriar Restaurant ½ of her last monthly utility bill of \$665 in the amount of \$332.50 for negligence and as a goodwill gesture to her on behalf of the City.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the meeting was adjourned.